

PUBLIC WORKS & PLANNING COMMITTEE

February 5, 2013

6:00 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black  
Commissioner Joe F. Jernigan  
Commissioner Chantho Sourinho  
Commissioner Robert Stevens  
Commissioner Brad Turner  
Commissioner Rhonda Allen, VC

OTHERS PRESENT:

Ernest Burgess      David Jones  
Doug Demosi          Mac Nolen  
Angela Cotter        Tommie Wells  
Marion Wells         Brad Rayls  
Cindy Wells          Joshua Vasquez  
Rick Jesteadt         Becky Shelton  
Aaron Sorensen

Vice-Chairman Allen presided and called the meeting to order at 6:00 p.m. with six members being present at that time.

MINUTES:

"Commissioner Stevens moved, seconded by Commissioner Sourinho, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

HIGHWAY DEPARTMENT REPORT:

There was no Highway Department report at this time.

PLANNING COMMISSION REPORT:

Doug Demosi presented the Planning Commission report and subdivision lot inventory for the use and information of the Committee. Following discussion,

"Commissioner Turner moved, seconded by Commissioner Stevens, to accept the Planning Commission report as presented. This motion passed unanimously by acclamation."

Commissioner Black ask about hours of operation when a business is zoned commercial and has a conditional use permit. Mr. Demosi advised under the new Comprehensive Plan an existing business under a conditional use permit is bound under the hours of operation originally approved under.

BUILDING CODES REPORT:

David Jones presented the Building Codes report for the use and information of the Committee. Following discussion,

"Commissioner Jernigan moved, seconded by Commissioner Black, to approve the Building Codes report as presented. This motion passed unanimously by acclamation."

CONVENIENCE CENTERS REPORT AND LANDFILL REPORT:

Mac Nolen presented the Convenience Centers and Landfill reports for the use and information of the Committee advising no agreement has been reached on purchase of the Peachtree site and other sites have been looked at. Following discussion,

"Commissioner Black moved, seconded by Commissioner Turner, to approve the Convenience Centers and Landfill reports as presented. This motion passed unanimously by acclamation."

Mr. Nolen next presented a proposed budget amendment of

\$7,360 from Account #116-55732-402 (Convenience Centers/Asphalt) with \$6,000 to Account #116-55720-425 (Litter Program/Gasoline), \$360 to Account #116-55732-307 (Communications) and \$1,000 to Account #116-55732-353 (Towing Service) to provide sufficient funding for the gasoline account for the Litter Program, communications for the Recycle Center and towing service for convenience center trucks. Following discussion,

"Commissioner Jernigan moved, seconded by Commissioner Black, to approve the budget amendment of \$7,360 from Account #116-55732-402 (Convenience Centers/Asphalt) with \$6,000 to Account #116-55720-425 (Litter Program/Gasoline), \$360 to Account #116-55732-307 (Communications) and \$1,000 to Account #116-55732-353 (Towing Service). This motion passed unanimously by roll call vote."

Mr. Nolen next provided a copy of a Resolution passed December 14, 2000 to the School Board forwarding a letter encouraging recycling in an effort to reduce the amount of material being disposed at BFI's Middle Point landfill. Mr. Nolen advised he was asking for something with more teeth suggesting a possible change in trash collection if recycling is not improved. Mayor Burgess will provide something in the next few months for consideration.

Mr. Nolen next provided the annual financial assurance agreement for the Rutherford County Sanitary Landfill in the amount of \$3,241,882 for post-closure activities. Following discussion,

"Commissioner Turner moved, seconded by Commissioner Jernigan, to approve the Annual Inflation Adjustment of the financial assurance for the Rutherford County Sanitary Landfill and forward the same to the Budget Committee. This motion passed unanimously by acclamation."

Mayor Burgess next advised the Property Management Committee had a lengthy discussion before endorsing the concept to purchase the Peachtree property with the County Mayor to negotiate and additionally to see if the lease could be extended for an indefinite period of time. After discussions with Peachtree, a purchase price of \$220,000 has been negotiated for purchase of 2.1 acres to the back of their property so the convenience center site could be expanded in the future. The sale would be closed before March 31 so there would be no interruption of services. This would be subject to Commission approval and a Phase I environmental study. Mayor Burgess advised he believed this was needed, the community deserved a convenience center site and this was his recommendation as a reasonable way to move forward as remaining at this location will not interfere with community center activities.

Commissioner Black advised he appreciated the Mayor's efforts but he did not like it or the price and wanted the facilities relocated down the road to the County owned property which can be done for approximately \$100,000. Commissioner Black advised the playground is located at the road and he ask if a kid was more likely to get hurt at the playground or the convenience center.

"Commissioner Black moved to relocate the Lascassas Convenience Center to the Lascassas Community Center. This motion failed for lack of a second."

Commissioner Jernigan questioned shouldn't the Property Management Committee handle the issue. Commissioner Black advised the Property Management Committee authorized the Mayor to negotiate a sale but it did not come back at a fair market price and he thought some special interest groups were being appeased. Commissioner Black advised he thought the matter belonged in Public Works Committee. Commissioner Stevens advised now that the price is known he thought

the matter should go back to the Property Management Committee. Mayor Burgess advised Property Management Committee was comfortable with further discussion at the Commission due to time constraints. If the matter goes back to Property Management Committee it will disrupt service at the convenience center. Commissioner Black advised if the Lascassas Convenience Center is shut down for any period of time it will cause a burden to another community.

"Commissioner Stevens moved, seconded by Commissioner Black, to forward the recommendation of Mayor Burgess to purchase the current site at a cost of \$220,000 and the recommendation of Commissioner Jack Black to relocate the convenience center site to the Lascassas Community Center to the Commission for a determination on which plan to proceed with."

"Commissioner Black moved to amend the original motion, seconded by Commissioner Jernigan, to direct the Solid Waste Director to immediately start work on the relocation including removal of the fencing if the Commission chooses to move the convenience center to the Lascassas Community Center."

Mayor Burgess advised if the Commission decides to relocate the convenience center the County will have to go to the BZA as well as TDEC and he recommended leaving the center open at the current site the additional ten days until the posted closing date of February 24. Mayor Burgess advised he did not support as it was an inappropriate approach to take but he would follow the Commission's direction.

"Commissioner Black withdrew his amendment to the original motion."

"The original motion to forward both recommendations to the Commission passed unanimously by roll call vote."

Commissioner Stevens inquired if a title search was needed for any restrictions on the original deed prohibiting the location of this type of facility on the property.

Mayor Burgess advised if the site is relocated, the lease with the Lion's Club will have to be cancelled and a new one executed. Commissioner Black ask if a motion was needed to start cancellation of the lease and Vice-Chairman Allen advised not until the Commission makes a decision.

There appearing to be no further business to come before the Committee, Vice-Chairman Allen declared the meeting adjourned at 6:58 p.m.

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RHONDA ALLEN, Vice-Chairman