

November 27, 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	A
Paul Schafer	P
Peggy Thompson	P
Sherry VanAllman	P

The Marion County Board of Commissioners met in a regular session on November 27, 2023. Madam Chairman Linda Mason called the meeting to order. (Time: .35) Invocation was given by Commissioner Hargis. (Time .37) Pledge was led by Marion County Clerk, Joanie Spangler. (Time 1:07) Roll call was taken by Jaime Quick, Chief Deputy Clerk. (Time 1:40) Thirteen commissioners were present. Absent this month: Commissioner Abbott and Commissioner Rollins.

Approval of previous month's minutes: (Time 2:25) Commissioner Morrison made a motion to approve the minutes from the October 23, 2023, meeting. Seconded by Commissioner Schafer. 13 voting aye.

1. Approval- Distribution of Opioid Funds- (Time 2:45) (Attachment) Commissioner Schafer made a motion to approve the presented distribution list of Opioid abatement funds. Seconded by Commissioner Campbell. With the motion on the floor, a discussion took place among Commissioners, who expressed concerns. Commissioner Franklin asked for an explanation of the breakdown presented. Commissioner Hargis' concern is some members on the board could have awarded money to their own boards and/or themselves and proposed this distribution be reviewed by the Ethics Committee. Madam Chairman Mason questioned the accountability of the use of the funds. Mayor Jackson stated this would be reported to his office twice a year. After further discussion, Commissioner Schafer withdrew his motion and Commissioner Blansett made a

motion to table this matter to the next meeting. Seconded by Commissioner Brandt. 13 voting aye. Commissioner Hargis then made a motion that this proposed distribution be reviewed by the Ethics Committee. Seconded by Commissioner Campbell. 13 voting aye.

2. Tinsley Sand Plant: Jack Champion, Paige Schneider, Gary Minor, Doug Cameron, E.M. Turner Chitty, Colonel Ron Bailey, Brian Willis, Maureen Handler, and Dr. Randall Littell were on the Agenda to speak on this item (Time 6:20) Madam Chairman Mason stated there were two parties who had PowerPoint presentations that would need to be approved by the Commission to allow them to present those. Commissioner Brandt made a motion to approve the presentations. Seconded by Commissioner Franklin. The Commission voted no to accepting the PowerPoint presentations with a roll call vote of 2 voting yes (Commissioner Brandt, Commissioner Franklin) to 11 voting no (Commissioner Adkins, Commissioner Blansett, Commissioner Campbell, Commissioner Cantrell, Commissioner Hargis, Madam Chairman Mason, Commissioner Morrison, Commissioner Nunley, Commissioner Schafer, Commissioner Thompson, and Commissioner VanAllman). Madam Chairman Mason stated that each speaker listed on the Agenda would have 3 minutes to speak.
 - a.) Jack Champion- Mr. Champion stated he knew nothing of the County Powers Act until the proposed Sand Plant. Mr. Champion addressed his opinions with a letter Mr. Tinsley sent out.
 - b.) Paige Schneider- Ms. Schneider expressed her concerns for the blasting and health concerns.
 - c.) Gary Minor- Mr. Minor yielded his time to Cliff Huffman.
 - d.) Doug Cameron- Mr. Cameron a resident of the Jumpoff Community and a member of the Sevanee Fire Department expressed his concerns about the conditions of the roads in the area and of the hazards he foresees with the large trucks moving sand from this proposed sand plant site.
 - e.) E.M. Turner Chitty- Ms. Chitty lives in the Jumpoff Community and spoke about what she felt was inaccurate information that was presented in the packet from Mr. Tinsley.
 - f.) Colonel Ron Bailey- Colonel Bailey has lived in the Jumpoff Community for 7 years and expressed his concerns on the freedom they have living there away from businesses and what he sees as the proposed sand plant site would destroy that freedom as well as what all these residents have worked for.
 - g.) Brian Willis- Mr. Willis, a resident of the Jumpoff Community, stated his concerns for the blasting that would come from the proposed sand plant.
 - h.) Maureen Handler- Ms. Handler has lived in the Jumpoff Community for 20+ years and expressed her concerns with the weight limits she feels are ignored on the area roads already, the accidents that she foresees, and the caves that would be affected by blasting.
 - i.) Dr. Randall Littell- not present
3. Tinsley Representative- Chris Hopkins- (Time 36:48) Madam Chairman Mason stated Mr. Hopkins would have 3 minutes to speak also. Mr. Hopkins, a representative for Mr. Tinsley, was present to address some of the concerns of the residents of the Jumpoff Community. Also, present was a colleague of Mr. Tinsley's who spoke to address his opinion on "the could've, would've, should've's" concerning the blasting and what he feels are issues that can be managed.
4. Consideration of Resolution to opt into the County Powers Act: (Time 45:13) Commissioner Brandt made a motion to opt into the County Powers Act. Seconded by Commissioner Franklin. At this time Madam Chairman Mason called

for a roll call vote. The County Powers Act was voted down with a 4 yes vote. (Commissioner Brandt, Commissioner Franklin, Commissioner Schafer, and Commissioner VanAllman) to 9 no votes (Commissioner Adkins, Commissioner Blansett, Commissioner Campbell, Commissioner Cantrell, Commissioner Hargis, Madam Chairman Mason, Commissioner Morrison, Commissioner Nunley, and Commissioner Thompson) with 13 Commissioners voting as a whole.

