

STATE OF TENNESSEE

COUNTY OF JEFFERSON

BE IT REMEMBERED THAT, the Quarterly Session of the Jefferson County Board of Commissioners began and was held in and for the aforementioned State and County on the 17th day of July 2023 A.D. at 6:30 P.M., at the Jefferson County Courthouse in Dandridge, Tennessee. Present and Presiding were Chairman, Mayor Mark Potts; County Clerk Frank Herndon; and the following County Commissioners answering to Roll Call Docket Book 4 Page 169 to-wit: Katy Huffaker, Janet Norton, Joe Coleman, Jimmy Dale Patterson, Austin Brooks, Paul Lowe, Jim Snodgrass, Greg Byrd, John Johnson, Tim Seals, Sammy Solomon, Rob Blevins, Ransom Douglas, Randy Bales, John Neal Scarlett, Ronny Coleman, Terry Dockery, Jimmy Carmichael, A. J. Walker, Marcus Reed, and Hilda "Heidi" Thomas. Twenty-One (21) members were present, none (0) were absent.

The Meeting was called to order by Mayor Potts. An invocation was given by Chaplain J. Coleman, and Commissioner Solomon led the Pledge of Allegiance.

APPROVAL & CORRECTIONS OF THE AGENDA:

Commissioner Scarlett moved to suspend the rules to allow amendments to the agenda to be made. Commissioner Dockery provided a second. A Roll Call vote was taken 19-2 (in favor: Huffaker, J. Coleman, Patterson, Brooks, Lowe, Snodgrass, Byrd, Johnson, Seals, Solomon, Douglas, Bales, Scarlett, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas) and the rules were **suspended**. Commissioner Dockery moved to amend the agenda by adding an item of discussion concerning BESS immediately following citizen comments and requested to move Resolution 2023-16 immediately following his item of discussion. Commissioner R. Coleman provided a second. A Roll Call vote was taken 19-2 (in favor: Huffaker, J. Coleman, Patterson, Brooks, Lowe, Snodgrass, Byrd, Johnson, Seals, Solomon, Douglas, Bales, Scarlett, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas) and the agenda was amended. Commissioner Scarlett requested to add Resolution 2023-39 and a budget amendment concerning Sheriff's Department Overtime pay that had not been heard by the budget committee. Commissioner Byrd provided a second and with a Roll Call vote 19-1-1 (in favor: Huffaker, Norton, J. Coleman, Patterson, Brooks, Lowe, Snodgrass, Byrd, Johnson, Seals, Solomon, Douglas, Bales, Scarlett, Dockery, Carmichael, Walker, Reed, and Thomas Commissioner R. Coleman Abstained), the items were **added** to the agenda.

APPROVAL OF THE MINUTES:

Commissioner Solomon moved to approve the minutes of the Jefferson County Board of Commissioners, April 17, 2023, Regular Quarterly Session, April 17, 2023, Beer Board, and June 26, 2023, Special Called Session, seconded by Commissioner Snodgrass. The minutes were **approved** on a Roll Call vote 21-0 (in favor: all present).

APPEARANCE OF CITIZENS:

Tim Seals 5th District – Spoke to explain Resolution 2023-16.

David Seal 9th District – Appreciates support of anti-gender reassignment legislation.

Stephanie Poore 7th District 2225 Piedmont Rd– Spoke in opposition to Lithium Battery Storage facilities.

Michelle Jinnette 2nd District – Spoke in opposition to Battery Storage facilities and requested the commission listen to the will of the people.

Doug Ibbetson 9th District – Spoke to relay calls received to him from area residents and attendees of Piedmont School.

James Knowlan 7th District – Spoke in opposition Battery Storage facilities.

Chris Maish 2nd District – Spoke in opposition to Battery Storage facilities and requested adequate safety measures be in place and paid for by facility owners.

Michelle Light 4th District – Spoke in opposition to Battery Storage facilities.

Melina Faye Gregg Rogers 2nd District – Spoke in opposition to Battery Storage facilities.

Jim C. Pickering 1st District – Spoke to amendments he recommends to Resolution 2023-16.

John Gunn 6th District – Spoke in opposition to Battery Storage facilities.

Annette Loy 6th District – Spoke in favor of gun safety legislation.

Marian Knight 1st District – Spoke in opposition to BESS facilities in A-1. She requested strict guidelines on any such facility.

Beth Nelson 6th District – Spoke in favor of responsible zoning and in opposition of the non-elected public serving on the BZA.

