

**MINUTES**  
**CHEATHAM COUNTY LEGISLATIVE BODY**  
**REGULAR SESSION**  
**January 28, 2013**

BE IT THEREFORE REMEMBERED, That the Cheatham County Legislative Body met in the General Sessions Courtroom, Ashland City, Tennessee, on January 28, 2013 in Regular Session. Chairman Mr. John Haines and County Clerk Ms. Teresa Gupton presided. County Attorney Mr. Alan Johnson attended.

COUNTY COMMISSIONERS

BETTY RAMSEY	DONNIE JORDAN
DORIS SANDERS	WALTER WEAKLEY
ANN JARREAU	DAVID DAVIDSON
ROB MYERS	LUANN ENGELMAN
DALE MCCARVER	JOHN HAINES
JOHN PAUL WOOD	JIMMY HEDGEPTH

PUBLIC FORUM: Chairman, Mr. John Haines opened Public Forum at 7:00 P.M.

Public Forum closed at 7:01 P.M.

PUBLIC HEARING: Chairman, Mr. John Haines opened the Public Hearing at 7:02 P.M.

The following was advertised to be heard:

1. Mr. & Mrs. Josh Bracey, requesting a zone change from R-1 to Agriculture to allow farm animals. Property located at 2387 Bearwallow Rd., Ashland City, TN., map 41 parcel 59.04 consisting of 6.7 acres. Property is in the 2<sup>nd</sup> voting district and is not in a flood area.

***Ms. Sarah Rice, 2441 Bearwallow Road, Ashland City, Tennessee, affirmed that the commission received her petition asking that this request be denied.***

2. Consideration of an amendment to Section 8.050 (D) (2) of the Cheatham County Zoning Resolution that would require certified letters be sent to certain surrounding property owners of a subject property regarding notification of items to be heard by the Cheatham County Board of Zoning Appeals. This is in regards to Resolution #12, dated October 15, 2012, titled "To approve as amended a resolution to submit to the Cheatham County Planning Commission on proposed changes to the Cheatham County Zoning Resolution regarding notice requirements for action taken by the Cheatham County Board of Zoning Appeals."

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

Public Hearing closed at 7:04 P.M.

THE MEETING WAS CALLED TO ORDER by Sheriff Mr. John Holder at 7:04 P.M.

Invocation was offered by Mr. Ronnie Barron.

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

Motion was made by Mr. Walter Weakley, seconded by Ms. Doris Sanders to approve the Agenda for the January 28, 2013 Legislative Body Meeting.

Motion approved by voice vote. See Resolution 2.

Motion was made by Ms. Ann Jarreau, seconded by Mr. David Davidson to approve the minutes from the December 17, 2012 commission meeting.

Motion approved by voice vote. See Resolution 3.

#### UNFINISHED BUSINESS

Motion was made by Mr. David Davidson, seconded by Ms. Ann Jarreau to suspend Regular Rules of Order at 7:06 P.M. for the purpose of certificate presentations.

Motion approved by voice vote. See Resolution 4.

Chairman, Mr. John Haines and Mr. Clyde White presented certificates to the families of Mr. Herbert Eugene Ivey and Mr. Dale Fambrough and to the Cheatham County Central High School Football Team.

Motion was made by Mr. Walter Weakley, seconded by Mr. Donnie Jordan to resume Regular Rules of Order at 7:20 P.M.

Motion approved by voice vote. See Resolution 5.

#### NEW BUSINESS

COUNTY MAYOR- MR. DAVID MCCULLOUGH: County Mayor Mr. David McCullough was not present. Human Resource Director Mr. Clyde White presented information.

Mr. Clyde White reported the Federal Emergency Management Agency (FEMA) account balance was \$121,601.32.

Building Commissioner Mr. Chris Atkins stated the demolition of flood property was moving forward, the certified letters had been sent out to the property owners.

Mr. Clyde White stated the Work Force Essential factsheet was included in the packet.

Mr. Clyde White presented, motion was made by Ms. Doris Sanders, seconded by Mr. David Davidson to approve County Mayor Mr. David McCullough's recommendation of the following members to the Budget Committee:

Donnie Jordan          Rob Myers          Betty Ramsey          John Paul Wood

Motion approved by voice vote. See Resolution 6.

Mr. Clyde White presented to County Clerk Ms. Teresa Gupton the policy for collection and write-off of Cheatham EMS patient accounts. Policy is attached.

ANIMAL CONTROL – MR. THOMAS JORDI: Reports are included in the packet. Mr. Jordi invited questions.

BUILDING COMMISSIONER – MR. CHRIS ATKINS: Building Commissioner Mr. Chris Atkins presented motion was made by Ms. Ann Jarreau, seconded by Mr. Rob Myers to table for six months a zone change from R-1 to Agriculture for Mr. & Mrs. Josh Bracey on property located at 2387 Bearwallow Road, Ashland City, Tennessee.

