

**MINUTES**  
**CHEATHAM COUNTY LEGISLATIVE BODY**  
**REGULAR SESSION**  
**January 27, 2014**

BE IT THEREFORE REMEMBERED, That the Cheatham County Legislative Body met in the General Sessions Courtroom, Ashland City, Tennessee, on January 27, 2014 in Regular Session. Chairman Mr. John Haines and County Clerk Ms. Teresa Gupton presided. County Mayor Mr. David McCullough and County Attorney Mr. Michael Bligh attended.

**COUNTY COMMISSIONERS**

BETTY RAMSEY	DONNIE JORDAN
DORIS SANDERS	WALTER WEAKLEY
ANN JARREAU	DAVID DAVIDSON
ROB MYERS	LUANN ENGELMAN
DALE MCCARVER	JOHN HAINES
CONNIE MAYO	JIMMY HEDGEPATH

**PUBLIC FORUM:** Chairman, Mr. John Haines opened Public Forum at 7:07 P.M.

County Director of Agriculture Extension Mr. Ronnie Barron introduced Youth Leadership.

Mr. Rusty McFarland, 4<sup>th</sup> District, spoke in opposition of the zone change for 1981 and 1975 Highway 49E because of the traffic issues that could occur.

Mr. David Kleinfelter, Nashville, Tennessee, represented the second buyer of the property on the zone change at 1981 and 1975 Highway 49 E. Mr. Kleinfelter requested the Commission to add language to the resolution that states the Commission finds the area suitable for revitalization and the area is located in the Pleasant View Urban Growth Boundary.

Ms. Kathy Dodd, Executive Director of Woodbine Community Organization, spoke in favor of the development at 1981 and 1975 Highway 49E.

Mr. Joe Delemos, Ashland City, Tennessee, spoke concerning the proposed development on Highway 49 causing a traffic issue at the corner of Highway 49 and Old Clarksville Pike. Mr. Delemos proposed the developer be required to fund a traffic study, and to include storm water disposition and storm water pollution prevention plans in the preliminary master plans of the development.

Mr. Dennis Delemos, Ashland City, Tennessee, requested caution be used in approving the development project at 1981 and 1975 Highway 49 E.

Mr. Danny Schaeffer, Director of Emergency Medical Services, spoke concerning the additional residents that will need Emergency Services if the development plan for 1981 and 1975 Highway 49E is approved.

Public Forum closed at 7:24 P.M.

PUBLIC HEARING: Chairman, Mr. John Haines opened the Public Hearing at 7:24 P.M.

The following was advertised to be heard:

1. Mr. Kendall W. and Ms. Sandie L. Felts, requesting approval of a Zone Change as follows:
  - From CPUD to RPUD of 10 acres of the 26.45 acre parcel identified as map 26, parcel 14
  - From R-1 to RPUD of all of a 1 acre + parcel identified as map 25, parcel 1

Also being requested is approval of the associated Preliminary Master Development Plan. Property is located at 1981 Hwy 49 E and 1975 Highway 49E, Ashland City, TN; map 26 parcel 14 and map 25, parcel 1 respectively. Properties are in the 3<sup>rd</sup> voting district and are not in a flood area.

***No one spoke for or against this change.***

Public hearing closed at 7:26 P.M.

THE MEETING WAS CALLED TO ORDER by Sheriff Mr. John Holder at 7:26 P.M.

Invocation was offered by Mr. Ronnie Barron.

County Clerk Ms. Teresa Gupton called the roll. There being Eleven Commissioners present and One Vacancy, Chairman, Mr. John Haines declared a Quorum. See Resolution 1.

Motion was made by Mr. Walter Weakley, seconded by Ms. Ann Jarreau to approve the Agenda for the January 27, 2014 Legislative Body Meeting by adding 1 addition under the Unfinished Business segment:

*10.) Unfinished Business  
C. School Request for Paving*

Motion approved by voice vote. See Resolution 2.

Motion was made by Ms. Ann Jarreau, seconded by Ms. Doris Sanders to approve the Minutes from the December 16, 2013 Regular Session commission meeting.

Motion approved by voice vote. See Resolution 3.

#### UNFINISHED BUSINESS

County Mayor Mr. David McCullough, Chairman Mr. John Haines and County Clerk Ms. Teresa Gupton presented a Special Recognition plaque to Francois Van Eeden of Bison Countertops.

County Mayor Mr. David McCullough and Chairman Mr. John Haines presented a Special Recognition to Mr. Tildon Perry.