Amy Fox 8th District – Spoke to road upgrades needed to Ponderosa Rd

Jim Fox 8th District – Spoke of the need for road upgrades needed to Ponderosa Rd and requested funding of the same.

Ronald Hunter 8th District – Spoke in opposition to blanket Red Flag laws, and in opposition to the Battery Storage Facilities. States a better method of notification needs to be made.

Ken Morton 10th District – Spoke on the benefits of the Battery Storage Facilities. Requested postponement of these regulations until all information is gathered.

Katheryn Hunter 8th District – Questions why the county should proceed with a Battery Storage Facility.

Mike Foley 1st District – Request that no new land uses be added to A-1 until a comprehensive revamp of the Land Use Plan is completed.

Paul Hammer 1st District – Thanked Commissioners for their support of Pro 2nd Amendment legislation. Questioned the safety of the Battery Facility in the event of a natural disaster.

David Nelson 6th District yields to Taylor D. Forrester – Spoke to amendments needed the BESS Resolution.

Ellen E. Betts 10th District – Stated opposition to Resolution 2023-16

DOCKERY MOTION:

Commissioner Dockery made the following motion: "I Move that we request the planning commission to consider moving Battery Energy Storage System facilities from A-1 zoning to I-1 or I-2 and that they provide more stringent regulations for these facilities to help ensure the health and safety of the employees of the facility and the public." Commissioner R. Coleman provided a second, during discussion, Commissioner Reed offered an amendment to add that they be located outside of a five-mile radius of any school. Commissioner Walker provided a second. A Roll Call vote was taken on the amendment, and it was **approved** 19-1-1 (in favor: Huffaker, Norton, J. Coleman, Patterson, Brooks, Snodgrass, Byrd, Johnson, Solomon, Blevins, Douglas, Bales, Scarlett, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas). A Roll Call vote was taken on Commissioner Dockery's motion as amended and it was **approved** 18-2-1 (in favor: Huffaker, Norton, J. Coleman, Patterson, Brooks, Snodgrass, Byrd, Johnson, Solomon, Blevins, Douglas, Bales, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas, Commissioner Seals Abstained).

Commissioner Dockery made the following motion: "I move we hold a public hearing as soon as possible after public notice requirements are met, and a special called meeting thereafter for the consideration of a six-month

Minutes Approved 10/16/2023

moratorium on the construction of Battery Energy Storage System facilities that shall be enacted to provide adequate time for the Planning Commission to conduct its work. Commissioner Walker provided a second. A Roll Call vote was taken, and the motion was **approved** 16-4-1 (in favor: Huffaker, Norton, J. Coleman, Brooks, Snodgrass, Byrd, Johnson, Solomon, Blevins, Douglas, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas, Commissioner Seals Abstained).

RESOLUTION 2023-16:

Commissioner Scarlett moved **Resolution 2023-16** for passage, Commissioner Bales provided a second. During discussion, Commissioner Brooks moved to amend the resolution by adding Item N to Section 2 to read: "A BESS facility shall not be located within a five-mile radius of any Jefferson County School." Commissioner Douglas provided a second. A Roll Call vote was taken, and the amendment **carried** 17-3-1 (in favor: Huffaker, Norton, J. Coleman, Patterson, Brooks, Snodgrass, Byrd, Johnson, Solomon, Blevins, Douglas, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas, Commissioner Seals Abstained). Commissioner Huffaker moved to amend the Resolution by adding Item O to section 2 to read: "A BESS facility shall have fire hydrants installed at the site." Commissioner R. Coleman provided a second. A Roll Call vote was taken, and the amendment **carried** 16-4-1 (in favor: Huffaker, J. Coleman, Patterson, Brooks, Snodgrass, Byrd, Johnson, Solomon, Blevins, Douglas, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas, Commissioner Seals Abstained). Commissioner Bales moved to amend the resolution by adding Section 5 to read: "BE IT FURTHER RESOLVED, if any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application and to that end the provisions of this resolution are declared to be severable". Commissioner Scarlett provided a second. A Roll Call vote was taken, and the amendment **carried** 20-0-1 (in favor: all present except Commissioner Seals' abstention). A Roll Call vote was taken on **Resolution 2023-16** as amended and it **carried** 20-0-1 (in favor: all present except Commissioner Seals' abstention.)

