



**Bedford County Board of Commissioners
Commissioner Board Meeting**

Date: **Tuesday, August 09, 2022**

Time: **7:00 PM**

Location: **Bedford County Historic Courthouse, 2nd Floor Courtroom**

Minutes

PUBLIC NOTICE

The Bedford County Planning Commission

On June 28th, 2022, the Bedford County Regional Planning Commission unanimously recommended the rezoning of approximately 2.89 +/- acres along U.S. Hwy. 41-A North, Shelbyville, TN, from its existing A-1 (Agriculture-Forestry) zone-district, to C-1 (Commercial Rural Center District), and more particularly identified as the entirety of Bedford County Tax Map 048, Parcel 009.00, including a small portion of Tax Map 048, Parcel 010, also zoned A-1, and said parcel being owned by Mr. & Mrs. Bobby and Clara Boyce – the property being known as the old Boyce Livestock Center.

The public hearings will occur immediately before the Bedford County Commission meeting which will begin at 7:00 p.m. on August 09, 2022. The public hearing and commission meeting will be held in the old Courthouse, 1 Public Square, 2nd Floor Meeting Chamber., Shelbyville, Tennessee 37160.

Accommodations

Persons with a disability who wish to request accommodation to participate in the Public Meeting should notify Suzanne Alexander at least one (1) business days prior to the Meeting at (931) 684-7944 or email your request to Suzanne.Alexander@bedfordcountyttn.gov to discuss accommodations. Every reasonable effort will be made to meet your need.

Chairman Graham opened the public hearing and invited anyone to speak, either for or against the rezoning. Monte Turner, developer, came forward and stated that the site would be developed for a Dollar General store. He said that Dollar General paid over \$60,000 in property taxes and more than \$150,000 in sales tax to Bedford County last year. He stated that the site is suitable for commercial use and the rezoning is justified. Commissioner Thomas reminded Turner that he had told the Rules and Legislative Committee that the building design could be similar to that of the store in Lynchburg. Thomas asked if Turner was still committed to that type of design. Turner said yes.

No one came forward in opposition of the rezoning and the hearing was closed.

Call to Order: Chairman, Mayor Chad D. Graham
Prayer and Pledge of Allegiance Commissioner John Brown
Open Meeting: Chief Deputy Sheriff Nikia Elliott
Roll Call: County Clerk Donna Thomas

PRESENT

Bill Anderson
Janice Brothers
Ed Castleman
Anita Epperson
Biff Farrar
Brian Farris
Bobby Fox
Don Gallagher
Jason Sanders
Julie Sanders
Jeff Sweeney
Tony Smith
Adam Thomas
Mark Thomas
Greg Vick
Linda Yockey

ABSENT

John Brown
Sylvia Pinson

Minutes Approval:

1. Approval of Special-Called Commission Meeting Minutes from June 28, 2022 - *Placed on agenda with recommendation to amend by Rules & Legislative Committee*

Motion made by Jason Sanders, Seconded by Mark Thomas. Passed by voice vote.

2. Approval of Commission Meeting Minutes from July 12, 2022 - *Placed on agenda without a recommendation by Rules & Legislative Committee.*

Motion made by Yockey, Seconded by Epperson. Passed by voice vote.

Elections & Confirmations:

3. Appointment to Board of Education - 8th District to replace John Boutwell - *Nominations from the floor.*

Yockey nominated Michael Taylor. Julie Sanders nominated Shanna Boyette. Epperson nominated Rodney Thompson. Graham reminded the body that it takes 10 votes to appoint the replacement.

The result of the roll call vote was Boyette 9, Taylor 5, Thompson 2.

Voting for Boyette: Anderson, Brothers, Farris, Fox, Jason Sanders, Julie Sanders, Sweeney, Mark Thomas, Vick.

Voting for Taylor: Farrar, Gallagher, Smith, Adam Thomas, Yockey.

Voting for Thompson: Castleman, Epperson

Thompson was eliminated and another roll call vote was taken. The result was Boyette 10, Taylor 6.

Voting for Boyette: Anderson, Brothers, Castleman, Farris, Fox, Jason Sanders, Julie Sanders, Sweeney, Mark Thomas, Vick.

Voting for Taylor: Epperson, Farrar, Gallagher, Smith, Adam Thomas, Yockey.

4. Elect Notaries for September 2022 - *Placed on the agenda by Rules & Legislative Committee*

Motion made by Mark Thomas, Seconded by Yockey. Passed by voice vote.

