

Government Watch - County Commission

A look at what is happening in Bradley County

by Ashley Murphy

The Commission's first meeting of the new year came with good news from the Mayor's office. Financial Advisor Lynn Burns gave an update on the purchase order freeze that was issued on September 22, 2009. Due to the cooperation of Department Heads and Elected Officials and with the help of the Trustee's Office monitoring cash flow, the county did not have to borrow money this year.

The county is also anticipated revenues to continue to come in throughout January and therefore, the purchase order freeze will not be renewed.

Due to the recent holidays, no agenda items were recorded for the session and the budget amendments were the only business that needed to be approved from the consent agenda.

Milan Blake opened the work session on January 11th with a presentation from the Election Commission Office. The presentation was regarding voting machines currently

being used for local elections and optical voting machines that the State is wanting to switch to.

Bradley County currently spends approximately \$40,000 per election using the micro-vote electronic voting machines. Switching to optical voting machines could cost an estimated \$49,000 more than what Bradley County is now paying. The State of Tennessee would incur all costs for Bradley to obtain the machines alone, but additional printing, storage and employees drive up costs.

Since 2002, Bradley County has spent \$380,550 on micro-vote machines and if the county switches to optical machines, the current machines would simply be discarded.

Commissioner Brian Smith placed a motion to delay optical voting machines in Bradley County on the agenda and it was voted on at the next commission meeting on Tuesday, January 19, 2010.

Commissioner Howard Thompson raised concerns over the Ocoee rockslide on Highway 64. Clean-up crews are now extending the final

date to March. Thompson believes the State should get more involved to help citizens in the communities effected by at least, placing signs along I-75 and other major highways leading to Highway 64 to save motorists time and money. Many people drive out to where the road is blocked, only to be turned around and sent on a lengthy detour.

The Bradley County Commission was off for the Martin Luther King, Jr. Holiday, but came back to session on January 19th for their regular voting meeting. The first order of business was to officially nominate and elect a body to fill the empty 6th District Commission Seat. Chairman Louie Alford opened up public nominations and Ray Kerr expressed his interest in the position. Commissioner Mel Griffith nominated Willodyne Smith, wife of former 6th District Commissioner Roy Smith.

Law states that a commissioner must place public nominations on the list, but no one volunteered to place Kerr's name alongside Smith's. This

left Willodyne Smith as the only name. Vote was taken and Smith became the new 6th District Commissioner.

Judge Michael Sharp was present to swear in Willodyne Smith and she then took her seat with the commission to participate in her first official meeting as a commissioner.

County Attorney Joe Byrd wrote a letter to the commission on the issue of zoning compensation for airspace. He stated that the commission was still able to initiate compensation if they wished without the Planning Commission's approval. This would require a vote to initiate the process of compensation and override the Planning Commission's vote. Byrd and County Planner Corey Divil would then draft a letter to the State aeronautics division, await a decision and bring that back before the commission.

Byrd also stated that he and Tennessee Department of Transportation Aeronautics Division have found no county or municipality that has ever compensated residents for zoning in regards to airspace.

Commissioner Howard Thompson then made a motion to initiate the compensation process and override the Planning Commission's suggestion. Commissioner Jim Smith was the second.

Commissioners Ben Atchley and Brian Smith had concerns about funding. They questioned where money was going to come from in order to compensate these residents. Was the county going to raise taxes to fulfill this? It was suggested that everyone as a whole think about the impact this could have before passing such a motion.

Commissioner Lisa Stanbery inquired to Byrd about past and future zoning laws that could be called to question. Stanbery was curious to know if residents could come back and challenge other zoning laws and resolutions to the capacity that this particular resolution has reached. Byrd simply stated that, yes, it could be highly possible.

After several questions, Thompson withdrew his motion. Commissioner Michael Plumley kept conversation open by asking more ques-

tions regarding compensation. How would the compensation be paid? What would be the duration of compensation? Will compensation follow deeds if property was sold or handed down? No questions could be answered at this time, which prompted Atchley to make a motion to follow Planning Commission recommendations and to not amend the current resolution and to not give compensation. Brian Smith made the second.

Howard Thompson then made a sub-motion to override the Planning Commission's recommendation and initiate an amendment to the airport zoning resolution that would provide compensation to landowners.

After the sub-motion failed it went back to Ben Atchley's original motion, which passed with Jim Smith, Howard Thompson, Mel Griffith and Willodyne Smith voting no.