APPROVAL OF NOTARIES & BONDS:

Commissioner Dockery moved to approve the list of notaries as presented, Commissioner Walker seconded the motion. The motion **carried** on a Roll Call vote 20-0-1 (in favor: all present except Commissioner Solomon's abstention), and the below named applicants for Notary Public were **approved** providing the proper bonds or property affidavits are filed in the office of the County Clerk.

Tami Dillon	Bethany S. Hinckley	Robert Lee Bishop	Sheri Widner
Nancy Hazelwood	Kristiana Hamilton	Shelley Garrison	Chris A. Smith
Chelesa D. Bunch	Patsy Gann	Ralph Sherrod	Larry Gourley
Randell Reed	Lisa Lackey Patterson	Melina Gregg Rogers	Katie Williams
Jill L. Molzon	Cynthia Hollett	Rebecca Malone Moak	Cathy Carter
Suzanne Kelly	Tonya Kelley	Mike French	Garrett Payne
Patricia Rada	Charles Rada	Janet Huser	Tana Benson
Mike Norton	Melissa Britt Johnson	Ashley Archer	Sammy Solomon
Michael Natzel	Pamela Walker	Nancy Leann Sutton	Carole Am Bernard
Mirranda Humbard	Phil Shoup	Farrah Newman	Carroll Newman
Megan Shelton	Carolyn C. Voiles	Dorothy Asbury	Brenda Morgan
Miranda Graybeal	Tabitha Ann Tackett	Miranda Michelle Scruggs	

NOMINATING COMMITTEE/ELECTION OF COMMITTEES, BOARDS, & COMMISSIONS

- A. Animal Control Oversight Board: CARE – Linda Helms, President CT Susan Cardwell April 23-June 26
- B. Audit Committee: Gary Jett and Dale Allen July 2023 – July 2025
- C. Building Inspection Board of Appeals: Jimmy Carmichael, Ed Franklin, Tom Lakin, and Chuck Catlett September 2023 – September 2025
- D. Conservation Board: Jimmy Dale Patterson and Bandi Hammer September 2023 – September 2028
- E. Long Range Planning Committee: Jim Snodgrass, Greg Byrd, Terry Dockery, Randy Bales, and Katy Huffaker July 2023 – July 2025

The above-named nominees were moved for approval by the nominating committee, requiring no second. Hearing no nominations from the floor, a Roll Call vote was taken, and the nominees were **approved 20-1** (in favor: Huffaker, Norton, J. Coleman, Patterson, Brooks, Lowe, Snodgrass, Byrd, Johnson, Seals, Solomon, Douglas, Bales, Scarlett, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas.)

REPORTS FROM ELECTED OFFICIALS, DEPARTMENT HEADS, AND OTHER OFFICIALS:

- A. County Mayor, Mark Potts
 - 1. Mayoral Appointments for Confirmation:
 - a. Jefferson Memorial Hospital – Bill Newman July 2023 – July 2026
 - b. Nursing Home Board – Carolyn Voiles July 2023 – July 2026
 - c. Regional Planning Commission/Board of Zoning Appeals – Brian Morgan September 2023 – September 2027

Commissioner Scarlett moved to confirm the above-named appointments as a group. Commissioner Douglas provided a second. A Roll Call vote was taken 17-4 (in favor: Huffaker, J. Coleman, Patterson, Lowe, Snodgrass, Byrd, Johnson, Seals, Solomon, Douglas, Bales, Scarlett, R. Coleman, Dockery, Carmichael, Walker, Reed, and Thomas), and the appointments were **confirmed**.
- B. Circuit Court Clerk, Kevin Poe – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- C. County Clerk, Frank C. Herndon – 4th Quarter/Annual FY 2022-2023 Report: Presented and Filed.
4th Quarter 2022-2023 Wheel Tax Report: Presented and Filed.
- D. Highway Superintendent, Charles Tipton – 4th Quarter FY 2022-2023 Work Acc. Report: Presented and Filed.
- E. Register of Deeds, Ed Stiner – Annual FY 2022-2023 Report: Presented and Filed.
- F. Sheriff, Jeff Coffey – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- G. Trustee, Jennifer Boling Hall – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- H. Jefferson County Constables – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- I. Building Inspector, Rob Wilson – 4th Quarter FY 2022-2023 Permit Report: Presented and Filed.
- J. Director of Schools, Dr. Tommy Arnold – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- K. Emergency Communications District, Executive Director Justin Crowther – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- L. Emergency Medical Services Director, Brad Phillips – 4th Quarter FY 2022-2023 Report: Presented and Filed
- M. Environmental Services Director, Tom Carter – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- N. Finance Director, Jessica Elder
 - 1. May 2023 Financial Reports: Presented and Filed.
 - 2. Jefferson County Bond Rating Upgrade to Aa2: Presented and Filed.
 - 3. Jefferson County Interfund Loan:
 - a. Jefferson County Capital Outlay Note Approval Letter: Presented and Filed.
 - b. Jefferson County Debt Report: Presented and Filed.