**BEDFORD COUNTY CLERK
DONNA THOMAS COUNTY CLERK
100 PUBLIC SQ STE 104
SHELBYVILLE TN 37160
Telephone 931-684-1921
Fax 931-685-9590**

Notaries to be elected August 09, 2022

BETTY LOU BAILEY	THOMAS D KOONS
ANGIE BROWN	RICHARD D LEE
K BRENT CANADY	DANA MCGEE
MATTHEW CARMAN	SONYA MCNABB
TAMIKA COATS	MICHELLE MURRAY
TIM CRUTCHER	TAMMY L PACKERT
KERRY DUNN	AUDRA PARKS
JUNE ELNICKI	JUDY PRUITT
FRANCES GABRIELLE HAYNES	MARCELLA M PUGH
KELLY J HOLT	SHERRY SCHUCHMAN
VIVIAN HUGGLER	DANIEL WATSON
KATRINA KAUTZ	

Presentations:

5. Presentations to Outgoing Commissioners - Mayor Chad Graham

Graham presented plaques to outgoing commissioners John Brown (1982-2022), Ed Castleman (1997-2022), Brian Farris (2018-2022), Bobby Fox (2002-2018, 2021-2022), Don Gallagher (2011-2022), Jason Sanders (2020-2022), Jeff Sweeney (2018-2022).

6. Charlie Curtiss, TCCA Executive Director - presentations to Commissioners with 20+ years of service.

Mr. Curtiss presented certificates of appreciation to long-time commissioners Ed Castleman (25 years), Mark Thomas (20 years), Tony Smith (20 years), Phillip Farrar (20 years). Lynn Davis from Scott Desjarlais' office also thanked the commissioners for their service.

7. Presentation to Commissioner John Brown from U.S. Congressman Scott DesJarlais' Office

Lynne Davis from Representative Scott Desjarlais' office thanked Commissioner John Brown for his 40 years of service as well as all of the commissioners being recognized tonight.

Resolutions:

8. Mark Thomas made a motion to suspend the rules in order to consider Resolution 23-11 authorizing the Industrial Development Board of the City of Shelbyville, Inc to negotiate and accept payments in lieu of ad valorem taxes. Seconded by Brothers. Motion to suspend the rules passed by unanimous voice vote.

Motion to approve the resolution by Vick, Seconded by Mark Thomas. Passed by voice vote.

A RESOLUTION OF THE BEDFORD COUNTY BOARD OF COMMISSIONERS AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF SHELBYVILLE, INCORPORATED TO NEGOTIATE AND ACCEPT PAYMENTS IN LIEU OF AD VALOREM TAXES

WHEREAS, The Industrial Development Board of the City of Shelbyville, Incorporated (the "IDB") is authorized under the provisions of Chapter 53, Title 7, of *Tennessee Code Annotated*, as amended from time to time (the "Act"), to, among other things, finance, acquire, improve, construct, expand, equip, own, lease, and dispose of properties in order to promote industry, trade, commerce, tourism and recreation, and thereby maintain and increase employment opportunities and further the use of natural resources in the State of Tennessee, by inducing manufacturing, industrial, governmental, educational, financial, service, commercial, and recreational enterprises to locate in or remain in the State of Tennessee; and

WHEREAS, in order to implement the public purposes enumerated in the Act and in furtherance thereof to induce the construction, acquisition, equipping, expansion and/or operation of projects (as defined in the Act) located or to be located in Bedford County, Tennessee, the construction, acquisition, expansion, equipping, owning and leasing of which by the IDB is expected to maintain or increase employment in the area, the City of Shelbyville and Bedford County, Tennessee, desire to delegate authority to the IDB to grant payment in lieu of tax incentives pursuant to the terms and conditions set forth in this Resolution and the Act, in order to implement the purposes of the Act.

THEREFORE, BE IT RESOLVED by the Bedford County Board of Commissioners, as follows:

1. The Bedford County Board of Commissioners hereby finds that the negotiation and acceptance by the Board of payments in lieu of ad valorem taxes consistent with this Resolution are deemed to be in furtherance of the public purposes of the IDB as defined in *Tennessee Code Annotated Section 7-53-305*.

