

**Bedford County Board of Commissioners  
Special-Called Commissioner Board Meeting**

Date: **Tuesday, June 28, 2022**

Time: **7:00 PM**

Location: **Bedford County Historic Courthouse**

**Minutes**

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

**A. 2021-2022 Budget Amendments**

School Budget Amendment No. 4 and County Budget Amendment No. 5

Motion to approve by Brothers, Seconded by Yockey. Passed by voice vote.

**B. 2022-2023 Budget Resolutions**

**1. Resolution 23-1 Tax Levy**

Sets tax rate as follows:

FUND	RATE
General	\$1.1000
Highway/Public Works	\$0.0600
General Purpose School	\$0.6200
General Debt Service	\$0.1500
County Capital Projects	<u>\$0.0352</u>
Total tax rate	\$1.9652

Motion to approve by Epperson, Seconded by Yockey.

Vick said that this tax rate does not meet our needs. We must increase county employee pay in order to retain vital employees and services. We need to pave our roads and fix potholes. We cannot cut funding for our grants for industrial development. Our emergency services workers are paid much less than comparable counties, which makes employee retention very difficult. He urged commissioners to vote no to this tax levy.

Farrar said, "This is a long process that should take over two or three months. Unfortunately, for this year it's been shortened a week or two for most commissioners. I did make it to the budget and finance meeting, it said May 24, I had May 26, I don't, it doesn't matter I was there. And I listened to our finance director go over, line by line, the general fund and it was good. But I didn't have my budget book. I couldn't ask questions. I couldn't see where the revenues were. Now I know our revenues increased. The first question I'd ask the budget and finance people... and I know it increased some, where was, and I don't know how many pennies, it would be interesting to find out and exactly where did that money go? And obviously, EMS should have been at the top of the list and I don't believe it was. Now that's not, that honestly isn't on all us 18 commissioners, that comes out of budget and finance. I didn't hear anybody putting EMS up at the top to get raises at that meeting or the one on June 7 either. So I don't know where the fault lies, I don't know if it's all on budget and finance, I don't know where it is. But I remember the last question asked at the June 7 meeting to the finance director, is the budget going to be balanced? And my learned colleague, Commissioner Vick, that's the number one thing in this country is to have a balanced budget. And Ronald Reagan, is you Republicans' legacy, and there's three things that he believed in and he had very conservative

principles. The first one was free enterprise with market economy. Number two is limited government and number three is low taxes. That's honest. The problem with, if you're going to increase it .43 then you've got to, I don't have a prepared list of all the inflation problems with farmers and elderly people that own farm land and all that other. If I'd know I'd have to listen to your long diatribe I would have tried to refute the problems of the property owners in this county. Now I'm first in line for raises for EMS. My question is why wasn't it first in line with budget and finance back on June 7 or May 26 or in April? That's where this should start. It should be in sunshine, open in sunshine. Now the last thing I remember Robert saying, because another commissioner asked him is this budget balanced, he said no new taxes. Now we just heard the other meeting with them. Again, no new taxes. And obviously that's exactly what I'm going to do. But I want to read the sunshine law because I didn't have privy to this letter we got from county mayor of wanting to increase our taxes by .43 for somehow I missed that. But I want to read the sunshine law to everyone else here. I did read it at the Rules committee. I'm going to read it for here and for everyone else in the audience, because I don't know if these four requirements have been met. Number one -- these are the requirements of the act -- all meetings of government body are declared to be public meetings. Number two, adequate public notice of all regular and special meetings must be given. I must have missed some of these. Number three, the minutes must be recorded and open for public inspection. I haven't seen those meetings yet from this .43 increase. And the last one is all votes must be public votes. I don't know how this even came about because it wasn't in the sunshine. Now it says here, and this is the sunshine law, the Open Meetings Act, any action taken in a meeting in violation of any of the foregoing requirements is void. Now I would have been appreciative if I could have been involved in, some of them on the budget and finance didn't make privy to this meetings either. Now I don't know where they met. I don't know if it matters or not, but I don't think the sun shined on it. Now I'm for increases. I'm for increasing the fire department, EMS and E-911. I'm pretty sure we gave the COVID money, quite a bit to 911 and radio. I don't know where all it went but we can sit here and talk about it if we want to, because there's a lot of other questions I've got in the budget that haven't been answered yet. Of course, I've got it shuffled under some of this other things, but I am very hesitant to vote for something that hasn't met the sunshine law. I just can't vote for an increase that's gone about in this pattern. Thank you."