*Planning Commission recommended denial of zone change 7 Yes 1 No 1 Absent*

Motion approved by voice vote. See Resolution 7.

Building Commission Mr. Chris Atkins presented motion was made by Mr. Donnie Jordan, seconded by Mr. Walter Weakley to amend section 8.050 (D) (2) of the Cheatham County Zoning Resolution.

*Planning Commission Vote: 8 Yes 0 No 1 Absent*

Motion approved by voice vote. See Resolution 8.

Building Commissioner Mr. Chris Atkins stated the new address for the Building Commission's Office is 111 Frey Street, Ashland City, Tennessee.

DIRECTOR OF ACCOUNTS – MS. TARA PATTERSON: The Budget Committee recommended, motion was made by Mr. Jimmy Hedgepath, seconded by Mr. David Davidson to authorize the County to proceed with applying for a 50 % matching grant through TVA and its Clean Tennessee Energy Grant Program to help fund the purchase of solar panels for the Courthouse/Jail, AC Library and Tucker Building.

*Funding Source: None*

*Budget Vote: 4 Yes 0 No 1 Absent*

After discussion, motion approved by roll call vote 7 Yes 2 No 3 Absent. See Resolution 9.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	Yes
Ann Jarreau	No	David Davidson	Yes
Rob Myers	No	LuAnn Engelman	Absent
Dale McCarver	Absent	John Haines	Yes
John Paul Wood	Absent	Jimmy Hedgepath	Yes

The Budget Committee recommended, motion was made by Mr. Donnie Jordan, seconded by Mr. David Davidson to approve an 18 month lease agreement between Cheatham County and Pleasant View Volunteer Fire Department for Pleasant View EMS Station 4.

Motion approved by roll call vote 9 Yes 1 No 2 Absent. See Resolution 10.

Betty Ramsey	Yes	Donnie Jordan	Yes
Doris Sanders	Yes	Walter Weakley	No
Ann Jarreau	Yes	David Davidson	Yes
Rob Myers	Yes	LuAnn Engelman	Absent
Dale McCarver	Yes	John Haines	Yes
John Paul Wood	Absent	Jimmy Hedgepath	Yes

The Budget Committee recommended, motion was made by Mr. Donnie Jordan, seconded by Mr. Jimmy Hedgepath to authorize the following budget amendments for the County General Fund:

<i>Kingston Springs Library</i>	\$ 8,500.00
<i>Jail</i>	\$ 1,277.90
<i>Animal Control</i>	\$ 10,459.73
<i>Ag Extension</i>	\$ 4,812.80

*Funding Source: Various*

*Budget Vote: 3 Yes 0 No 2 Absent*

Motion approved by roll call vote 10 Yes 0 No 2 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	Absent
Dale McCarver	Yes	John Haines	Yes
John Paul Wood	Absent	Jimmy Hedgepath	Yes

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

*Drug Enforcement*  
 122-39000                      *Fund Balance*                                      \$ 39,988.00  
 122-54150-716                      *Law Enforcement Equip*                                      \$39,988.00  
*Transfer funds for the purchase of 32 laptops for patrol cars*

*Funding Source: Fund Balance*  
*Budget Vote: 3 Yes 0 No 2 Absent*

Motion approved by roll call vote 10 Yes 0 No 2 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	Absent
Dale McCarver	Yes	John Haines	Yes
John Paul Wood	Absent	Jimmy Hedgepath	Yes

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

*Highway and Bridge Maintenance*  
 131-44145                      *Sale of Recycled Material*                                      \$1,591.00  
 131-62000-440                      *Metal Pipe*    \$1,591.00  
*Transfer funds received from sale of recycled pipe into expenditure budget*

*Funding Source: Sale of Recyclables*  
*Budget Vote: 3 Yes 0 No 2 Absent*

Motion approved by roll call vote 10 Yes 0 No 2 Absent. See Resolution 13.

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

ECONOMIC AND COMMUNITY DEVELOPMENT- MR. DARYL PHILLIPS- Mr. Phillips discussed the Three Star Program and its measurable annual scorecard. Mr. Phillips said the Sales Tax Report was in the packet.

Mr. Phillips stated the slides from the presentation of the Conceptual Business Plan for the Red River Preserve Business Park were included in the packets. Mr. Phillips and Commissioners had discussion on the Red River Preserve project and the monies spent on the project.

Motion was made by Mr. Dale McCarver, seconded by Mr. Walter Weakley to suspend Regular Rules of Order at 8:30 P.M. for the purpose of allowing Chamber of Commerce Director Mr. Chris Neese and Cheatham Development Board Chairman Mr. David Risner to discuss funds appropriated for the Red River Preserve Project.

