

**MINUTES OF THE HARDEMAN COUNTY  
LEGISLATIVE BODY JANUARY TERM  
REGULAR SESSION  
JANUARY 17<sup>th</sup>, 2023**

Be it remembered that a Regular Meeting of the Legislative Body for the County of Hardeman, State of Tennessee was conducted in the Hardeman County Courthouse in the City of Bolivar, on the 17<sup>th</sup> day of January, 2023 at 7:00 p.m. Hon. Todd Pulse, County Mayor, was present and presiding, and a quorum of Commissioners, namely, Hon. David Bell, Hon. Cory Bufford, Hon. Russell Deberry, Hon. Brad Grantham, Hon. Bobby Hensley, Hon. Joe Jenkins, Hon. Jeff Kennamore, Hon. Chandra Y. Lake, Hon. Johnny M. Lanier, Hon. Bethany Miller, Hon. Thomas Polk, Hon. Jackie Sain, Hon. John Vickers, Hon. Johnny Weems, Hon. Bobby Wright and Hon. Mark Gilliam were all present. County Clerk, Tonet Griggs and County Attorney, Dale Conder Jr. was present and the meeting was opened in due form of the law and had to wit:

**16 PRESENT 0 ABSENT**

**APPROVAL OF MINUTES**

There was an error that was in need of a correction on the Sheriff Department's budget for the November minutes, the error was \$723,844, when it should have read \$73,844. Hon. Johnny Lanier made a motion to accept the minutes with the corrected changes and Hon. Jackie Sain seconded the motion to approve the minutes of the Regular Meeting held November 15<sup>th</sup>, 2022.

**16 Aye 0 Nay**

**CARRIED BY ACCLAMATION**

**APPROVAL OF NOTARIES**

Hon. Mark Gilliam made a motion and Hon. Bobby Wright seconded to approve the list of notaries.

**CARRIED BY ACCLAMATION**

**APPOINTMENTS**

Mayor Pulse stated that he wanted to be clear and that there are a couple of things on the agenda that will have two separate hearings. Hon. Mayor Pulse left the decision of accepting the persons appointed to each position separately or all at once to the commissioners. The commissioners decided to vote on each one individually. Hon. Brad Grantham motioned to do each appointment individually and Hon. Mark Gilliam seconded the motion.

Sheriff Doolen and Randy Plunk were reappointed to the 911 board. Chief Lynn Price was nominated to represent the fire department as a 911 board member. Hon. Bethany Miller made the motion and Hon. Chandra Lake seconded.

**16 Aye 0 Nay**

First of the year appointments are as follows: Hon. Johnny Lanier, Hon. Jackie Sain, Hon. Bobby Hensley, Richard Clark, and Sharron Murden for the budget committee. Hon. Chandra Lake made the motion and Hon. Jeff Kennamore seconded.

**16 Aye 0 Nay**

Hon. Russell Deberry asked how many applications did they receive for the industrial board members and Hon. Mayor Pulse told him a total of thirteen resumes had been received.

<u>2 year</u>	<u>4 year</u>	<u>6 year</u>
Christine Korling-Torres	Richard Ayers	Richard S. Clark
Michion E. Gatlin	William Curtis Lane	Billy W. Clayton
Barrett M. Stevens Sr.	Michael A. Miller	John Keller
Winfred Ray		

## **BOARD OF EDUCATION – SUPERINTENDENT CHRISTY SMITH**

No report to be given

## **HIGHWAY DEPARTMENT – SUPERINTENDENT CASEY SWIFT**

Casey Swift wanted make an amendment but he realized that they had placed the item on the wrong line. There are two pieces of equipment on state contract with Caterpillar; John Deere tractor and a Caterpillar skid steer. They want to take the surplus money that they received from their auction in October and move it to equipment, but the amendment was incorrect. Casey wants approval to buy one of the pieces of equipment and he will have the amendment next month.

## **SHERIFF DEPARTMENT - DOOLEN**

No report to be given. Hon. John Vickers asked, how was the litter grant working out? Sheriff Doolen said that it is going well. So far they have picked up about 22000 lbs of litter in the first month. Hon. Jackie Sain asked what areas have litter been picked up from to date? Sheriff said that they have picked up from part of Lake Hardeman, Van Buren, Parks Swain, and Smith Road as well as several others. Sheriff Doolen stated that there is one employee to three trustees.

## **ELECTION COMMISSION – AMBER MOORE**

Amber said that they are in the process of looking at vendor material and demonstrations for the new voting machines. We have to have these new machines by January 2024.

The Election Commission rents the building that they are currently in. Tennessee Homeland Security came in and did a survey of the building and they found several issues. What needs to be done is a time consuming issue and the space they have is limited. The previous equipment was only one machine, there will now be three machines compared to that one. Even if a new building was part of the plan, the residents will have to be notified of the move to the temporary place and then again when they move into the new building, that postage will cost \$16,000.

