

September 25, 2023

David Abbott	A
Don Adkins, Jr.	P
Donald Blansett	P
Ruric Brandt	P
Logan Campbell	P
Jimmy Cantrell	P
Steve Franklin	P
Gene Hargis	P
Linda Mason	P
Chris Morrison	P
Jim Nunley	P
Dennis Rollins	P
Paul Schafer	P
Peggy Thompson	A
Sherry VanAllman	P

The Marion County Board of Commissioners met in a regular session on September 25, 2023. Madam Chairman Linda Mason called the meeting to order. (Time: 01) Invocation was given by Commissioner Rollins. (Time :03) Pledge was led by Marion County Clerk, Joanie Spangler. (Time 1:36) Roll call was taken by Jaime Quick, Chief Deputy Clerk. (Time 1:47) Thirteen commissioners were present. Absent this month Commissioner Abbott and Commissioner Thompson.

Approval of previous month's minutes: (Time 2:00) Commissioner Morrison made a motion to approve the minutes from the August 28, 2023, meeting. Seconded by Commissioner Cantrell. 13 voting aye.

1. Election of Chairperson, Marion County Commission: (Time 2:12) Commissioner Hargis made a motion to appoint Commissioner Blansett as the temporary Chairman. Commissioner Schafer seconded the motion. 13 voting aye.
2. Temporary Chairman Blansett opened nominations for new chairperson. Commissioner Hargis nominated Commissioner Mason. Commissioner Brandt nominated Commissioner Franklin. Commissioner Schafer made a motion to cease nominations, seconded by Commissioner Hargis. Temporary Chairman Blansett called for a roll call vote at this time. The Commission voted 7 votes (Commissioner Adkins, Commissioner Blansett, Commissioner Hargis, Commissioner Mason, Commissioner Morrison, Commissioner Rollins,

Commissioner VanAllman) to 6 votes (Commissioner Brandt, Commissioner Campbell, Commissioner Cantrell, Commissioner Franklin, Commissioner Nunley, Commissioner Schafer) in favor of Commissioner Mason. Counselor Gouger stated that election of a chairperson requires the vote of a majority of the commission, or 8 votes. Temporary Chairman Blansett stated that the election of a chairperson is carried forward to the next meeting as unfinished business.

3. Election of Vice-Chairperson, Marion County Commission- (Time 5:00)
Commissioner Hargis made a motion to table to next month's meeting. Seconded by Commissioner Rollins. 13 voting aye.
4. Award Bid for the Purchase by Drug Task Force of an ATV Funded by the Violent Crime Initiative Grant: (Time 5:14) (Attachments) The county received a bid from Battle Creek Powersports on the purchase of an Off-Road Vehicle for \$16,000.00. Commissioner Cantrell made a motion to approve the purchase. Seconded by Commissioner Campbell. 13 voting aye.
5. Approve Purchase by the Marion County Sheriff's Department of Three (3) Ford Explorers on State Bid/Contract: (Time: 5:40) (Attachment) Mayor Jackson presented the bid from Ford of Murfreesboro for the purchase of these three vehicles in the total amount of \$114,258.00. Commissioner Schafer made a motion to approve the purchase. Seconded by Commissioner Campbell. 12 voting aye. Commissioner Hargis abstained.
6. Award Bid, Mullins Cove Water Line Extension: (Time 6:12) (Attachment) Mayor Jackson presented the letter of recommendation for this project from Croy Engineering, with the recommendation being to reject all bids and rebid this project in October. Commissioner Schafer made a motion to accept the recommendation and approve the re-bid. Seconded by Commissioner Campbell. 11 voting aye, 1 voting no (Commissioner Franklin). Commissioner Adkins abstained.
7. Award Bid, Egypt hollow Water Line Extension: (Time 7:20) (Attachment) Mayor Jackson presented the letter of recommendation for this project from Croy Engineering, stating their recommendation that the project be awarded to Lofty Construction in the amount of \$1,639,714.00. Commissioner Campbell made a motion to approve the recommendation. Seconded by Commissioner Hargis. 13 voting aye. Commissioner Morrison stated his concerns about early change orders in these water projects.
8. Re-appoint Louise Powell, Keith Garth, and Robert Kelly to the Marion County Planning Commission (4-year terms): (Time 9:51) Commissioner Brandt stated that he did not know these people and asked to interview those listed for reappointment. Commissioner Blansett stated that he believed a workshop would be better. Commissioner Schafer made a motion for a workshop. Seconded by Commissioner Cantrell. 13 voting aye.
9. Resolution Approving Loan for Marion County Highway Department: (Time 11:22) (Attachment) Mayor Jackson present the bids from: Builtwell Bank, First Jackson Bank, Citizens Tri-County Bank, Mountain Valley Bank, and Tower Community Bank, with the recommendation that the Commission accept the low bid from Mountain Valley Bank on a 6–8-year term at an interest rate of 4.99% per year. Commissioner Schafer made a motion to accept the low bid from Mountain Valley Bank. Seconded by Commissioner Adkins. 13 voting aye