5. Re-appointments to Marion County Planning Commission: A) Robert Kelly B) Louise Powell C) Keith Garth (Time 0:56:24) Commissioner Brandt asked to have a workshop to interview and to discuss possible conflicts of interest and/or existing business conflicts. Mayor Jackson stated State law does not require interviews for Planning Commission appointments. After further discussion, Commissioner Blansett made a motion to approve the re-appointments. Seconded by Commissioner Thompson. 12 voting aye. Commissioner Brandt voting no.
6. Re-appointment to 911 Board: A) Jody Rollins- (Time 1:04:41) Commissioner Franklin made a motion to approve. Seconded by Commissioner Blansett. 13 voting aye.
7. Approval- County Commission Committees- (Time 1:06:16) (Attachment) Commissioner Hargis made a motion to approve. Seconded by Commissioner Adkins. With the motion on the floor, Commissioner Franklin addressed the discussion of his concern of some different committees joined together and asked for clarification. Commissioner Franklin also asked to trade out his position with Commissioner Schafer. Mayor Jackson clarified these are his appointed positions he is presenting. Commissioner Cantrell also addressed his issue with being removed from the Emergency Services Committee. After further discussion, Commissioner Schafer asked to do a roll call vote. At this time Madam Chairman Mason called for a roll call vote to approve Mayor Jackson's presented list of appointments for each Committee. Mayor Jackson's 2023-2024 Committees list was approved with a 9 yes votes (Commissioner Adkins, Commissioner Blansett, Commissioner Campbell, Commissioner Hargis, Madam Chairman Mason, Commissioner Morrison, Commissioner Nunley, Commissioner Thompson, and Commissioner VanAllman) to 4 no votes (Commissioner Brandt, Commissioner Cantrell, Commissioner Franklin, and Commissioner Schafer) 13 Commissioners voting as a whole. Mayor Jackson in turn stated to Commissioner Franklin his requests would be considered for the next fiscal year.
8. Approval- Purchase of truck for Maintenance Department- (Time 1:13:15) (Attachments) Mayor Jackson stated the County needs to replace a truck in the maintenance department and a used one had been found with the opportunity to purchase it under the Kelly Bluebook price, which would eliminate the need for bidding. Commissioner Cantrell made a motion to approve the purchase. Seconded by Commissioner Schafer. 13 voting aye.
9. Approval-Surplus vehicles for Sheriff's Department Auction- (Time 1:14:03) (Attachments) Commissioner Schafer made the motion to approve the surplus vehicle list and auction. Seconded by Commissioner Cantrell. 13 voting aye. The date for this auction is December 16, 2023.
10. Approval- Inter-local Agreement between MC Sheriff's Department/Monteagle Police Department: (Time 1:14:44) (Attachment) Counselor Gouger addressed the inter-local agreement between MC Sheriff's office and Monteagle City police

department. The Town of Monteagle requested this be done in writing for insurance purposes. Commissioner Franklin made a motion to approve. Seconded by Commissioner Campbell. 12 voting aye. Commissioner Cantrell abstained.

11. Approval- MOU-American Thrift Stores: (Time 1:16:19) (Attachment) Mayor Jackson stated he had a request from America's Thrift Stores and asking for approval from the Commission to place containers at the Convenience Centers to collect household goods and clothes instead of stuff being dumped into the landfill. The three sites for the containers will be at Battle Creek Convenience Center, Jasper Convenience Center, and Whitwell Convenience Center pending approval tonight. Mayor Jackson stated if this goes well, we will look into placing these containers at additional locations within the county. Commissioner Schafer made the motion to approve placing the initial three containers at the named locations. Seconded by Commissioner Cantrell. 13 voting aye.
12. Approval- TDOT Resolution for Hwy 108 Right-of-Way: (Time 1:17:11) (Attachment) Mayor Jackson stated this resolution to be approved is for the use of the highway right of way to repair a section of the slide area. Counselor Gouger addressed the fact that the State has already used this property for repair and needs the resolution to ratify what has been done. Commissioner Franklin made a motion to approve this resolution. Seconded by Commissioner Adkins. 13 voting aye.
13. Consideration of adopting rule regarding reconsideration of County Powers Act: (Time 1:18:32) Madam Chairman Mason stated she requested this be placed on the agenda because of the numerous times the County Powers Act has been brought before the Commission. Counselor Gouger stated under Robert's Rules of Order there is no limitation to the number of times an item can be placed on the agenda. Commissioner Adkins asked to table for time to review the packet from Commissioner Brandt concerning CTAS rules. Counselor Gouger recommended setting up a special committee to review and prepare a set of proposed rules using the CTAS template prior to a workshop. The named committee members for this special committee are Commissioner Brandt, Commissioner Schafer, Commissioner Thompson, Commissioner Campbell, and Commissioner VanAllman. Each committee member is one from each district. Commissioner Hargis made a motion to approve this special committee. Seconded by Commissioner Blansett. 13 voting aye.
14. Discussion- December Meeting- (Time 1:22:53) Mayor Jackson stated normally there is not a December meeting and this year the 4th Monday falls on Christmas Day. Commissioner Adkins made a motion for no December meeting. Seconded by Commissioner Schafer. 13 voting aye. The next County Commission meeting will be held January 22, 2023.
15. Budget Amendments-Marion County Local Government- (Time 1:24:35) (Attachment) Mayor Jackson stated a decrease in General Fund 101 concerning the CDBG Childcare grant funds and Fund 128 the American Rescue Plan. Commissioner Morrison made a motion to approve. Seconded by Commissioner Cantrell. 13 voting aye.
16. Budget Amendments- Marion County Board of Education-(Time 1:26:28) Dr. Griffith presented the following budget amendments to Fund 141 and Fund 142 for approval: Amendment #3 revised carryover/reallocation of federal funds, Amendment #5 New Special Education Preschool state grant and adjustments to

