



## Bedford County Board of Commissioners

### Commissioner Board Meeting

Date: **Tuesday, September 12, 2023**

Time: **7:00 PM**

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

### Minutes

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**Call to Order:** Chairman, Mayor Chad D. Graham

**Prayer and Pledge of Allegiance**

**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  
Tony Smith  
Adam Thomas  
Mark Thomas  
Troy Thompson  
Greg Vick  
Linda Yockey

#### ABSENT

Sylvia Pinson  
Julie Sanders

**Public Hearing** (to be held prior to the meeting).

### PUBLIC NOTICE

#### The Bedford County Board of Commissioners

On May 23, 2023, the Bedford County Regional Planning Commission voted unanimously to favorably recommend an amendment to the Zoning Resolution of Bedford County. Specifically, Article III, Section 3.410 now titled *INTENTIONALLY LEFT BLANK*, with an amendment to provide general guidelines for the development of private family burial grounds. The new section would be titled Private Cemeteries. On August 15<sup>th</sup>, 2023, the Bedford County Rules & Legislative Committee voted unanimously to place the same item on the September 12<sup>th</sup>, 2023 agenda for the Bedford County Board of Commissioners.

A public hearing will occur immediately before the Bedford County Commission meeting which will begin at 7:00 p.m. on September 12, 2023. The public hearing and the following commission meeting will be held at the historic Bedford County Courthouse on the Shelbyville Public Square in the 2<sup>nd</sup> floor County Commission Chambers.

#### Accommodations

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

1. Graham invited anyone present to speak either for or against the amendment. No one came forward.

#### Minutes Approval:

2. Approval of Commission Minutes from August 8, 2023 - *Placed on the agenda without a recommendation by Rules & Legislative Committee.*

Motion to approve by Mark Thomas. Seconded by Boyette. Approved unanimously by voice vote.

#### Public Comment Period:

There was no public comment.

#### Elections & Confirmations:

3. Elect Notaries for October 2023 - *Placed on the agenda by Rules & Legislative Committee.*

Motion to approve by Epperson. Seconded by Mark Thomas. Approved unanimously 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 12, 2023

CAROL J BROWN  
HOLLIE CLANTON  
J SUSAN DUFF  
DAVID NEAL GORDON  
LACEY HARDING  
DELLA R JOHNSON  
JUANA MARTIN

FRANCES E MCCLINTOCK  
CYNTHIA D RICHARDSON  
ALETA RUTLEDGE  
SARAH SHANNON  
MICHAEL T SMITH  
TIMOTHY L ZBEL

4. Appointment to E911 Board

Graham put forth Jared Featherstone of the 1st District. Motion to approve by Maddox. Seconded by Hooker. Approved unanimously by voice vote.

**Presentations:** None.

**Resolutions:**

5. Resolution 24-09 - A Resolution to amend Article III, of the Zoning Resolution of Bedford County to Provide General Guidelines for the Development of Small Private Cemeteries on Private Property - *Placed on the agenda by Rules & Legislative Committee (4-0).*

Motion to approve by Mark Thomas. Seconded by Vick. Passed by roll call vote.  
16 Ayes 0 Noes

Voting Yea: Anderson, Boutwell, Boyette, Brothers, Epperson, Farrar, Hooker, Johnson, Maddox, Neeley, Smith, Adam Thomas, Mark Thomas, Thompson, Vick, Yockey



BEDFORD COUNTY BOARD OF  
COMMISSIONERS

Resolution No. 24-09

A Resolution to amend Article III, of the Zoning Resolution of Bedford County:

**PURPOSE:** To provide general guidelines for the development of small private cemeteries on private property.

**WHEREAS:** Title 13, Sections 13-7-101 through 13-7-401, of the Tennessee Code, empower a Tennessee Regional Planning Commission to recommend the enactment of a Zoning Resolution to a county legislative body and to provide for its administration, enforcement, and amendment. The Bedford County Regional Planning Commission thus certified and recommended the Zoning Resolution of Bedford County Tennessee to the Bedford County Commission on January 18, 1997, and