4. Debt Management Policy 4.3 Annual Review: Moved for approval by Commissioner Solomon, seconded by Commissioner Scarlett. A Roll Call vote was taken 21-0 (in favor: all present) and the policy was **approved**.
 5. **Resolution 2023-39**, Resolution to discontinue a period of temporary employment for employees of a political subdivision participating in the Tennessee Consolidated Retirement System in accordance with Title 8 Section 34 through 37 of the Tennessee Code Annotated. **Resolution 2023-39** was moved for approval by Commissioner Solomon, seconded by Commissioner Scarlett, a Roll Call vote was taken 20-0-1 (in favor: all present except Commissioner Douglas' abstention) and **Resolution 2023-39** was **approved**.
- O. Health Department, Ashley Lyons – 4th Quarter FY 2022-2023 Report: Presented.
- P. Office on Aging, Tracy Clayton – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- Q. Tourism Department Director, Lauren Hurdle – 4th Quarter FY 2022-2023 Report: Presented and Filed.
- R. UT Extension Jefferson County Director, Karen Nelms – 4th Quarter FY 2022-2023 Report: Presented.
- S. Veterans Service Office, Curtis Hudson – 4th Quarter FY 2022-2023 Report: Presented and Filed.

REPORTS OF COMMITTEES, BOARDS, & COMMISSIONS:

- A. Budget Committee – Chairman John Neal Scarlett
1. County Amendments
 - a. General Fund 101 – Amendment #1 Items 1-5: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - b. General Fund 101 – Amendment #2 Item 1: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - c. General Fund 101 – Amendment #3 Items 1-2: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - d. General Fund 101 – Amendment #4 Item 1: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - e. Law Library Fund 114 – Amendment #1 Item 1: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - f. TN Opioid Abatement Fund 121 – Amendment #1 Item 1: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - g. ARPA Grant Fund 127 – Amendment #1 Items 1-2: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - h. Other Capital Projects Fund 189 – Amendment #1 Item 1: **Approved** on a Roll Call vote 21-0 (in favor: all present).
 - i. General Fund 101 – Amendment #5 Item 1: Sheriff's Department Overtime Pay – Moved for approval by Commissioner Scarlett, seconded by Commissioner Seals, a Roll Call vote was taken, and the amendment **carried** 19-0-2 (in favor: all present except for Commissioners Douglas' and R. Coleman's abstentions).
 2. School Amendments
 - a. General Purpose Fund 141 – Amendment #1 Items 1-5:
 - b. Federal Fund 142 – Amendment #1 Items 1-3:
 - c. Student Nutrition Fund 143 – Amendment #1 Item 1:
 - d. Capital Projects Fund 177 – Amendment #1 Item 1: Fund 141, Fund 142, Fund 143, and Fund 177 were grouped and **approved** on a Roll Call vote 21-0 (in favor: all present).
 3. **Resolution 2023-38** Jefferson County CON Resolution 2023 (Landfill \$2.2 million): A Resolution authorizing the issuance of a general obligation capital outlay note of Jefferson County Tennessee, in a principal amount not to exceed two million two hundred thousand and no/100 dollars (\$2,200,000); making provision for the issuance, sale, and payment of said note, establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of tax, if necessary, for the payment of principal thereof and interest thereon. A motion to approve **Resolution 2023-38** was provided by Commissioner Solomon, seconded by

Commissioner R. Coleman. A Roll Call vote was taken 21-0 (in favor: all present) and **Resolution 2023-38** was approved.