the Voluntary Pre-K program. Commissioner Campbell made a motion to approve all budget amendments. Seconded by Commissioner Cantrell. 13 voting aye. Dr. Griffith also stated there would be a walk-through and breakfast given on Saturday morning at the new Jasper Middle School site; anyone wanting to attend would need to let his secretary know on Tuesday morning.

17. Budget Amendments- Marion County Highway Department- (Time 1:28:04) (Attachment) Road Superintendent Cory Pickett requested approval to transfer the previously approved \$550,000.00 loan to purchase equipment. Commissioner Hargis made a motion to approve. Seconded by Commissioner Blansett. 13 voting aye. Commissioner Franklin questioned where the \$550,000.00 came from.

18. Mayor's Report- (Time 1:31:47) Mayor Jackson reported the following:

- (a) The County received two RFI's this month. Only one information packet sent back on a request from TVA (Windsurge) for 40 acres with rail.
- (b) On November 14th the county sold the bonds for the 911 Board in the amount of \$1.6 million. BOK Financial was the low bidder.
- (c) Waterline projects update: Sweetens Cove project is finished; Battle Creek and Kelly Cove projects like about 1200 feet being finished; South Pittsburg Mountain project has not gotten started yet due to the failure of the Engineer to have their TDOT permits in place. Any additional cost this would cause will be at the engineer's expense, the Egypt Hollow/Mullins Cove projects- there will be a pre-construction meeting Tuesday and Cory Engineering does have all permits in place.
- (d) Mayor Jackson did meet with the Regional TDOT Director to discuss concerns of state highways, especially the concerns with the trees that lay near the white lines, and the problem is the State just does not have the manpower to do it all and can not get it worked out to get anyone to bid on the job.
- (e) The Clerk and Master's office did conduct a Delinquent property tax sale and sold 10 pieces of property for the sum of around \$173,800.00. Next sale will be next June.

19. Approval of Notaries- (Time 1:35:55) (Attachment) Marion County Clerk, Joanie Spangler read the following names for approval: Steve W. McBee Jr, Paula R. Shipley, Janea R. Boyles, Kathryn H. Willard, Laura Tuders, Todd Dewitt, Lisa Layne, Terri Smith, Kimberly Layne, and Cynthia B. Woods. Commissioner Morrison made a motion to approve. Seconded by Commissioner Campbell. 13 voting aye.

20. General Business- (Time 1:36:32)

Commissioner Franklin asked about the bridge on the Highway 150 section near the new Jasper Middle School site. Mayor Jackson addressed that he did point that road out to the Regional TDOT Director.

Commissioner Brandt asked David Berry to speak on the Opioid funds distribution votes. Also, Debbie Matthews on behalf of the Opioid distribution funds task force and the guidelines on how the money is voted on by the committee for submitted applications for distribution.

Tammy McCoplin and Jonathon Wingo who attended one of the Opioid Abatement meetings on behalf of the Sheriff's Department were not left under the impression that there were any opioid funds available to apply for. Commissioner Brandt asked for clarification on whether each application submitted for the Opioid Funds Disbursement meant each person was competing for the funds, which the answer was yes.

A resident, Mr. David Thompson, commended Madam Chairman Mason for keeping this meeting on track.

21. Public Comments- (Time 1:58:45) Gary Minor asked to speak after he yielded his time to someone else previously in the meeting to speak poorly to the Commission.

22. Adjournment: (Time 2:01:55) Commissioner Hargis made a motion to adjourn. Seconded by Commissioner Adkins. 13 voting aye

Respectfully Submitted,


Linda Mason, Chairman
Joanie Spangler, County Clerk