

January 23, 2022

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

The Marion County Board of Commissioners met in a regular called session on January 23, 2023. Chairman David Abbott called the meeting to order. (Time: 07) Invocation was given by Commissioner Rollins. (Time 0:27) Pledge led by Marion County Clerk, Joanie Spangler. (Time 1:17) Roll call was taken by Jaime Quick, Chief Deputy Clerk. (Time 1:41) Fourteen commissioners were present. Absent this month Commissioner Hargis.

- 1) A motion was made by Commissioner Schafer and seconded by Commissioner Campbell to approve the minutes from the November 28, 2022 meeting. 14 voted aye. (Time 3:20)
- 2) Appointment of Road Commissioner (Time 0:03:30) Counselor Gouger addressed the notification from the Tennessee department of elections from the Tennessee Secretary of State that they have been unable to get the candidates recertified at this time. Counselor Gouger recommended carrying it over until next month due to no set date from the state when this process would be completed. Commissioner Mason questioned could we recess until this process is complete. Commissioner Schafer questioned when the notification comes through we can call a special meeting for appointment and proposed we do that. Commissioner Nunley questioned how were the candidates certified and all at once not certified. Commissioner Nunley questioned did someone call in to the state. Commissioner Thompson questioned with this occurrence then how long is a certification good for. Counselor Gouger stated a recertification has to happen every time there is an election. Current interim Andy Morrison is not considered certified as well but can fill position because of being named the Interim. Commissioner Morrison questioned

who will the official notifications come to once this recertification process is complete. Commissioner Campbell expressed they recess until notifications come in. Commissioner Mason made a motion to recess until Monday January 30, 2022 6pm. This public announcement would serve as a notice for the meeting on Monday. Commissioner Nunley stated he would like to have someone from the state come down and explain this to the commission. Commissioner Brandt seconded Commissioner Mason's motion. 12 aye 2 voting no (Commissioner Blansett, Commissioner Adkins)

- 3) Presentation of Audit Committee Reports (Time 12:40) Mayor Jackson stated the audit committee had met twice on January 9th and January 10th. Mayor Jackson read and addressed the audit report and findings for the County. (Attachment)
- 4) Approval – Resolution regarding Food Bank Grant (Time 15:19) Commissioner Blansett made a motion to approve. Commissioner Campbell seconded 14 voting aye (Attachment)
- 5) Approval – Department of Education MOU (Time 16:11) Mayor Jackson explained the purchase of the \$9,000,000 bonds and how the interest rate has now doubled to 3.58% and \$475,000 would be needed from the school board to help pay this interest. Commissioner Blevins made a motion to approve, Commissioner Campbell seconded. 14 voting aye (Attachment)
- 6) Margaret Andrews- Woodland Preserve Development (Time 17:51) Margaret Andrews presented a well prepared report as well as a 1400 signature petition against this development of an 80+ housing development located near Foster Falls State Park. Mrs. Andrews prays for this development to be stopped. This property belonged to William Turner which has been sold to A Perry Development. Mayor Jackson stated he has made contact with this development and asked their website be removed containing the photos of this property. Commissioner Brandt questioned is this property restricted or unrestricted property. Commissioner Nunley stated from what he found this must be 5 acres lots and 80+ houses will not fit. Counselor Gouger explained the TDEC regulations and buffers. Commissioner Schafer questioned is this development honoring the request of the Mayor to remove the site online. Commissioner Rollins presented a signed plat of property showing half of the property is of Foster Falls estates.
- 7) Discussion-Approval of Contract- Mental Health Transport (Time 31:06) Sheriff Burnett addressed that they applied for a grant that would cover the one year contract (Amerimed) and asked for recommendation to approve. Also he presented the medical examiner's report for 2022 (Attachments) Commissioner Schafer made the motion to approve, seconded by Commissioner Campbell 14 voting aye
- 8) Presentation – Debt Obligation Report (Time 32:40) Mayor Jackson spoke. This is the report on the \$9,000,000 debt obligation for Jasper middle school and has to be presented to the county commission and noted in the minutes that it was presented.
- 9) Approval- Sale of Delinquent Tax Property (Time 32:59) Commissioner Schafer stated the Delinquent Tax Committee met and made a motion the following property sales be approved. A) Map 133N, Parcel 023.00 to Kenneth Elwood for \$2600.00 seconded by Commissioner Adkins C) Map 142G, Parcel 004.00 to Kenneth Elwood for \$4000.00 seconded by Commissioner Campbell D) Map 142G Parcel 002.00 to Kenneth Elwood for \$2900.00 seconded by Commissioner Adkins E) Map 121, Parcel 049.00 to Daniel H. Chambers for \$2100.00 seconded by Commissioner Adkins F)Map 022, Parcel 018.08 to Kenneth Elwood for \$4200.00 seconded by