NON-PROFIT REPORTS:

- A. Boys & Girls Club of Dumplin Valley CEO, Josh Yarbrough – 3rd & 4th Quarter 2022-2023 Report: Presented.
- B. Jefferson Alliance CEO, Joe Gibson – 4th Quarter 2022-2023 Report: Presented.
- C. Chamber of Commerce President & CEO, Michael Cole – 4th Quarter 2022-2023 Report: Presented.
- D. Companion Animal Rescue & Education – 4th Quarter 2022-2023 Report: Presented.
- E. Chestnut Hill Fire Department, Steve Shults – 4th Quarter 2022-2023 Report: Presented.
- F. Dandridge Fire Department, Andrew Riley – 4th Quarter 2022-2023 Report: Presented.
- G. New Market Fire Department, Frank Solomon – 4th Quarter 2022-2023 Report: Presented.
- H. Parrotts Chapel Fire Department, Marty Richard – 4th Quarter 2022-2023 Report: Presented.
- I. White Pine Fire Department, Chad Cotter – 4th Quarter 2022-2023 Report: Presented.
- J. Jefferson City Public Library – 4th Quarter 2022-2023 Report: Presented.
- K. Parrott-Wood Memorial Library – 4th Quarter 2022-2023 Report: Presented.
- L. White Pine Public Library – 4th Quarter 2022-2023 Report: Presented.

OLD BUSINESS:

None.

NEW BUSINESS:

- A. **Resolution 2023-32**, Resolution to declare as surplus and to authorize the Maintenance Department of Jefferson County to surplus and dispose of said equipment.
- B. **Resolution 2023-33**, Resolution to declare as surplus and to authorize the Maintenance Department of Jefferson County to surplus and dispose of said equipment.
- C. **Resolution 2023-34**, Resolution to declare as surplus and to authorize the Sheriff's Department of Jefferson County to surplus said equipment.
- D. **Resolution 2023-35**, Resolution to declare as surplus and to authorize the Sheriff's Department of Jefferson County to surplus said equipment.
- E. **Resolution 2023-36**, Resolution to declare as surplus and to authorize the Sheriff's Department of Jefferson County to surplus said equipment.
- F. **Resolution 2023-37**, Resolution Regarding Amerimed as to Regulations for the Operation of Ambulance, Convalescent, and Invalid Services in Jefferson County, Tennessee.

Resolutions 2023-32, 2023-33, 2023-34, 2023-35, 2023-36, and 2023-37 were moved as a group by Commissioner Solomon, seconded by Commissioner Johnson, a Roll Call vote was taken 21-0 (in favor: all present) and the **Resolutions** were approved.

- G. **Rule III– Decorum:** Commissioner Brooks proposed the following language to be added to Rule III, Section A, item 9 in the Jefferson County Commission Rules of Procedure: "Commissioners shall speak into their microphone when addressing the chairman, commissioners, and citizens". Commissioner Snodgrass provided a second. A Roll Call vote was taken 12-9 (in favor: Norton, J. Coleman, Patterson, Brooks, Lowe, Snodgrass, Blevins, Douglas, Bales, Dockery, Reed, and Thomas) and the rule change **failed** for a lack of 2/3 majority.

Hearing no further business before the commission, a motion to recess was offered by Commissioner Solomon, a second was offered by Commissioner Seals and with no objections voiced, the meeting was **in recess** at 9:38 PM. The meeting was set to reconvene for an executive session after a scheduled beer board hearing.

Beer Board was called to order at 9:38 PM and adjourned at 9:40 PM.

After the courtroom cleared, Chairman, Mayor Potts reconvened the commission into executive session at 9:41 PM. at the Jefferson County Courthouse in Dandridge, Tennessee. Present and Presiding were Chairman, Mayor Mark Potts; County Clerk Frank Herndon; and the following County Commissioners Katy Huffaker, Janet Norton, Jimmy Dale Patterson, Austin Brooks, Jim Snodgrass, Greg Byrd, John Johnson, Tim Seals, Sammy Solomon, Ransom Douglas, Randy Bales, John Neal Scarlett, Ronny Coleman, Terry Dockery, Jimmy Carmichael, A. J. Walker, Marcus Reed, and Hilda "Heidi" Thomas. Eighteen (8) members were present, three (3) were absent Paul Lowe, Joe Coleman, and Rob Blevins.

County Attorney Doug Drinnon presented a litigation update to commissioners and allowed commissioners to ask questions about pending or threatened litigation. No other items were deliberated or discussed. At the completion of the executive session, and there being no further business to be heard by the board, a motion to adjourn was provided by Commissioner Seals, seconded by Commissioner Solomon, and the meeting was **adjourned** at 9:51 PM.



County Commission Chair, James E. Carmichael



County Clerk, Frank C. Herndon