County Mayor Mr. David McCullough and Chairman Mr. John Haines presented memorial plaques to the families of Mr. James Humphrey and Mr. W.R. Baker.

Chairman Mr. John Haines read the following names of applicants wishing to be considered for Third District Commissioner:

1. *Zach Aaron*
2. *Bill Anderson*
3. *Rick Wilson*

Chairman Mr. John Haines asked if anyone in the audience would like to submit a name for nomination.

No one from the audience submitted a name for nomination.

Chairman Mr. John Haines asked the Commission for nominations.

Mr. Dale McCarver nominated Ms. Connie Mayo.

Ms. Betty Ramsey nominated Mr. Zach Aaron.

Ms. LuAnn Engelman nominated Mr. Bill Anderson.

Motion was made by Mr. Walter Weakley, seconded by Ms. Ann Jarreau for nominations to cease on appointing a Third District Commissioner of Cheatham County.

Motion approved by voice vote. See Resolution 4.

Ms. Connie Mayo was appointed Commissioner of the Third District of Cheatham County by roll call vote. 9 Mayo 1 Aaron 1 Anderson. See Resolution 5.

Betty Ramsey	Aaron	Donnie Jordan	Mayo
Doris Sanders	Mayo	Walter Weakley	Mayo
Ann Jarreau	Mayo	David Davidson	Mayo
Rob Myers	Mayo	LuAnn Engelman	Anderson
Dale McCarver	Mayo	John Haines	Mayo
		Jimmy Hedgepath	Mayo

County Clerk Ms. Teresa Gupton administered the oath of office to Ms. Connie Mayo. Ms. Connie Mayo resumed the seat as Third District Commissioner of Cheatham County.

Director of Schools Dr. Stan Curtis asked the Commission to approve the Capital Outlay Note for the paving of Pegram Elementary School. Capital Outlay Notes not to exceed \$297,000.00.

County Mayor Mr. David McCullough stated he felt the Commission needed to approve the Capital Outlay Note for the paving of Pegram Elementary due to safety issues.

There was discussion between Director of Schools Dr. Stan Curtis and Commission on the use of the School Board's Construction Marketing Firm Hewlett Spencer.

Several Commissioners questioned why Hewlett Spencer did not call for public bids.

After discussion the Commission and Director of Schools Dr. Stan Curtis agreed that the Commission would recess until February 10, 2014 at 7:00 p.m. to discuss approving the Capital Outlay Note for paving of Pegram Elementary with the School Board being present for questioning.

Motion was made by Mr. Dale McCarver, seconded by Mr. Walter Weakley to take a 5 minute recess.

Motion approved by voice vote. See Resolution 6.

Chairman Mr. John Haines reconvened the Legislative Body at 9:21 p.m.

#### NEW BUSINESS

COUNTY MAYOR- MR. DAVID MCCULLOUGH: County Mayor Mr. David McCullough reported the Federal Emergency Management Agency (FEMA) account balance was \$121,601.32.

County Mayor Mr. David McCullough stated the Workforce Essentials Facts unemployment rate is at 5.53%.

County Mayor Mr. David McCullough invited questions.

ANIMAL CONTROL – MR. THOMAS JORDI: Chairman Mr. John Haines stated the Tri-Month Report was included in the packet.

BUILDING COMMISSIONER- MR. CHRIS ATKINS:

1. Mr. Kendall W. and Ms. Sandie L. Felts, requesting approval of a Zone Change as follows:
  - From CPUD to RPUD of 10 acres of the 26.45 acre parcel identified as map 26, parcel 14
  - From R-1 to RPUD of all of a 1 acre + parcel identified as map 25, parcel 1

Also being requested is approval of the associated Preliminary Master Development Plan. Property is located at 1981 Hwy 49 E and 1975 Highway 49E, Ashland City, TN; map 26 parcel 14 and map 25, parcel 1 respectively. Properties are in the 3<sup>rd</sup> voting district and are not in a flood area.

A Representative from Ragan-Smith Associates, Inc. gave a presentation.

There was discussion on the traffic issues, emergency services, and the county's growth plan concerning this rezoning request.

After discussion, Motion was made by Mr. Dale McCarver, seconded by Mr. David Davidson to revisit the rezone request for 1981 and 1975 Highway 49 East at the February 10, 2014 recess County Commission meeting.

Motion approved by voice vote. See Resolution 7.