Commissioner Campbell H) Map 143, Parcel 018.01 to Edna Narragon for \$7500.00 seconded by Commissioner Blansett. (Attachments) Commissioner Schafer proposed the committee would like to hold items B and G due to the road conditions. 14 voting Aye Commissioner Blevins made a motion that it be noted in the minutes that the new property owners be made known if there is an old mortgage due on the mobile homes on this property they would be responsible for paying. Seconded by Commissioner Blansett. 14 voting aye

10) Marion County Highway Department- (Time 39:08) A) Approval to perform road maintenance for Marion County municipalities, Commissioner Cantrell made motion to approve Commissioner Adkins seconded 14 voting aye B) Presentation of the 2023 County maintained road list Commissioner Blansett made motion to table this item until the appointment of a new Road Superintendent. Commissioner Campbell seconded 14 voting aye C) Approval to donate a 1998 John Deere tractor to the town of Monteagle. Commissioner Franklin made motion to table this until there is a permanent Road Superintendent. Commissioner Schafer seconded the motion. 14 voting aye

11) Discussion – Trussell Road (Time 41:25) Commissioner Blevins addressed from district 2 an email received from a resident on this road, that 7/10 of this road is not on the county road list that goes to a development and road needs attention. Counselor Gouger stated this section has been dedicated to the county. Documents were prepared by an out of county attorney but lacked all necessary signatures on the deed of dedication. Previous Highway Department Superintendent Jim Hawk had also stated previously when the first discussion begun of this road that it was not on the county road list and could not be found where this had ever been accepted by the County Commission. Commissioner Blevins made a motion to table this until appointment of a new Road Superintendent to recommend for approval by this body. Seconded by Commissioner Cantrell 14 voting aye

12) Budget Amendments-Marion County Local Government (Time 44:29) Mayor Jackson stated we had a \$900.00 decrease in the general fund balance. We had an over expenditure in the county commission travel account. Commissioner Abbott asked if all receipts were submitted to ensure no problems with audit. Commissioner Schafer made a motion to approve this amendment, seconded by Commissioner Thompson. 14 voting aye (Attachment)

13) Budget Amendment- Marion County Board of Education (Time 45:33) Dr. Griffith was not present tonight. Mayor Jackson read (Attachment) of Federal Projects Fund 142 Amendment #5 Dr. Griffith request approved of the proposed federal funds. Commissioner Campbell made motion to table Commissioner Mason seconded 14 voting aye

14) Budget Amendments- Marion County Highway Department (Time 44:19) Interim Andy Morrison stated previously under item #14 no amendments at this time.

15) Mayor's Report- (Time 48:00) Mayor Jackson reported we have had several RFIs since the November meeting. One called project Elvis looking for 15 acres, shovel ready, Project Autumn looking for 100-200 acres, Project Magnetic, a German company that visited three sites in Tennessee, Project Char needing 70-75 acres we have returned a packet to them on the port property, Project Forest looking for 30-80 acres shovel ready, Project Jaguar looking for a 5000 sq. ft. building, Project Guard looking for a 450,000 sq. ft. building. Mayor Jackson also reported prior to the bond sale this year we had to do a bond rating through S&P and once again received a stable AA bond rating. As reported earlier the county did sell the bonds January 9,

2023, came back at 3.58 percent interest for 20 years and can be paid off early. Mayor Jackson also reported he has met with the fire chiefs regarding the grant money received they are arranging a meeting this Thursday to start working on the lists of things the department needs. The contract on the grant has not yet been signed yet so this is preparation to be ahead. New home permits issued for 2022 were 212. Medical examiners report (Attachment) for 2022 showed they responded to 114 deaths in the county. Also in the packets is the budget schedules as well as a copy of the budget through December 31, 2022 of what has been spent, everyone's budget is under fifty percent where we need to be (Attachment) Next meeting will be February 27, 2023 6pm.

16) Approval of Notaries (Time 52:48) County Clerk Joanie Spangler read the list of the following names for approval: Laura Nazario, Kimberli J. Ramsey, Dawn Ownby, William L. Gouger Jr., Wanda McKenzie Horton, Jacquie Jenkins, Wanita Charlene Scott, Joseph Shane Morgan, Terry Parker Jr., Sharon D. Case, Mary Haley Adams. Commissioner Morrison made motion to approve. Commissioner Blansett seconded 14 voting aye

