

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

Date: **Tuesday, September 13, 2022**

Time: **7:00 PM**

Location: **Bedford County Historic Courthouse, 2nd Floor,
Community Room**

Minutes

Call to Order: Chairman, Mayor Chad D. Graham

Prayer and Pledge of Allegiance: Attorney John T. Bobo led in a moment of silence for late Commissioner John Brown.

Open Meeting: Sheriff Austin Swing

Roll Call: County Clerk Donna Thomas

PRESENT

Bill Anderson
John Boutwell
Jason Boyette
Janice Brothers
Anita Epperson
Biff Farrar
Drew Hooker
Scott Johnson
Eric Maddox
Diane Neeley
Sylvia Pinson
Julie Sanders
Tony Smith
Adam Thomas
Mark Thomas
Troy Thompson
Greg Vick
Linda Yockey

Minutes Approval:

1. Approval of Commission Meeting Minutes from August 10, 2022 - Placed on the agenda without a recommendation by Rules & Legislative Committee.

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

Elections & Confirmations:

2. Appointment of County Commission Chairman and Chairman Pro Tem.

County Clerk Donna Thomas opened the floor for nominations for Chair. Pinson nominated Mayor Graham. Vick made a motion to cease nominations. Seconded by Anderson. Graham was elected by voice vote.

Graham opened the floor for nominations for Chair Pro Tem. Anderson nominated Farrar. Pinson nominated Smith. Farrar was elected by roll call vote. Farrar - 10 Smith - 6
Voting for Farrar: Anderson, Boyette, Epperson, Hooker, Maddox, Neeley, Sanders, Adam Thomas, Mark Thomas, Thompson
Voting for Smith: Boutwell, Brothers, Johnson, Pinson, Vick, Yockey
Pass votes: Farrar, Smith

3. Elect Notaries for October 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 September 07, 2022

LAURA M AIDOO
TONYA ANDERSON
CAMERAN COOPER
CASSIE ANN DAVIS
BRITANN DRIVER
DARLENE M EYCHNER
LANNY HARPER
BARBARA HUNT

LISA KAY JORGENSON
TONJA KENNERLY
DIANE NEELEY
ANGELA G RAY
EMILY BROOKE RICHARDSON
GARY L SPRY
LILLIA TORRES

Presentations: None.

Resolutions:

4. Resolution 23-12 - To Adopt use of a collection agent as provided in Public Chapter 522. Placed on the agenda by the Finance Committee.

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

Resolution # 23-12

RESOLUTION FOR BEDFORD COUNTY, TENNESSEE, TO ADOPT USE OF A COLLECTION AGENT AS PROVIDED IN PUBLIC CHAPTER 522:

WHEREAS Tennessee House Bill No. 358, provides for the county trustee to retain an agent to collect payment of delinquent tangible personal property taxes and

WHEREAS Tennessee House Bill No. 358, provides adequate safeguards for the taxpayers and the county in the use of such collecting agents and

WHEREAS Tennessee House Bill No. 358, requires the county trustee to notify the county legislative body of such action to retain an agent for the collection of delinquent tangible personal property taxes,

The Bedford County Commission therefore concurs to the retention and use of such agents by the Bedford County Trustee in accordance with the Tennessee Code Annotated, Section 67-5-2004

In accordance with Tennessee House Bill No. 358 and Public Chapter 522, Tennessee legislature.

WHEREAS, House Bill No. 358 allows an ACT to amend the Tennessee Code Annotated, section 67-5-2004 relative to delinquent tangible personal property taxes.

The House Bill is presented below:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE: SECTION 1. Tennessee Code Annotated, Section 67-5-2004, is amended by designating the existing language as subsection (a) and adding the following:

67-5-2004. Collection by garnishment — Retention of collection agent.

(a) The officers to whom the delinquent lists are so delivered may proceed against the delinquent taxpayers by garnishment proceedings, returnable before any general sessions court in the district where the delinquent resides, or to any court, which garnishment shall run in the name of the state for its own behalf and for the use and benefit of the county.

(b) [Subsection (b) repealed effective July 1, 2024.]

(1)

(A) The county trustee may proceed against a taxpayer who is delinquent in the payment of tangible personal property taxes by retaining an agent to collect such delinquent tangible personal property taxes, plus interest authorized by law, reasonable costs, and legal fees, provided that the collection activities are in compliance with this subsection (b).

(B) If a collection agent is retained, the county trustee shall utilize the bidding procedures applicable to the county to select and retain the agent and shall notify the county legislative body of such action.

The agent's collection fee shall not exceed thirty percent (30%) of tangible personal property taxes due, and the fee must be added to the total amount of delinquent tangible personal property taxes owed, plus interest authorized by law, reasonable costs, and legal fees.

(C) A contract or other arrangement entered into to retain a collection agent under this subsection (b) shall not provide that the compensation paid to the agent is conditioned on increasing tangible personal property tax collections in the county involved. A contract found to contain such language is void and unenforceable.

(D) An agent shall not communicate with the delinquent taxpayer or proceed upon the delinquent taxpayer's property unless authorization to take such action is provided in the contract. The agent shall not institute or undertake a collection or related activity in violation of the Tennessee Collection Service Act, compiled in title 52, chapter 20.