Graham said, "Thank you for your comment, we appreciate that. If you can shine light on the specific meeting that you are referring to and who was there it would be helpful." Farrar said, "You tell me. Where did this letter of a .43 increase come from?" Graham said, "I wrote that letter, and as the mayor I can write a letter, I don't need anybody else to do that, sir. What I pointed out is that these are needs that are not met in the current budget structure. That's what the letter says." Farrar said, "Well, it's in the structure now. You're asking for a vote of it." Graham said, "No, I'm making you aware of it, so that you won't have the ability to come back and say that you weren't aware that we have crisis." Farrar said, "But in public meetings we have to be there. All 18 commissioners have to be told about it and it needs to be discussed." Graham said, "You were all given, this came from the mayor's office, sir, not from committee. The mayor's office can make a direct comment to any commissioner and all of the commissioners, sir. It was not a committee issue."

Mark Thomas pointed out that no one had offered an amendment of .43 at all. The rate of \$1.95 is the motion. Thomas also wondered if commissioners going on social media and talking about the budget and how they were going to vote is a violation of the sunshine law. Epperson said that was in the public. Thomas pointed out that there was no public notice given of the meeting. He said he didn't know it even happened until someone told him about it.

Gallagher said that the wage and hour study came at the last minute. He agreed that the employees are underpaid and it has been talked about for years, but taxpayers are all struggling with the current economy. He said there were some things as a part of the .43 that are not immediate needs. He suggested that Vick might make an amendment one item at a time to be voted on separately.

Graham said the budget process was the same as in the past: a balanced budget was put before the commission stipulating what was included in the budget as well as what was not funded. The letter was to make commissioners aware of critical needs that are not met in the budget.

Anderson said, "When we vote here in a minute for this rate, so if we say yes, that we are going to go at \$1.96, then it's over, right?" Graham said that the motion on the floor is for \$1.96. Anderson said, "Then I'll take a little different tack. When I first got elected to the Bedford County Commission 8 years ago, we were 74<sup>th</sup> or 78<sup>th</sup> in taxes. Shelby County was number one, being the highest. Eight years later we are now 21<sup>st</sup> in taxes. It's come up that high. If we raise taxes tonight -- I'm just going to get it out there -- that will be two years in a row, whether we did it or not, taxes went up. Three times in the last 4 years. And 4 times in the last six years. And we are facing economic times that have not been seen in this country since the 70's. Gas and diesel are at an all-time high. Approaching double digit inflation. I do not think it's fiscally responsible to raise taxes during these economic times. I'm not against giving raises, just like I wasn't 4 years ago. I'm just against raising taxes to give them. I do not see how any of us can look a senior citizen constituent in the eye, whom is on a fixed income. Their social security is

not going up. The price of their medicine is going through the roof. They can't go get a job to get more money. I don't see how we can look at them and tell them it is good for them. I urge my commissioners to vote no on this tax increase. And there are some things in this book that I'd like to question, but if Robert says this thing is balanced then I'm going to go ahead and vote for it. Thank you for letting me read my statement."

Julie Sanders stated that due to reappraisal, our tax rate is actually lower than it was last year. Anderson argued that even though the tax rate is lower, the amount being paid is higher. Graham stated that was because of increased property values, not because of the tax rate.

Brown encouraged commissioners to consider that we train these employees only to lose them to other counties. He said we must think of future generations when making these decisions. Pinson said that the heart of the county is the employees and that we cannot afford to lose them. We must be able to continue to provide services.

Farris said that there are things in the Mayor's letter that we could do without for now. He is not in favor of a lobbyist and wants to see some results from the industrial park before committing more money to it. He said that the employee raises should be across the board, not just public safety employees. Jason Sanders said that he is committed to doing what is best for the county. It seems that employee raises always get put off but must be addressed today.

Mark Thomas asked, based on the salary study, will all employees be included? Graham said all full-time employees and some adjustment for part-time employees. Thomas said the employees are the ones who meet the needs of the citizens. We have to be able to keep experienced people who can fill leadership roles in the future. Graham said that \$.32 would be needed for the pay correction.

Yockey said there is a budget process that includes budget submission, discussions, and hearings. She said that in the June 7 finance meeting, every person on the committee voted in favor of this budget. No one raised any objection. Within a week things changed and suddenly there is a crisis. She has not seen the study, but has heard the overviews. The information has not been studied by the committee. She said that it has been at least 20 years, if ever, since there was a motion put to the commission to change the tax rate that came from finance. She urged everyone to consider that because this would be setting a precedent.

Mark Thomas suggested to possibly recess this meeting, send the budget back to the finance committee, and have them come back with a recommendation. Graham cautioned that if a budget was not approved by July 1, the county would not be able to borrow money or enter into contracts. He said that there is an immediate need to borrow money for schools and the radio contract is being held until July 2. (Robert Daniel later said that date is actually July 1). Thomas said we have 2 days that could be spent working on this, and that he is willing to stay as long as it takes.