**WHEREAS,** the Bedford County Commission, as recommended by the Bedford County Regional Planning Commission, deemed it necessary in the promotion of public health, safety, morals, convenience, order, prosperity, and the general welfare of the County to enact the certified Zoning Resolution of Bedford County on January 13, 1998, and

**WHEREAS,** the Regional Planning Commission has, in its administrative capacity, recommended an amendment to the said Zoning Resolution of Bedford County and the Bedford County Commission has, after hearing evidence in support of said amendment, deemed it necessary to make such an amendment as required, for the said promotion of public health, safety, convenience, order, prosperity, and general welfare of the County.

**NOW, THEREFORE BE IT RESOLVED** by the Bedford County Commission meeting at Shelbyville, Tennessee on this the 12th day of September, 2023, that: The Bedford County Commission hereby amends the specifically described Article, Sections and Subsections of the Zoning Resolution of Bedford County, Tennessee by adding the underlined (underlined) words below, deleting the words struck through (~~struck through~~), and by following italicized instructions (*do this or that*) in parenthesis as follows:

Article III, Section 3.410 - ~~Intentionally Left Blank~~ **Private Cemeteries**

- A. **Purpose: Goals:**  
The purpose of this resolution is to provide general guidelines for the development of small family cemeteries on private property.
- its goals are:**
1. Ensuring safe ingress/egress to the cemetery from and to the cemetery from the public street.
  2. To provide for an area(s) for permanent off-street parking in order to discourage the staging of visiting vehicles along the roadway.
  3. To guarantee future permanent access to visiting family members - despite historical changes in ownership.
  4. To eliminate acreage, bulk and setback barriers that would prohibit reasonable access and equity for the provision of private family cemeteries in most circumstances.
- B. **Authority:**  
T.C.A. 46.8.103. Duty to protect graves or crypt disturbances, prohibited transfer of remains. All private cemeteries with an A-1 zoning classification must submit an application to the Board of Zoning Appeals for a conditional use permit.
- C. **Requirements:**  
Family burial grounds must be platted, recorded, deeded, and dedicated by covenant in perpetuity for the purpose of family burials. Conveyance of the property shall obligate the immediate and future buyer or buyers of the property to protect the gravesite or crypt from disturbance. The owner of the real property shall have the responsibility for taking appropriate action, prior to conveying the property, to ensure that the deed reflects the presence of the gravesite or crypt on the property. The deed shall also reflect the obligations of present and future owners to specifically prohibit the disturbance of land within a ten (10') perimeter of the burial grounds.
- Family burial grounds may only be used for the internment of family members of the owner(s). The grounds must be adequately marked, maintained, and its boundaries delineated or fenced with reasonable pedestrian access or gate installed. In cases where the burial grounds are located in or on grounds also used for livestock grazing, husbandry, or are otherwise accessible, part or full time, by large animals, the boundaries of the burial grounds must be properly fenced in proportion to the type of livestock kept onsite.
- a. **Commercial Burials:**  
If an owner of a family burial ground wishes to commercialize existing private cemetery grounds in order to provide burial plots for non-family members, the cemetery must be licensed by the State of Tennessee and properly bonded in perpetuity, for the everlasting maintenance and care



of the grounds. In addition, the cemetery grounds must be enlarged to a minimum area of two (2) acres. As provided for in T.C.A. 46-2-107, Funds to Maintain Cemeteries, the bond for maintenance shall include:

- i. Clearing vegetation or debris as appropriate, planting and otherwise improving the premises, cutting the grass and raking and leveling cemetery plots at reasonable intervals.
- ii. Repairing and preserving the drains, water lines, roads, fences, or other structures.
- iii. Securing, maintaining, or reconstructing the necessary records of lot ownership and burials.
- iv. Resetting or straightening tipped grave markers, monuments, or memorials.
- v. Replacing damaged grave markers, monuments, or memorials.