## **ASSESOR OF PROPERTIES JOSH PULSE**

Josh Pulse brought forth the 5 year reappraisal plan that the needs to be approved. There was one in 2013 and 2018. After this years' reappraisal, the next one will be done in 2028. Hon. Bobby Wright made motion and Hon. Chandra Lake seconded the motion.

## **LANDFILL- STEVEN GRAVES**

They had a meeting with TDAC the 2<sup>nd</sup> week of January. Rob Bass, Mayor Pulse, and contractor were all able to attend. The engineer presented a plan to expedite the opening of the landfill.

## **EMS – JAMIE FALLS**

The EMS station received the 3 Lucas dummies and three cardiac monitors that they ordered. Jamie stated that we are still waiting on the ambulance that was ordered. He also stated that they have received around \$95,000 from the Core Civic contract and expecting another \$40,000. The budget for the year is \$150,000 and we are already at \$173,000.

## **COMMITTEES**

### **LAW ENFORCEMENT COMMITTEE – CHAIRMAN CORY BUFFORD**

The Law enforcement committee is awaiting the bids to come in for the new patrol vehicles that they purchased. The committee is also looking at hiring three more deputies to eliminate the strain on current personnel.

#### **BUILDING COMMITTEE - CHAIRMAN DAVID BELL**

Chairman David Bell stated that the property assessors/ trustees roof is leaking and the HVAC needs to be replaced because parts are unavailable for the current system. Hon. Bell wants to replace both units and would like to put out bids for the job. We are looking at around \$30,000 for purchase and labor.

The archive building is also in need of repairs to the roof and the windows need to be replaced. The porch is in dire need of repair because people are still using this building. The county also has about \$40 million dollars worth of real estate that are in need of repairs. If we intend on keeping these buildings we need to repair them. Mayor Pulse recommended that Hon. David Bell goes before the building committee and then come back with the action that they want to take.

#### **AIRPORT COMMITTEE – CHAIRMAN BRAD GRANTHAM**

Hon. Brad Grantham brought forth the report for the airport committee. He stated that they will start taking bids in February for the new terminal building. The last discussion with the committee was to get Superintendent Casey Swift to help with the roads, thus helping save money towards the terminal Restorations on the Little Court House are at a stand still due to weather. They are looking to continue the restorations in the spring.

#### **LIBRARY – CHAIRMAN JOHNNY WEEMS**

There is nothing new to report. They are looking at the end cap restrooms to see if they can get them usable.

#### **SOLID WASTE COMMITTEE – CHAIRMAN JEFF KENNAMORE**

The solid waste committee has met twice since the last County Commissioners Meeting. Hon. Jeff Kennamore had two things to bring forth. The first being the tipping fee of the landfill. Currently the tipping fee is \$22.50 per ton. They would like to raise that fee to \$28 per ton. Hon. Bobby Wright made the motion and Hon. Johnny Lanier seconded the motion.

**16 Aye 0 Nay**

Secondly, our 2014 contract with CNP has not been amended. Since then prices have gone up so there should be an amendment to this contract. As of now the contract states that we will pay \$10,395 per month for 70 loads. Hon. Kennamore wants to amend this contract and bring it up-to-date this so that it will be \$11,700 for up to 60 loads and each load after that will be \$210 per load. Hon. Thomas Polk asked will this contract be revisited every three years. Hon. Jeff Kennamore stated that there is an automatic renewal in the contract and it takes pricing into consideration so therefore it will be revisited. Hon. Mark Gilliam made the motion and Hon. Thomas Polk seconded the motion.

**16 Aye 0 Nay**

#### **AMBULANCE COMMITTEE – CHAIRMAN BETHANY MILLER**

Nothing to report

#### **AMERICAN RESCUE PLAN – CHAIRMAN BOBBY WRIGHT**

ARP met on January 5, 2023. TDEC and the state sent down money to distribute to help with the fresh water systems. Some of the restrictions have been waived and the funds can be used for operating funds and building funds. Hon. Bobby Wright proposed that Bolivar, Grand Junction, Middleton, Whiteville, Grand Valley, and Spring Creek were all to receive \$75,000. He proposed Toone and Hornsby receive \$50,000. Hon. Brad Grantham made motion to table and Hon. Chandra Lake seconded the motion.