Motion approved by voice vote. See Resolution 14.

Motion was made by Mr. Dale McCarver, seconded by Mr. Donnie Jordan to resume Regular Rules of Order at 8:35 P.M.

Motion approved by voice vote. See Resolution 15.

Motion was made by Mr. Donnie Jordan, seconded by Ms. Betty Ramsey to suspend Regular Rules of Order at 8:45 P.M. for the purpose of Chamber of Commerce Director Mr. Chris Neese to discuss the possibility of an Assisted Living Facility.

Motion approved by voice vote. See Resolution 16.

Mr. Chris Neese stated that Mr. Ron Wilkinson, owner of Vantage Pointe Apartments is interested in constructing an Assisted Living Facility. After Cheatham County failed a HUD market study the contractor Mr. Ron Wilkinson is asking Cheatham County to waiver the adequate facility tax in order for his investors to be satisfied with continuing to locate in Cheatham County.

Motion was made by Ms. Ann Jarreau, seconded by Mr. David Davidson to resume Regular Rules of Order at 9:16 P.M.

Motion approved by voice vote. See Resolution 17.

After Discussion, motion was made by Mr. David Davidson, seconded by Mr. Jimmy Hedgepath to request the County Mayor Mr. David McCullough to arrange a joint meeting with Ashland City Council to discuss Contractor Mr. Ron Wilkinson's request of waived fees.

Motion approved by voice vote. See Resolution 18.

#### OTHER COUNTY OFFICIALS

ROAD SUPERINTENDENT- MR. CARL COTHERN- Mr. Cothorn stated the 2013 Road list was complete. See Attached.

#### STANDING COMMITTEES

CHEATHAM DEVELOPMENT BOARD- Mr. David Risner informed the commission that the Cheatham Development Board could possibly be asking for additional funding if asked to review the request of waived fees for the assisted living facility.

BEER BOARD – Ms. Doris Sanders stated they did not meet.

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

EMERGENCY SERVICES- Mr. Donnie Jordan stated they did not meet.

CAPITAL IMPROVEMENTS – Mr. Rob Myers stated they did meet.

Motion was made by Mr. Rob Myers, seconded by Ms. Ann Jarreau to approve expenditures not to exceed \$7,000.00 to complete the renovation of the County Clerk's Office.

*Budget Vote: 3 Yes 0 No 2 Absent*

*Capital Improvements Vote: 4 Yes 0 No 1 Absent*

Motion approved by voice vote. See Resolution 19.

Motion was made by Mr. Rob Myers, seconded by Mr. Jimmy Hedgepath to approve the location of the Veterans Service Office at 264 South Main Street, Suite 106, Ashland City, Tennessee, 37015.

*Capital Improvements Vote: 4 Yes 0 No 1 Absent*

Motion approved by voice vote. See Resolution 20.

Mr. Rob Myers stated the committee would discuss a new location to secure seized vehicles from the Sheriff Department and excess county vehicles.

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

County Attorney Mr. Alan Johnson stated the Commission is not required to have an Ethics Committee however a resolution was passed in June of 2007 stating Cheatham County would establish an ethics committee so in order to be legal the resolution needs to be amended.

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

ROAD AND BRIDGE –Mr. Walter Weakley stated they did not meet.

Motion was made by Mr. Walter Weakley, seconded by Mr. Jimmy Hedgepath to approve an agreement to accept debris material.

Motion approved by voice vote. See Resolution 21.

CONSTRUCTION OVERSIGHT- Chairman Mr. John Haines discussed several projects in the works.

UT EXTENSION- Mr. Ronnie Barron stated U.S. Department of Agricultural Census is due February 4, 2013. Mr. Barron stated the census occurs every five years and helps obtain direct and indirect funding for the community.

CONSENT CALENDAR: Motion was made by Mr. David Davidson, seconded by Ms. Doris Sanders to approve the following recognition:

*Memorial*

*To the family of Ms. Gladys Newman*

Motion approved by voice vote. See Resolution 22. (Individual resolution 23.)

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

*Carol T. Baker  
Kathleen E. Dyer  
Barbara Lane  
Brian Perryman*

*Marilyn Bazzell  
Paul J. Harris  
Pamela F. Luna  
Len Rinehart*

*Peggy L. Dickens  
Bailey K. Knight  
Joanne M. Mann  
Cindy L. Wheeler*

Motion approved by voice vote. See Resolution 24.

There being no further business to discuss, motion was made by Mr. Walter Weakley, seconded by Mr. Donnie Jordan to adjourn at 10:07 P.M.

Motion approved by voice vote. See Resolution 25.