DIRECTOR OF ACCOUNTS – MS. TARA PATTERSON: The Budget Committee recommended, motion was made by Mr. Walter Weakley, seconded by Mr. Donnie Jordan to authorize the following budget amendments for the County General Fund:

<i>General Sessions</i>	\$149.99
<i>Animal Control</i>	\$1,265.43
<i>Jail</i>	\$1,913.22

*Funding source: Various*  
*Budget Vote: 4 Yes 0 No 1 Absent*

Motion approved by roll call vote 12 Yes 0 No 0 Absent. See Resolution 8.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Yes
Dale McCarver	Yes	John Haines	Yes
Connie Mayo	Yes	Jimmy Hedgepath	Yes

The Budget Committee recommended, motion was made by Ms. Ann Jarreau, seconded by Mr. Walter Weakley to authorize the following budget amendment for the Solid Waste/Sanitation Fund:

<i>Sanitation Management</i>	\$12,344.33
------------------------------	-------------

*Funding Source: Unused budgeted funds*  
*Budget Vote: 4 Yes 0 No 1 Absent*

Motion approved by roll call vote 12 Yes 0 No 0 Absent. See Resolution 9.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Yes
Dale McCarver	Yes	John Haines	Yes
Connie Mayo	Yes	Jimmy Hedgepath	Yes

The Budget Committee recommended, motion was made by Mr. Walter Weakley, seconded by Mr. Donnie Jordan to authorize the following budget amendment for the Sheriff's Drug Fund:

*Drug Enforcement* \$8,933.00

*Funding Source: Fund balance*  
*Budget Vote: 4 Yes 0 No 1 Absent*

Motion approved by roll call vote 12 Yes 0 No 0 Absent. See Resolution 10.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Yes
Dale McCarver	Yes	John Haines	Yes
Connie Mayo	Yes	Jimmy Hedgepath	Yes

The Budget Committee recommended, motion was made by Mr. Walter Weakley, seconded by Mr. Donnie Jordan to authorize the following budget amendment for the Highway/Roads Fund:

*Highway and Bridge Maintenance* \$635.80

*Funding Source: Recycled materials revenue*  
*Budget Vote: 4 Yes 0 No 1 Absent*

Motion approved by roll call vote 12 Yes 0 No 0 Absent. See Resolution 11.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Yes
Dale McCarver	Yes	John Haines	Yes
Connie Mayo	Yes	Jimmy Hedgepath	Yes

The Budget Committee recommended, motion was made by Mr. Donnie Jordan, seconded by Mr. Rob Myers to approve a policy regarding cell phones and other emergency communication devices.

*Funding Source: Policy Change*  
*Budget Vote: 4 Yes 0 No 1 Absent*

Motion approved by roll call vote 12 Yes 0 No 0 Absent. See Resolution 12.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Yes
Dale McCarver	Yes	John Haines	Yes
Connie Mayo	Yes	Jimmy Hedgepath	Yes

ECONOMIC AND COMMUNITY DEVELOPMENT- MR. DARYL PHILLIPS- The sales tax report was included in the packet.

#### STANDING COMMITTEES

BEER BOARD – Ms. Doris Sanders stated they did not meet. The next scheduled meeting will be February 1, 2014, at 9:00 a.m. in the Tucker Empson Building.

EDUCATION – Mr. Donnie Jordan stated they did not meet.

EMERGENCY SERVICES- Mr. Donnie Jordan stated they did meet. Mr. Donnie Jordan stated they discussed the ISO issues.

CAPITAL IMPROVEMENTS – Mr. Rob Myers stated they did not meet.

CALENDAR, RULES AND NOMINATING –Mr. Dale McCarver stated they did meet.

Calendar, Rules and Nominating Committee recommended, motion was made by Mr. Dale McCarver, seconded by Mr. Jimmy Hedgepath to request the State Legislature to restructure the Tennessee Business Enterprises Program.

Motion approved by voice vote. See Resolution 13.

Calendar, Rules and Nominating Committee recommended, motion was made by Mr. Dale McCarver, seconded by Mr. Rob Myers to approve a resolution requesting the Tennessee Department of Corrections to increase the current rate of reimbursement.

Motion approved by voice vote. See Resolution 14.

Chairman, Mr. John Haines announced Ms. LuAnn Engleman resignation. Ms. Engelman resignation will be in effect February 15, 2014.

TECHNICAL COMMITTEE- Mr. Dale McCarver stated they did not meet.