10. Mayor Jackson requested Lester Roberts be re-appointed to the 911 Board (4-Year Term) (Time 12:47) Commissioner Hargis made a motion to approve. Seconded by Commissioner Campbell. 13 voting aye.
11. Appoint Vicki Messer to the Marion County Library Board (Time 13:05) (Attachment) Mayor Jackson submitted a letter of request from the Marion County Library Board to appoint Vicki Messer to an open position on the Library Board. This appointment would be for two (2) consecutive three (3)-year terms as stipulated by the state. Commissioner Campbell made a motion to approve. Commissioner Adkins seconded. 13 voting aye.
12. Award Cleaning Contract for the Courthouse, Barker Building, and Courthouse Annex buildings: (Time 13:30) (Attachments) Mayor Jackson stated that two bids were submitted, one from Valley Janitorial Service for \$48,132.00 for a one-year contract, and a second bid submitted by Nadine's Cleaning Service for \$120,000.40 for a one-year contract. Commissioner Blansett questioned had the office holders submitted the list of duties for the cleaning service and were the duties listed in the bid specs and contract. Mayor Jackson stated yes, he had received the request lists from each office holder. Commissioner Campbell made a motion to approve the low bid from Valley Janitorial Service. Seconded by Commissioner Franklin. 13 voting aye.
13. Resolution Regarding POA Control Period: (Time 14:58) (Attachment) Counselor Gouger read the resolution prepared at the request of Jeff Cobb and Commissioner Brandt concerning the time period during which a developer may maintain control over a POA in a residential subdivision. Commissioner Brandt questioned the need for this resolution. Counselor Gouger stated this would only serve as a resolution of support for legislation in the Tennessee General Assembly. Counselor Gouger advised that the Commission at this level does not have power to pass rules or laws of this aspect. Commissioner Hargis clarified that current developments or those developing now would not be affected by this. Commissioner Blansett restated clarification that with this passed even at a state level no current local development would be affected. Commissioner Brandt made a motion to pass the resolution. Seconded by Commissioner Rollins. Commissioner Mason called for a roll call vote. Resolution did not pass with a 4 aye to 8 nay vote. Voting aye: Commissioner Brandt, Commissioner Franklin, Commissioner Nunley, Commissioner Rollins. Voting nay: Commissioner Adkins, Commissioner Blansett, Commissioner Campbell, Commissioner Cantrell, Commissioner Hargis, Commissioner Mason, Commissioner Morrison, Commissioner Vanallman) 12 voting. Commissioner Schafer abstained.
14. Discussion- County Attorney Contract- (Time 23:18) (Attachment) Counselor Gouger stated the legal service agreement presented was modeled after the Hamilton County contract. Commissioner Hargis questioned if the dollar amount or pay for the County Attorney was different with or without a contract. Mayor Jackson explained the process for appointing a County Attorney is the County Mayor's job by statute. Commissioner Brandt made a motion to approve this legal service agreement. Seconded by Commissioner Franklin. Commissioner Mason requested a roll call vote. The legal service agreement did not pass with 9 nay votes (Commissioner Adkins, Commissioner Blansett, Commissioner Campbell, Commissioner Cantrell, Commissioner Hargis, Commissioner Mason, Commissioner Morrison, Commissioner Rollins, Commissioner VanAllman). 4 aye votes (Commissioner Brandt, Commissioner Franklin, Commissioner Nunley, Commissioner Schafer). 13 voting.