Vick said that if we recess, we should have a date and time to reconvene in order to avoid having to start again with the public notice. County Attorney John T. Bobo said that is correct. Gallagher asked if the finance committee would have to give notice if they hold a meeting. Bobo said the commission would have to come together as a whole in order to meet the TCA code requirements on public notice. Yockey said we would be opening up the budget process again and would have to be fair to everyone who had any additional budget requests. Epperson called for question.

Farris asked what would happen if the budget does not pass tonight. Daniel said we can't borrow money or sign the contract on the Community wing. It shuts down federal programs for schools. There can be no step increases for employees. The agreement on the radio system is due on July 1, so it might have to be rebid.

Sweeney said if this motion fails, we should go through each part of the proposed rate increase and consider them separately. He said the average home in Bedford County is \$250K, which means the increase would be an average of \$180-200 annually. Yet some of these employees are behind by thousands of dollars per year.

Motion failed on roll call vote. 9 Ayes, 9 Noes

Voting Yea: Anderson, Brothers, Castleman, Epperson, Farrar, Fox, Gallagher, Smith, Yockey  
Voting Nay: Brown, Farris, Pinson, Jason Sanders, Julie Sanders, Sweeney, Adam Thomas, Mark Thomas, Vick

Vick made a motion to affix the tax rate as follows:

FUND	RATE
General	\$1.4600
Highway/Public Works	\$0.0900
General Purpose School	\$0.6200
General Debt Service	\$0.1500
County Capital Projects	<u>\$0.0352</u>
Total tax rate	\$2.3552

Seconded by Pinson. Vick said these items were in fact discussed in the finance committee. He said the rate he is proposing takes into consideration the pay adjustments as well as the other matters being discussed.

Epperson asked if a declaration of conflict of interest was required by those commissioners who are county employees. Bobo said that according to CTAS the declaration is no longer required, however, since it is still included in the local rules, those commissioners should go ahead and make the declaration in order to be thorough.

Julie Sanders asked if the \$.04 for economic development is included. Vick said what is included is \$200K for the matching grant; \$210K for the Shelbyville/Bedford partnership; \$100K for the survey and legal costs for the business park; \$91,500 for the volunteer firefighter incentive program; \$25K for tourism; \$.03 additional for the highway department. Vick said it includes the \$.32 for employee raises, but does not include the \$.07 for the cost of living adjustment. Sanders said that we must take care of the employees, but we cannot do all of this at once. She asked to amend the amount for the general fund to only include the \$.32 for the employee raises and reduce the Highway/Public Works back to \$.06. Total tax rate would be \$2.2852. Seconded by Jason Sanders. Vick did not accept the amendment.

Sweeney wanted to make sure Julie Sanders understood that \$200K of the economic development money is a match with the city to get a \$2M grant for sewer in the industrial park. In another year, the costs will increase significantly.

Amendment failed on roll call vote. 9 Ayes, 9 Noes

Voting Yea: Brothers, Brown, Castleman, Farrar, Farris, Fox, Jason Sanders, Julie Sanders, Adam Thomas

Voting Nay: Anderson, Epperson, Gallagher, Pinson, Sweeney, Smith, Mark Thomas, Vick, Yockey

Farris, Yockey, Mark Thomas, and Adam Thomas made the following declaration:  
"Because I am an employee of Bedford County, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens which this body represents."

Vick made a motion to recess for 20 minutes, Seconded by Mark Thomas. Passed by show of hands. 12 for, 6 against. The court recessed for 20 minutes.

Back to the original motion made by Vick. Total tax levy \$2.3552.

Farris asked again for a breakdown. Vick explained: \$200K match for grant; \$210K for Shelbyville/Bedford partnership (includes \$110K for operating costs plus \$100K for consulting group to assist with grant applications); \$25K for tourism for Main Street project; \$100K for the 231 business park. He asked Bobo to report any information that he is at liberty to disclose about Project Cardinal. Bobo said there have been conversations with Cardinal today with a edited set of documents he will look over tonight. He said the principals are ready to get this done, and he thinks we may be within a couple of weeks. Vick said we have been explicitly informed that we must not have any communication that would jeopardize the deal.

Farris said that employee salaries should not be held hostage to these other costs. He understands the need for the matching grant, but does not agree with the other costs for the industrial park. Julie Sanders said that Farris could suggest an amendment to take out \$.02.

Graham said that if this new tax rate is passed, it will automatically change the revenue line items in the budget, but the expenditure line items will have to be amended at the July regular commission meeting. (Anderson later reminded Graham that the amendment would come from the July finance committee meeting and placed on the agenda for the August commission meeting.) Farris said that would be passing a tax levy but not knowing where it will be spent.