2. The Bedford County Board of Commissioners hereby delegates authority to the IDB to grant payment in lieu of tax incentives, and to negotiate, document and accept payments in lieu of taxes in connection therewith, as follows:

a. For any project (as defined in the Act) for which a Qualified Business is constructing or equipping a new facility or equipping or expanding an existing facility:

Year 1-3	No payment in lieu of tax
Year 4	40% of Applicable Ad Valorem Taxes
Year 5	50% of Applicable Ad Valorem Taxes
Year 6	60% of Applicable Ad Valorem Taxes
Year 7	70% of Applicable Ad Valorem Taxes
Year 8	80% of Applicable Ad Valorem Taxes
Year 9	90% of Applicable Ad Valorem Taxes
Year 10 and thereafter	100% of Applicable Ad Valorem Taxes

b. For any project (as defined in the Act) for which a Qualified Business either (i) is making a capital investment of no less than Twenty-five Million Dollars (\$25,000,000.00) or (ii) creating or retaining at least fifty (50) new jobs, in each case in connection with the construction or equipping of a new facility or the equipping or expansion of an existing facility:

Year 1-4	No payment in lieu of tax
Year 5-6	20% of Applicable Ad Valorem Taxes
Year 7	40% of Applicable Ad Valorem Taxes
Year 8	60% of Applicable Ad Valorem Taxes
Year 9	80% of Applicable Ad Valorem Taxes
Year 10	90% of Applicable Ad Valorem Taxes
Year 11 and thereafter	100% of Applicable Ad Valorem Taxes

c. For any project (as defined in the Act) for which a Qualified Business either (i) is making a capital investment of no less than One Hundred Million Dollars (\$100,000,000.00) or (ii) creating or retaining at least one hundred (100) new jobs, in each case in connection with the construction or equipping of a new facility or the equipping or expansion of an existing facility:

Year 1-7	No payment in lieu of tax
Year 8	20% of Applicable Ad Valorem Taxes
Year 9	40% of Applicable Ad Valorem Taxes
Year 10	60% of Applicable Ad Valorem Taxes
Year 11	60% of Applicable Ad Valorem Taxes
Year 12	80% of Applicable Ad Valorem Taxes
Year 13	80% of Applicable Ad Valorem Taxes
Year 14 and thereafter	100% of Applicable Ad Valorem Taxes

d. As used in this Resolution, (i) "Qualified Business" means any industry for the manufacturing, assembly, generation, processing, warehousing or distribution of agricultural, mining or manufactured products or electricity, and (ii) "Applicable Ad Valorem Taxes" means the amount of ad valorem taxes that, but for ownership of a project by the IDB, would have been due and payable by the taxpayer to

Bedford County pursuant to *Tennessee Code Annotated §67-5-102* and, if applicable, the City of Shelbyville pursuant to *Tennessee Code Annotated §67-5-103*; provided that for any project classified as a public utility by the State of Tennessee, the IDB is authorized to calculate the Applicable Ad Valorem Taxes as if such project were classified as industrial or commercial property.

3. The Mayor and all officers and departments and agencies of Bedford County are hereby authorized and directed to take such further actions as are deemed necessary or advisable to carry out the intent and purposes of these Resolutions.

4. The resolutions adopted herein shall supersede any and all prior resolutions of the Bedford County Board of Commissioners with respect to the IDB's authority to grant payment in lieu of tax incentives.

Approved and adopted by the Bedford County Board of Commissioners on this 9th day of August, 2022.

APPROVED:


 CHAD GRAHAM
 BEDFORD COUNTY MAYOR

ATTEST:


 DONNA THOMAS
 BEDFORD COUNTY CLERK

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Additional Items by Standing Committees:

Rules and Legislative Committee:

9. Changing the speed zone on dead-end roads Coleman Harvey Lane and Thompson Lane from 45mph to 30 mph. - (3-2 vote)

Correction: the item should read changing the speed zone on Coleman Harvey Lane (not Thompson Lane).

Motion made by Epperson, Seconded by Anderson. Passed by voice vote.

10. Rezoning: Map 48; Parcel 009.00, plus a portion of Map 48; Parcel 10.01 for a total of 2.89 acres (NE of Intersection with Hwy 41A & Hwy 270) rezoned from A1 to C1. The proposed use will be for a Dollar General Store. Existing structure on property to be removed. There are other C1 commercial parcels both across the street on the SW corner and on the same side of the highway (41A) just two parcels away, Garrett Auto and Garrett Wrecker.

Motion made by Anderson, Seconded by Epperson. Passed by voice vote.

11. TVA Resolution 23-10 regarding transmission of Line Easement

Motion made by Mark Thomas, Seconded by Epperson. Passed by voice vote.