15. Finance Committee Report- Don Adkins (Time 27:59) Commissioner Adkins stated at this time the Finance Committee's recommendation is to not pay the At-Large Committee members. Commissioner Adkins also reported that several of the At-Large Committee members have stated they do not want to be paid because they have never been paid and felt this is their civic duty as a volunteer for these positions. Commissioner Adkins also stated that the Finance Committee's recommendation is to not fund the additional money requested to MARC (\$8,000.00) and the additional funds requested to be donated to the Isaiah House 1:17 (\$7500.00) at this time. Commissioner Adkins stated this is due to only being three months into this new fiscal year and budget, as well as the fact that more expenditures are going to be required such as the new jail, and the Finance Committee hopes to possibly revisit these appropriations this in one year. Commissioner Franklin made a motion to approve these recommendations. Seconded by Commissioner Cantrell. 13 voting aye. During this discussion Commissioner Schafer requested a workshop on Commissioner travel expenses.

16. Consideration of Resolution authorizing Bond Issuance not to exceed \$2,150,000 for the 911 Emergency Communications District: (Time 31:58) (Attachment) Counselor Gouger stated it was critical for the Commission to consider this Resolution tonight because the pricing from the State for the 911 District to participate in the TACN communications system is only good until November 30, 2023. Commissioner Franklin made a motion to approve. Seconded by Commissioner Hargis 13 voting aye.

17. Change Order for Battle Creek water line project: (Time 35:28) (Attachment) Mayor Jackson stated there was an issue where Kelly Cove Road had to be cut causing an expense up to \$6500.00. Mayor Jackson recommended allowing the Marion County Highway Department to do the necessary paving to repair Kelly Cove Road. Commissioner Campbell made a motion to approve the additional expenditures and the recommendation to allow the Highway Department to make the paving repair. Commissioner Hargis seconded. 13 voting aye.

18. Budget Amendments- Marion County Local Government: (Time 36:32) (Attachment) Mayor Jackson presented the following budget amendments for approval: Fund 101, transfer grant money to revenue code 46980, and revenue code 54110 for SRO Grant and Violent Crime Grant as well as Fund 128. Commissioner Campbell made a motion to approve. Seconded by Commissioner Cantrell. 12 voting aye. Commissioner Schafer left at this time.

19. Budget Amendments- Marion County Board of Education: (Time 37:39) (Attachments) Dr. Griffith requested approval for the following budget amendments: #1) Fund 141 to amend Prior Year Federal through State Grant, #2) Fund 142 to allow federal funds carryover from 2022-2023 Commissioner Adkins made a motion to approve both amendments. Seconded by Commissioner Morrison. 12 voting aye.

Dr. Griffith also presented a Cash Flow Analysis for July 2023 for information purposes only.

Jasper Middle School Project Manager Randy Gilliam was present to provide updated information on the progress and timeline of completion of the new Jasper Middle School project.

20. Budget Amendments- Marion County Highway Department: (Time 47:10)
(Attachment) Road Superintendent Cory Pickett asked for approval for fund balance expenditures as shown on the attached. Commissioner Campbell made a motion to approve. Seconded by Commissioner Brandt. 12 voting aye.

Mr. Pickett also asked for an approval to add one-tenth of a mile to White Oak Trail and seven-Tenths of a mile to Trussell Road. Counselor Gouger stated that there is an actual deed of dedication to the County for that strip of Trussell Road in question. Commissioner Campbell made a motion to approve. Seconded by Commissioner Morrison. 12 voting aye.

Mr. Pickett reported that Shellmound Road, Browns Trace Road and Fiery Gizzard Road had been approved for State aid and each road would require five days each to complete paving.