In addition to the basic requirements of the family burial grounds, commercial burial grounds require a rezoning of the property to C-1 or a higher zoning classification unless included on the grounds of a place of worship/church. The developer shall submit a copy of the bond from a reputable company, and Bedford County Zoning Office shall be listed on the policy/bond as a co-beneficiary in order to receive copies of policy updates, and, for the purpose of ensuring perpetual coverage. If at any time the policy is allowed to lapse, the County may, at its discretion, pursue criminal and/or civil action in the enforcement of T.C.A. 46-8-103 if applicable.

- b. Area:  
Family burial grounds shall have a total area of not less than ten thousand eight-hundred ninety (10,890.00) square feet or one quarter acre and must have greenbelt tax status with the Bedford County Assessor of Property.
- c. Ingress:  
Family burial grounds shall be required to provide a minimum of fifty (50) feet of road frontage, along with a dedicated and improved ingress/egress to the burial grounds. Said frontage may be either through fee simple ownership of the burial grounds parcel, or, in lieu a permanent dedicated easement.
- d. Off-Street Parking:  
Family burial grounds shall be required to provide room for at least two (2) vehicles to park without staging or interfering with traffic or any portion of the public roadway.
- e. Access:  
Reasonable access shall not be denied by any immediate or future owner or owners to relatives by consanguinity, including a spouse, to any such one (1) or more deceased persons whose remains are buried in the burial grounds. All such relatives shall hereby have or enjoy any easement, right, or incident or appurtenant to, a family burial ground.

- f. Burial Plots:  
Individual burial plots must be surveyed and be made part of the survey plat and recorded in a recommended formal data file with the Register of Deeds and the county Archives Department or Historical Commission. For genealogical research purposes, all information shall be made available to the public.

BE IT RESOLVED, this Resolution shall take effect immediately, the public welfare requiring it.

Chad Graham  
BEDFORD COUNTY COMMISSION CHAIRMAN  
CHAD GRAHAM, COUNTY MAYOR

9-12-2023  
DATE

Donna Thomas  
BEDFORD COUNTY CLERK  
DONNA THOMAS

9-12-2023  
DATE

6. Resolution 24-10 - Resolution to Establish a Program to Supplement the Property Tax Relief Program of the State of Tennessee Provided for in Title 67, Chapter 5, Part 7 of the Tennessee Code Annotated. *Placed on the agenda by the Financial Management Committee (unanimous).*

Motion made by Vick. Seconded by Anderson. Passed by roll call vote. 16 Ayes 0 Noes

Voting Yea: Anderson, Boutwell, Boyette, Brothers, Epperson, Farrar, Hooker, Johnson, Maddox, Neeley, Smith, Adam Thomas, Mark Thomas, Thompson, Vick, Yockey

#### RESOLUTION NO. 24-10

#### RESOLUTION TO ESTABLISH A PROGRAM TO SUPPLEMENT THE PROPERTY TAX RELIEF PROGRAM OF THE STATE OF TENNESSEE PROVIDED FOR IN TITLE 67, CHAPTER 5, PART 7 OF THE TENNESSEE CODE ANNOTATED.

WHEREAS, the Board of Commissioners of Bedford County has recognized the need to provide financial assistance to certain needy citizens of this county; and,

WHEREAS, the State of Tennessee, through its General Assembly, has established a program whereby elderly low-income homeowners, disabled homeowners and disabled veterans, as those taxpayers are defined in *Tennessee Code Annotated, Title 67, Chapter 5, Part 7*, are provided financial assistance through a refund of property taxes paid for by a state appropriation; and

WHEREAS, the General Assembly, in passing Chapter 739 of the Public Acts of 2006, amended *Tennessee Code Annotated § 67-5-701(j)* to provide that any county, municipality, or metropolitan government may provide for the appropriation of additional funds to supplement this program for tax relief for elderly low-income homeowners, disabled homeowners and disabled veterans:

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Bedford County, Tennessee, meeting in session on this 12th day of September, 2023, at Bedford County Tennessee, that;

SECTION 1. The Board of Commissioners of Bedford County hereby expresses its intent to exercise the authority provided in *Tennessee Code Annotated § 67-5-701(j)* to provide financial assistance to elderly low-income homeowners only as those taxpayers are defined in *Tennessee Code Annotated §§ 67-5-702 through 67-5-704*.