Commissioner Brian Smith notified the commission of a Juvenile Committee discussion about heating and air units at the Juvenile Center needing to be replaced.

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Government Watch - City Council

A look at what is happening in the City of Cleveland

by Tonya Brantley

The following are highlights from the regular sessions of the Cleveland City Council held on January 11, 2010 and January 25, 2010.

Greg Dale, founder of McBride Dale Clarion Consultants updated the council on the Strategic Growth Plan. The long range plan will address projected population growth, employment projections, transportation needs, common goals, land use, future infrastructure needs, schools, and utilities, to name a few. The strategic growth plan is a joint project of the City of Cleveland, Bradley County, Cleveland Utilities, Volunteer Electric and the Chamber of Commerce. According to Dale, the plan will seek to capitalize on the community's location as well as its many resources and opportunities and serve the important function of helping the city and county manage the cost of growth by guiding the difficult decisions that must

be made. It will also help officials set priorities brought about by industrial and economic growth. A community task force has been put in place to ensure that citizens have input into the growth plan. The final draft is expected to be complete and presented to the city and county governments in about six months.

The council unanimously voted to appoint Vice Mayor Avery Johnson to the Strategic Plan Task Force.

The first resolution of the new year, Resolution 2010-01, passed unanimously giving recognition to Danny Murray and The Voices of Lee for putting Lee University and the City of Cleveland in the national spotlight. The resolution also recognizes their talents and positive Christian influence and acknowledges them as this city's greatest ambassadors.

Councilman Richard Banks presented a resolution recognizing Forrest Preston and his company, Life Care Centers

of America, on celebrating the 40th anniversary of that company's establishment in the City of Cleveland.

The council discussed Resolution 2010-14 outlining a policy on residency requirements for city council appointments to committees and boards. Some appointments are determined based upon State law and/or the City Charter, while others are left to the discretion of the mayor and city council. Vice Mayor Avery Johnson stated, "I feel if you serve on a city board, you need to live in the city and be a qualified voter." The council chose the following paragraph to include in the resolution which states: Any individual who is not a resident of the City of Cleveland and who does not meet the voter qualification requirements who is currently serving on a board or committee must be a city resident to be re-appointed to the board or committee after the effective date of the resolution, January 11, 2010. With the addition of

this paragraph, the resolution passed unanimously.

A bid update was given to the council on protective vests for the police department. After further review and confirmation from the State and the National Institute of Justice Standards, the Level II vests from Protective Apparel from Jacksboro, TN do meet specifications as well as having a higher standard of protection than the Level IIA vests previously recommended. The council unanimously voted to accept the bid with a unit bid price of \$433.50 each.

The council passed an amendment to the animal adoption fee schedule and procedures. The fee schedule contains the procedure that the veterinarian or the Veterinarian Association bills the City of Cleveland up to \$90 for each animal spayed or neutered under the city's adoption program. The City of Cleveland will remit \$10 to the Veterinarian Association for each rabies vaccination administered at the Cleveland

Animal Shelter. The city charges a \$50 adoption fee for approximately one year, or until the city is no longer able to subsidize the adoption program from their spay/neuter deposit account. As part of the procedure, the adoptive owner will take the animal to the veterinarian for its scheduled appointment. If they fail to keep the appointment, the veterinarian will notify the shelter and city staff will repossess the animal. If they fail to keep the appointment and the animal is repossessed by the city, the \$50 fee will be forfeited to the city's spay/neuter deposit account.

The council unanimously voted to accept the first ordinance of 2010 adopting rates for solid waste and refuse collection. The sanitation user fee is set at \$7.04 monthly per unit, the commercial rate is set at \$1.83 per cubic yard, the commercial recycling rate is set at \$1.60 per cubic yard and the commercial/residential rate for small businesses which are picked up like a

residence is set at \$7.25 monthly per unit.

During the January 25th meeting, most of the council's discussion centered around Resolution No. 2010-16, authorizing the mayor to sign a contract amendment with Waste Connections of Tennessee, Inc. Resolution 2010-16 adds the word 'decrease' to the paragraph titled 'Modification to Rates.' It states, "All rates, charges and fees set forth in this section of the contract are subject to an annual increase/decrease not to exceed five percent (+5%/-5%) per year." It also changes the date from December 31st to September 30th in the paragraph titled 'Adjustments to Residential and Commercial Services.' It now states, "Calculation is as follows: Divide September 30th revenue amount by the current residential fee charged to residents to equal number of monthly units, multiplied by 12, to equal the new annual unit count."

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