Commissioner Brandt questioned a dirt road that connects to Raulstontown Road. Counselor Gouger stated at one time it was a county road but is not currently shown on the official County road list. Commissioner Hargis stated it was a closed road due to a landslide on the mountain.

Commissioner Adkins commended the highway department on the social media updates the staff was providing. All updates can be looked up on social media site Facebook under Marion County Highway Department.

21. Mayor's Report: (50:02) Mayor Jackson stated the County had received seven (7) RFI's from the State this month. A packet was sent back on Project Longbeach and Project Jolt.

(a) On September 7th Project N-7 visited the Nickajack Port site.

(b) On September 13th Project Supernova flew into the Port site.

(c) The BattleCreek waterline project is about fifty (50) percent complete.

(d) The Sweetens Cove water project will begin when Lofty Construction finishes the Battle Creek project.

(e) The South Pittsburg Mountain water project has been a problem due to TDOT. TDOT has an issue with the location of the line.

(f) Airport project is about sixty (60) percent complete.

(g) Opioid Settlement task force has been meeting almost weekly since June. Commissioners will be receiving packets in the mail for a workshop in the next couple of weeks.

(h) A report from the Department of Tourism from 2022 shows that visitors have been spending an average of 60.8 million dollars in the County.

(i) Upcoming Events in the County for the month of October: City of South Pittsburg and Town of Jasper will host their monthly markets, Ketner's Mill Fair will be held on October 21st and 22nd will begin at 8am, Jasper Jaycee's will host

drag boat racing at Marion County Park on October 14th and 15th, the Town of Jasper will host the Josh Jennings Jack-o-lantern Jamboree on October 28th from 3pm-8pm, Lumberjack Event at Marion County Park on October 21st starting at 10am, the breakfast to raise money for Child Advocacy program beginning at 8am, first annual Glancy Harvest Festival at the Glancy Sherman Mansion in Sequatchie starting at 3pm on October 21st.

(j) Next County Commission meeting is October 23, 2023, at 6pm.

(k) Public Announcement and Invitation: Marion County Hazard Mitigation Plan public discussion on October 11, 2023, at 2pm at the Lawson Building. Contact Steve Lamb at SLamb@marioncountyttn.net for more information.

22. Approval of Notaries: (Time 1:00:00) (Attachment) Marion County Clerk Joanie Spangler read the following names for approval: Frankie R. Floyd, Samantha Maria Brown, Phynessa McCurry Sewell, Stacey Jones Baty, Heather Faye Coffelt, Madeline C. Long, Ronnie J. Blevins II, W. Autumn Martin, Samantha E. Dutton, Zachary Walker Spradlin, and Karen Y. Freeman. Commissioner Campbell made a motion to approve. Seconded by Commissioner Rollins. 12 voting aye.

23. General Business: (Time 1:00:40) Commissioner Franklin asked about the Beaver contract and when it was due. Mayor Jackson responded that it is due next month.

Commissioner Franklin also asked about the progress on the new jail design. Mayor Jackson stated the County is waiting for response back from the architect for recommendations for the standards required.

Commissioner Morrison addressed an issue of a public road closure in the Incline road area of Whitwell that has been blocked on both sides. Also, Commissioner Morrison stated he has had several phone calls of a possible sand plant that's trying to locate near Highway 156 in the Jumpoff Community.

Commissioner Brandt questioned guardrails on Highway 156 on South Pittsburg Mountain. Mayor Jackson stated he has been working with the State on this issue and the State is still waiting on the report from THP. The State must have that report before they can do anything.

24. Public Comments: (Time 1:07:45) Jack Champion addressed the Commission with his concern about a sand plant core drilling across from his home and property.

Ronnie Kennedy- Thanked the Commission for the water lines in Egypt Hollow.

David Thompson- Thanked the Commission for adding Public Comments to the agenda and asked the Commission to place a time limit on each person of 2-3 minutes.

25. Adjournment: (Time 1:16:12) Commissioner Adkins made a motion to adjourn. Seconded by Commissioner Morrison. 12 voting aye

Respectfully Submitted,

Joanie Spangler

Linda Mason, Chairman

Joanie Spangler, County Clerk