17) General Business- (Time 53:28) Commissioner Brandt introduced from the audience, Mr. Milan for Sewanee who wanted to question and express his concerns about the water situation that comes up through the Ridges. Mayor Jackson stated there would be a workshop pertaining to this issue Thursday at 5pm. Commissioner Brandt questioned in reference to what was going on in Grundy County with a sand plant does the county have a county powers act to restrict building on their property what would be considered a nuisance to their neighbors. Counselor Gouger addressed the county does not have any county powers act to restrict any things of that nature on privately owned property outside the city limits within the county. Commissioner Brandt made motion the county adopt a special powers act for the county. Commissioner Franklin seconded. Commissioner Adkins questions the adoption of act and the restrictions that are involved "Are we telling residents what they can and can't do with their property?" Commissioner Blansett called for a definition of "nuisance" by law. Commissioner Thompson suggested a workshop to further discuss the adoption process and guidelines needed as Commissioner Mason addressed with the guidance of Counselor Gouger. Commissioner Blevins expressed concern with so much moving in here we do need something like this in place mostly to protect our residents. Commissioner Franklin called for a reverse roll call vote on the approval to move forward in adopting the special powers act for the county. 12 voting aye 2 voting nay (Commissioner Adkins, Commissioner Blansett) 14 voting total Commissioner Blevins made aware of a dispute brewing with residents on Colburntown Road in South Pittsburg. Resident was there that built a home there 30 years ago to speak on behalf of their concerns and irritations on the condition of the road stating nothing is being done to improve it and they are requesting it be paved. This road is a city road. Counselor Gouger addressed this road is annexed in the city of South Pittsburg once this happened all obligations of the county transferred to the city. Commissioner Brandt did express it is a dangerous road. Commissioner Franklin asked to do something to honor Johnny Carson in his retirement for all his dedication for taking care of the Veteran's Affairs. Mayor Jackson spoke that we can do a plaque or something of that nature for Mr. Carson. All Commissioners agreed. Commissioner Abbott acknowledged a different resident in the audience living on Kimball Cove Rd who stated she did not know how to get on the agenda whom wanted to question a letter she received from the Mayor's Office regarding water availability. Commissioner Abbott explained we have some monies received from the federal government to distribute throughout the county to get water to needed areas in the county. Commissioner Abbott also stated there would be a workshop Thursday night to discuss where and when the monies would be coming and how to distribute. This item would be brought back to the County Commission meeting in February this is something that would have to be voted on by all commissioners. Mayor Jackson stated these letters did not come from his office directly. He signed

the letters. These letters concerning water were mailed directly from Southeast Tennessee Development Agency. Commissioner Brandt stated he would like to make a motion that county commissioners have the option to be paid via check or electronic banking. Commissioner Brandt ask for a second Commissioner Franklin seconded. Commissioner Abbott clarified the motion is to be paid either way. 13 voting aye 1 nay (Commissioner Blansett)

18) Recess (Time 1:17:35) Commissioner Abbott made a motion to recess until January 30, 2023 5pm Commissioner Mason seconded 14 voting aye



Respectfully Submitted,
David Abbott, Chairman
Joanie Spangler, County Clerk

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Ruric Brandt	P
Logan Campbell	A
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Gene Hargis	P
Linda Mason	P
Chris Morrison	P
Jim Nunley	P
Dennis Rollins	P
Paul Schafer	P
Peggy Thompson	P

The Marion County Board of Commissioners met this afternoon in a continuation of a recess of the regular meeting on January 23, 2023. Chairman David Abbott called the meeting to order. (Time: 07) Invocation was given by Commissioner Rollins. (Time 0:27) Pledge led by Marion County Clerk, Joanie Spangler

(Time 1:09) Commissioner Abbott addressed a week ago we had recessed our meeting at the request of Commissioner Mason to revisit the recertification of the candidates for County Road Superintendent. Commissioner Abbott asked Counselor Gouger to read the email (Attachment) from DJ Hall, Elections Assistant Division of Elections stating they are in the process of setting a date for the Board to review the rectifications. As of now looks most likely dates are February 17th or 23rd. Counselor Gouger suggested there be a motion made to carry this forward to the regular February meeting. Commissioner Morrison made the motion to agree to carry forward. Seconded by Commissioner Mason 12 voting aye

General Business- (Time 3:54) Commissioner Schafer made a motion to request a copy in the packet each month a monthly detail report of General Fund 51800 accounts 100, 116, 189 to be included. Seconded by Commissioner Brandt 12 voting aye
Commissioner Hargis addressed the current situation and settlement taking place with the opioid lawsuit settlement. Commissioner Hargis stated what this county would receive from the settlement is around \$167,000. There's around six parameters on how this money can be spent. Commissioner Hargis also stated he has ordered sixteen copies of the zoom meetings to give to each commissioner. Commissioner Schafer discussed the ethics committee meeting and motioned for a workshop to discuss the Ethics policy. Commissioner Rollins briefed the commissioners on the Isaac house in Monteagle.

Adjournment (Time 34:00) Commissioner Blevins made a motion to adjourn Seconded
by Commissioner Brandt 12 voting aye

A handwritten signature in black ink that reads "Joanie Spangler". The signature is written in a cursive, flowing style.

Respectfully Submitted,
David Abbott, Chairman
Joanie Spangler, County Clerk