RESOLUTION

BE IT RESOLVED THAT CHAD D. GRAHAM who is the MAYOR of BEDFORD COUNTY, TENNESSEE, a political subdivision of the State of Tennessee, be authorized and directed to execute and deliver a Grant of Transmission Line Easement and all related documents to grant, sell, and convey to the United States of America a permanent easement for a transmission line right-of-way as described in said grant and to receive payment therefor.

ATTESTATION

The foregoing resolution was, upon motion properly made, seconded, and adopted by the Board of Commissioners of BEDFORD COUNTY, TENNESSEE, a political subdivision of the State of Tennessee, at a meeting held on the 9th day of August 2022 of record in Minute Book 18, page 165.

Date: Aug. 9, 2022

Donna Thomas
Secretary

(NOTE: Attestation must be signed by someone other than authorized officer listed above)

Law Enforcement Committee:

12. None.

Courthouse and Property Committee:

13. None.

Financial Management Committee:

14. County Budget Amendment #1 - (*unanimous recommendation*).

Motion made by Yockey, Seconded by Brothers.

Anderson questioned how the finance director's salary can be higher than the mayor's salary. Graham said there is no law prohibiting it and the director's salary correction is based on the market value plus years of service.

Motion passed by roll call vote. 10 Ayes 3 Noes

Voting Yea: Brothers, Castleman, Fox, Gallagher, Jason Sanders, Julie Sanders, Smith, Sweeney, Vick, Yockey

Voting Nay: Anderson, Epperson, Farrar

Abstaining due to a direct conflict: Farris, Adam Thomas, Mark Thomas

A copy of the Budget Amendment is on file in the Clerk's office.

15. Early Literacy Network Contract - BOE

Motion made by Mark Thomas, Seconded by Brothers. Passed by voice vote.

16. Quarterly Financials

Motion made by Brothers, Seconded by Smith. Passed by voice vote.

A copy of the Financial Report is on file in the Clerk's office.

17. Surplus Property-BOE

Motion made by Brothers, Seconded by Epperson. Passed by voice vote.

18. Hire 5 new SROs - *to be funded first year with proceeds from sale of EMA building, located on Railroad Avenue.*

Motion made by Smith, Seconded by Yockey.

Epperson asked if there is a plan to fund the positions after this year. Yockey said there is no plan other than it will have to be funded by property tax. Sweeney stated his concern that commitments are being made for the proceeds of a property that has not been sold yet. Julie Sanders said that the proceeds from the sale of the building should go toward renovation of the new EMA location.

Motion failed on roll call vote. 7 Ayes 9 Noes

Voting Yea: Brothers, Castleman, Fox, Gallagher, Jason Sanders, Smith, Yockey

Voting Nay: Anderson, Epperson, Farrar, Farris, Julie Sanders, Sweeney, Adam Thomas, Mark Thomas, Vick

Other Business:

19. Q4 Reports:

Clerk & Master - Absent

Circuit Court Clerk/Driving School Director – Michelle Murray submitted written report.

County Clerk – Donna Thomas submitted written report.

Director of Schools – Dr. Tammy Garrett reported that the number of students is up 225 over last year. Community High School addition – moving dirt. Cartwright Elementary – should have architect designs in December. She said that Bedford County teacher Rachel Porter is one of the top nine finalists for Tennessee Teacher of the Year.

Election Registrar - Absent

Hwy Superintendent - Mark Clanton submitted written report.

Property Assessor - Absent

Registrar of Deeds – Johnny Reed submitted written report.

Trustee – Tonya Davis submitted written report.

Economic Development – Gary Fayard, Carol O’Brien, and David Coffey, independent members of the Shelbyville-Bedford Partnership reported on guarantees vs. expectations of the coming Duksan plant. The guarantee is 100 jobs, the expectation is 161 jobs with salaries 32% above the Bedford County average. The guarantee is \$95M in capital on the building, the expectation is \$117M. This will make them the largest commercial capital investment in the county. Fayard speculated that the multiplier effect could be 2½ times what is direct to jobs.

Announcements

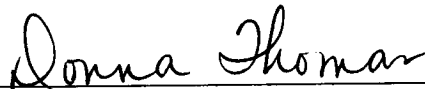
- The Celebration – August 25 - September 3.
- Swearing-In Ceremony for newly elected and re-elected officials – August 31, 3:00, 2nd Floor Courtroom.

Adjourn

Meeting adjourned at 8:15 p.m.


Attestation

I certify that the minutes were completed on the 12th of August, 2022 and delivered to the Bedford County Mayor’s office.



 Donna Thomas
 Bedford County Clerk

I certify that I received these minutes on the 17 day of August, 2022.



 Chad Graham
 Bedford County Mayor

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