Motion failed by roll call vote. 9 Ayes, 9 Noes, 1 Pass

Voting Yea: Brown, Castleman, Farris, Gallagher, Pinson, Jason Sanders, Adam Thomas, Mark Thomas, Vick

Voting Nay: Anderson, Brothers, Epperson, Fox, Julie Sanders, Sweeney, Smith, Yockey

Voting Abstaining: Farrar

Farris, Yockey, Mark Thomas, and Adam Thomas made the following declaration:  
"Because I am an employee of Bedford County, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens which this body represents."

Sweeney made a motion to exclude the \$210K (partnership and lobbyist) which would affix the tax rate as follows:

FUND	RATE
General	\$1.4300
Highway/Public Works	\$0.0900
General Purpose School	\$0.6200
General Debt Service	\$0.1500
County Capital Projects	<u>\$0.0352</u>

Total tax rate \$2.3252

Seconded by Mark Thomas.

Gallagher asked if that takes out the legal and survey services. Sweeney said no, those costs are in the original budget.

Motion passed by roll call vote. 12 Ayes, 5 Noes, 1 Pass

Voting Yea: Brothers, Brown, Castleman, Farris, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Adam Thomas, Mark Thomas, Vick

Voting Nay: Anderson, Epperson, Fox, Smith, Yockey

Voting Abstaining: Farrar

Farris, Yockey, Mark Thomas, and Adam Thomas made the following declaration:

"Because I am an employee of Bedford County, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens which this body represents."

**2. Resolution 23-2 Appropriations for Various Funds**

Motion made by Brothers, Seconded by Mark Thomas. Motion passed by roll call vote.

18 Ayes, 0 Noes

Voting Yea: Anderson, Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

**3. Resolution 23-3 Appropriations to Nonprofit Charitable Organizations**

Motion made by Vick, Seconded by Gallagher. Motion passed by roll call vote.

18 Ayes, 0 Noes

Voting Yea: Anderson, Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

**4. Resolution 23-4 Additional Compensation for Certain Court Clerks**

Motion made by Mark Thomas, Seconded by Pinson. Motion passed by roll call vote.

17 Ayes, 1 No

Voting Yea: Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

Voting Nay: Anderson

**5. Resolution 23-5 Education Incentive Payments**

Motion made by Mark Thomas, Seconded by Gallagher. Motion passed by roll call vote.

18 Ayes, 0 Noes

Voting Yea: Anderson, Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

**6. Resolution 23-6 Federal Grants**

Motion made by Brothers, Seconded by Jason Sanders. Motion passed by roll call vote.

18 Ayes, 0 Noes

Voting Yea: Anderson, Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

**7. Resolution 23-7 Authorize the Bedford County Highway Department to perform work for all city/county governmental entities in Bedford County**

Motion made by Gallagher, Seconded by Epperson. Motion passed by roll call vote.

18 Ayes, 0 Noes

Voting Yea: Anderson, Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

**C. 2022-2023 Budgets (includes County General Fund 101, Drug Control Fund 122, Highway/Public Works Fund 131, General Purpose School Fund 141, Child Nutrition Fund 143, School Age Care Program Fund 146, General Debt Service Fund 151, Jail/Justice Center Capital project Fund 171, Education Capital Project Fund 177, and County Capital Projects Fund 178)**

Motion to approve budgets as amended with new tax rate made by Jason Sanders, Seconded by Pinson. Motion passed by roll call vote. 17 Ayes, 1 No

Voting Yea: Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

Voting Nay: Anderson

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

**D. Resolution 22-23 American Rescue Plan Act Allocation**

Motion made by Mark Thomas, Seconded by Pinson.

Daniel said this resolution satisfies the comptroller's requirement to place the funds into the general fund to be dispersed as needed.

Motion passed by roll call vote. 18 ayes, 0 Noes

Voting Yea: Anderson, Brothers, Brown, Castleman, Epperson, Farrar, Farris, Fox, Gallagher, Pinson, Jason Sanders, Julie Sanders, Sweeney, Smith, Adam Thomas, Mark Thomas, Vick, Yockey

**E. Fund Balance Policy Revision**

Commissioners were given copies of the revision to be spread upon the minutes.

**F. Financial Management Policy Update**

Commissioners were given copies of the policy update to be spread upon the minutes.

**Adjourn**

Meeting adjourned at 9:15 p.m.

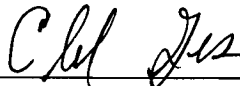
**Attestation**

I certify that the minutes were completed on the 20 day of July, 2022 and delivered to the Bedford County Mayor's office.



\_\_\_\_\_  
Donna Thomas  
Bedford County Clerk

I certify that I received these minutes on the 20 day of July, 2022.



\_\_\_\_\_  
Chad Graham  
Bedford County Mayor