ROAD AND BRIDGE –Chairman Mr. John Haines stated they did not meet.

CONSTRUCTION OVERSIGHT- Chairman Mr. John Haines stated they did not meet.

UT EXTENSION – Mr. Ronnie Barron stated the Extension highlights were included in the packet. There will be an Agricultural Committee meeting on February 8, 2014, at 7:30 p.m.

OTHER NEW BUSINESS

CONSENT CALENDAR: Motion was made by Mr. Dale McCarver, seconded by Mr. David Davidson to approve the following recognitions:

Special Recognition	Mr. John Paul Wood
Special Recognition	Ms. LuAnn Engelman
Memorial	To the family of Mr. James "Doc" Baldwin M.D.
Memorial	To the family of Mr. Robert G. Albright

Motion approved by voice vote. See Resolution 15. (Individual resolutions 16 through 19.)

NOTARIES: Motion was made by Mr. Walter Weakley, seconded by Ms. Ann Jarreau to approve the following applicants for Notary Public Commission:

<i>Hannah Loren Atkins</i>	<i>Amanda Binkley</i>	<i>Shelly M. Hadden</i>
<i>Diana K. Knight</i>	<i>Sarah D. Martin</i>	<i>Kathy L. Reed</i>
<i>Deborah Sauls</i>	<i>Patsy A. Smiley</i>	

Motion approved by voice vote. See Resolution 20.

At 11:00 p.m. Chairman Mr. John Haines stated the County Commission is in recess until February 10, 2014, at 7:00 p.m. in the General Sessions Courtroom.

Chairman, Mr. John Haines reconvened the Legislative Body at 7:00 P.M. on February 10, 2014 in the General Session Courtroom.

County Clerk Ms. Teresa Gupton called the roll. There being Twelve Commissioners present, Chairman, Mr. John Haines declared a Quorum. See Resolution 21.

Building Commissioner Mr. Chris Atkins read a formal withdrawal of application for Mr. Kendall W. and Sandie L. Felts rezone request.

Mr. Brian Chase, 6<sup>th</sup> district school board member and project manager for R.C. Mathews Contractor Company, spoke in favor of Hewlett Spencer and their deliver method of low bid verses best value. Mr. Chase invited questions.

Mr. Jamie Spencer, partner of Hewlett Spencer, LLC, gave a presentation on Hewlett Spencer, LLC and presented each commissioner with a hand-out that included a copy of 2 bids that ran in local papers in 2009 and 2010, copy of a invitation to a pre-bid meeting held at Pinnacle Bank in 2010, a copy of the ADA projects savings and a list of Cheatham County Projects and their guaranteed maximum price, the actual price and Hewlett Spencer cost.

Mr. Dale McCarver asked Mr. Jamie Spencer if the bids were advertised locally.

Mr. Jamie Spencer stated they did not have to bid locally per the Sevier County Public Building Authority which they operate under.

Mr. Dale McCarver presented each Commissioner with copies of articles from other counties that spoke in opposition of Hewlett Spencer. Mr. McCarver stated they should advertise locally and use the taxpayer dollars in the county and hire locally if possible. Mr. McCarver stated the commissioners were Stewarts of the taxpayers and needed to protect their dollars.

Mr. Walter Weakley and Mr. Rob Myers spoke in regards to Hewlett Spencer being more transparent.

A representative from Bell Construction spoke concerning the advertising and stated that advertising in local papers was no longer a common practice in the construction industry, it's commonly done online.

Mr. David Davidson questioned if the drainage issue was included in the bid. Mr. Spencer stated that was not included in the bid.

After discussion, motion was made by Mr. Dale McCarver, seconded by Mr. Walter Weakley to reject the Three-Year Capital Outlay note for the paving of Pegram Elementary School. Capital Outlay note not to exceed \$297,000.00.

Motion approved by roll call vote 12 Yes 0 No 0 Absent. See Resolution 22.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Yes
Dale McCarver	Yes	John Haines	Yes
Connie Mayo	Yes	Jimmy Hedgepath	Yes

Mayor Mr. David McCullough requested the Education Committee meet with the School Board in regards to paving Pegram Elementary School as soon as possible for safety reasons.

County Attorney Mr. Michael Bligh reviewed and approved the changes to the Chancery Court personnel policy.

There being no further business to discuss, motion was made by Mr. Donnie Jordan, seconded by Mr. Dale McCarver to adjourn at 8:20 P.M.

Motion approved by voice vote. See Resolution 23.