SECTION 2. Only those elderly low-income taxpayers who qualify under *Tennessee Code Annotated §§ 67-5-702 through 67-5-704* are eligible for this additional tax relief.

SECTION 3. In order to receive this tax relief, any eligible taxpayer shall have applied for and obtained the relief authorized by *Tennessee Code Annotated §§ 67-5-702 through 67-5-704* by the State of Tennessee.

SECTION 4. The tax relief authorized by this resolution shall be in an amount determined by annual appropriation and shall be subject to the availability of funds.

SECTION 5. The provisions of this resolution shall be administered through the office of the County Trustee in the same manner as the property tax relief program of the State of Tennessee provided for in *Tennessee Code Annotated §§ 67-5-701 – 67-5-704*

SECTION 6. This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Adopted this day of 12<sup>th</sup> day of September, 2023.

Chad Graham  
APPROVED: Chad Graham, County Mayor

Tonya Davis  
ATTEST: Tonya Davis, County Trustee



**Additional Items by Standing Committees:**

Rules and Legislative Committee: None.

Law Enforcement Committee: None.

Courthouse and Property Committee: None.

Financial Management Committee:

7. Surplus Property - BOE

Motion to approve by Anderson. Seconded by Brothers. Approved unanimously by voice vote.

*List of Surplus Items on file in the Clerk's office.*

8. Design & Cost Analysis Phase - Liberty School Expansion, Juvenile Detention Center, and Surplus Property Facility.

Motion to obtain a cost analysis was made by Mark Thomas. Seconded by Vick. Passed by roll call vote. 16 Ayes 0 Noes

Voting Yea: Anderson, Boutwell, Boyette, Brothers, Epperson, Farrar, Hooker, Johnson, Maddox, Neeley, Smith, Adam Thomas, Mark Thomas, Thompson, Vick, Yockey

**Other Business:**

Vick made a motion to recess briefly for an attorney-client meeting. Seconded by Epperson. Passed by unanimous voice vote. Meeting recessed.

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Graham called the meeting back to order. Anderson made a motion to suspend the rules to discuss the letter received from the City of Shelbyville. Seconded by Epperson. Passed unanimously by a show of hands.

Hooker made a motion to authorize the Mayor to retain the law firm of Holland & Knight for the specific purpose of responding to the letter received from the City. Seconded by Mark Thomas. Hooker amended the motion to include the Mayor as the point of contact. Thomas agreed.

Motion passed by roll call vote. 16 Ayes 0 Noes

Voting Yea: Anderson, Boutwell, Boyette, Brothers, Epperson, Farrar, Hooker, Johnson, Maddox, Neeley, Smith, Adam Thomas, Mark Thomas, Thompson, Vick, Yockey

**Announcements:**

- Wartrace Fire Department Car Show, September 23
- Bell Buckle Songwriter Festival, September 16
- Uncle Dave Macon Day, September 28
- SCHS Football Fish Fry, October 20
- Wartrace Tailgating, September 16
- 9/11 Observance

**Adjourn**

Meeting adjourned at 7:45 p.m.

**Attestation**

I certify that the minutes were completed on the 15th day of September 2023 and delivered to the Bedford County Mayor's office.



Donna Thomas  
Bedford County Clerk

I certify that I received these minutes on the 18 day of September 2023.



Chad Graham  
Bedford County Mayor