(E) An agent retained pursuant to this subsection (b) must be licensed and in good standing with the Tennessee collection service board.

(F) All foreclosures, seizures, litigation, or other judicial or non-judicial proceedings to enforce a tax lien or any similar rights to collect delinquent tangible personal property taxes, plus interest authorized by law, reasonable costs, and legal fees, must be in the name of the taxing jurisdiction as the plaintiff or claimant.

(G) An agent who also performs audit procedures shall not be retained to collect delinquent tangible personal property taxes under this section.

(2) This subsection (b) is repealed on July 1, 2024.

This resolution takes effect upon becoming a law, the public welfare requiring it.

APPROVED AND SO ORDERED this the 13 Day of Sept 2022.

Approved:

Attested:


Chad Graham, Bedford County Mayor


Tonya Davis, Bedford County Trustee

Additional Items by Standing Committees:

Rules and Legislative Committee: None.

Law Enforcement Committee: None.

Courthouse and Property Committee: None.

Financial Management Committee:

5. Surplus - BOE

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

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

6. BCEMS Write-Offs

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

Run Date: 7/14/2022
Page # 1

Ticket List – Uncollectable

DOS:	Ticket #	Charge	Payments	W/O and Adj	Balance
04/07/14	BD-TAB5114001319:1	\$577.57	\$0.00	\$0.00	\$577.57
05/17/14	BD-TAB5114001528:1	\$621.46	\$0.00	\$0.00	\$621.46
03/03/15	150300031:1	\$446.78	\$0.00	\$0.00	\$446.78
12/10/13	BD-TAB5113001081A:1	\$681.31	\$0.00	\$0.00	\$681.31
04/03/15	150400044:1	\$718.55	\$0.00	\$0.00	\$718.55
03/16/15	150300345:1	\$1,049.52	\$0.00	\$0.00	\$1,049.52
05/21/14	BD-TAB5414000998:1	\$1,005.38	\$0.00	\$0.00	\$1,005.38
02/13/15	BD-URN0315031742:1	\$625.45	\$0.00	\$0.00	\$625.45
05/20/14	BD-MAD0214022120:1	\$420.18	\$0.00	\$0.00	\$420.18
02/06/15	BD-TAB5115002099:1	\$602.84	(\$530.92)	\$0.00	\$71.92
04/16/15	150400217:1	\$464.32	\$0.00	\$0.00	\$464.32
02/22/15	BD-S1 5315002317:1	\$1,049.52	\$0.00	\$0.00	\$1,049.52
08/28/13	BD-S1 5613001352:1	\$633.43	\$0.00	\$0.00	\$633.43
04/12/15	150400135:1	\$539.29	\$0.00	\$0.00	\$539.29
08/05/13	BD-MAD0213021377:1	\$707.91	\$0.00	(\$6.68)	\$701.23
02/14/15	BD-UNK0315031746:1	\$625.45	\$0.00	\$0.00	\$625.45
02/28/15	150200089:1	\$745.15	(\$328.45)	(\$166.70)	\$250.00
07/31/14	BD-TAB5114001926:1	\$822.79	(\$560.52)	\$0.00	\$62.27
04/26/15	150400335:1	\$741.16	\$0.00	\$0.00	\$741.16
02/13/15	BD-TAB5115002137:1	\$625.45	\$0.00	\$0.00	\$625.45
11/27/15	151100362:1	\$695.94	\$0.00	\$0.00	\$695.94
03/10/14	BD-TAB0614001394:1	\$520.67	\$0.00	\$0.00	\$520.67
09/26/15	150900311:1	\$637.42	\$0.00	\$0.00	\$637.42
03/15/15	150300202:1	\$798.35	\$0.00	\$0.00	\$798.35
07/21/15	150700263:1	\$713.23	\$0.00	\$0.00	\$713.23
03/27/15	150300369:1	\$775.74	\$0.00	\$0.00	\$775.74
Total Number Tickets: 26		\$17,644.86	(\$1,419.89)	(\$173.38)	\$16,051.59

Other Business:

- 7. TCA 5-5-107 (e) - Compensation of Members

Information only. No action required.

Announcements

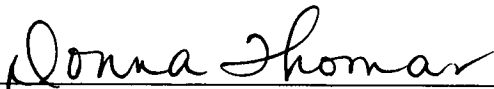
- Broadband Grant
- TCAT Groundbreaking, September 30, 10:00 a.m.
- Duksan Groundbreaking, September 28, 10:30 a.m.
- American Mule & Bluegrass Festival, September 27 – October 2, TWHNC

Adjourn

Meeting adjourned at 7:20 p.m.

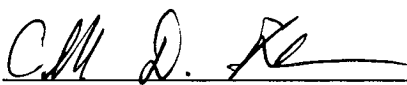
Attestation

I certify that the minutes were completed on the 15 of September, 2022 and delivered to the Bedford County Mayor's office.



Donna Thomas
Bedford County Clerk

I certify that I received these minutes on the 15 day of September, 2022.



Chad Graham
Bedford County Mayor