**16 Aye 0 Nay**

**BUDGET AMENDMENTS**

Hardeman Co. Sheriff's Office Chief Greg Moore request that \$1,900 be debited from training and \$1,900 credited to travel. This covers the travel necessary for training. **SEE ATTACHED**

County Mayor's office request a budget amendment moving \$ 20,000 from secretary, \$3,600 from retirement, \$10,000 from Employee health and credit \$1,000 to Repair & Maintenance, \$8,800 to part-time, \$10,000 to office equipment, and \$13,800 to fund balance. **SEE ATTACHED**

Emergency Services (Ambulance Services) Linda Earnest and Jamie Burnett requested a budget amendment debiting \$25,000 from assistant, \$78,000 from attendants, \$40,000 from employee insurance, and credit overtime \$142,600 and refund \$400. **SEE ATTACHED**

Landfill's Steven Graves and Linda Earnest requested a budget amendment debiting \$76,350 from laborers, \$49,800 from clerical, \$3,300 from social security, \$8,800 from state retirement, \$5,000 from employee insurance, \$1,000 employer Medicare, \$15,000 from vehicles, \$200,000 from other capital outlay, \$499,450 from fund balance and crediting \$3,000 to administrative, \$570,000 to contract private agencies, \$2,000 to maintenance building, \$75,000 to maintenance equipment, \$1,000 to maintenance vehicles, \$17,500 to other contracted services, \$15,000 to fuel, \$15,000 to utilities, \$10,200 to gravel/chert, and \$150,000 to depreciation. **SEE ATTACHED**

Animal control's Andrew Young and Jim Pierce requested a budget amendment debiting \$10,818.25 from fund balance, \$1,800 from communication, \$500 from drug and medical supplies, \$2,000 from utilities, and crediting \$3,955.92 to employee and dependent insurance, \$546.97 to animal food and supplies, \$ 115.93 to food supplies, \$6,591.71 to gasoline, \$3,854.56 to other supplies and materials, and \$53.16 to other charges. **SEE ATTACHED**

County Clerk's office Tonet Griggs requested a budget amendment debiting \$8,250 from deputies, \$3,957 from communication, and crediting \$12,207 to part-time personnel. **SEE ATTACHED**

Hardeman Co. Sheriff's Office Chief Greg Moore requested a budget amendment debiting \$7,500 from deputy pay line, and \$11,000 from investigator pay line, crediting \$18,500 to overtime. **SEE ATTACHED**

Hardeman Co. Sheriff's Office (Workhouse) Chief Greg Moore requested a budget amendment debiting \$20,000 from guard pay line, and crediting \$20,000 to guard overtime. **SEE ATTACHED**

County Mayor's office Linda Earnest requested a budget amendment debiting \$482,864.86 from fund balance, and crediting \$83,755 to bonus pay, \$5,192.81 to social security, \$32.21 to unemployment compensation, \$1,221.44 to employer Medicare, \$392,663.40 to other charges. **SEE ATTACHED**

American Rescue Plan Act (ARPA) Ashley Gibson requested a budget amendment debiting \$482,864.86 and crediting \$93,000 to bonus payments, \$7,000 to social security, \$50 to unemployment, \$3,000 to employer Medicare, and \$379,814.86 to other charges. This is budget amendment was previously approved November 2022 but the previous credit amounts were incorrect. **SEE ATTACHED**

**16 Aye 0 Nay (For All Budget Amendments)**

**NEW BUSINESS**

**ZONING/ANIMAL CONTROL – JIM PIERCE**

Jim Pierce gave his monthly report for December. There were four building permits. Animal control had 91 calls, 91 dispatches and 18 dogs picked up. There were two transports for that month. Fire extinguishers are being distributed at this time.

Jim brought forth a proposal increase for the fee schedule. He presented a resolution to adopt development review fees for Hardeman County, Tennessee (**RESOLUTION 23-01**). Jim compared rates from six counties, Fayette, Madison, Shelby, Chester, McNairy, and Haywood County. He is looking at the fact that these prices have not been reviewed since 1992. Hon. Brad Grantham made motion to accept the resolution and Bobby Wright seconded the motion.

**14 Aye 2 Nay**

Jim Pierce and Lawyer Dale Conder had some issues with how the commission voted on the zoning of two properties. The two pieces of property were proposed for possible sites of development for Royal Oaks. Consequentially at the time it was voted to be used as industrial but have been now sold to other people who are primarily using it as residential. They are seeking motion to rescind the previous vote allowing these parcels to return back to original designation in FAR. Hon. Bobby Wright made the motion to rescind the previous motion and Hon. Johnny Weems seconded the motion.

**16 Aye 0 Nay**

### **SLAUGHTER HOUSE AMENDMENT/ PUBLIC HEARING – JIM PIERCE**

Jim apologized for not allowing the County Commission Meeting its' right to vote on the subject as a public matter. This resolution was voted on in Nov. The resolution defined the number of animals that you are able to process to be a custom slaughter house or commercial. The vote is to move from general sessions to public forum.

**16 Aye 0 Nay**

Mr. Mitchell was the only one to sign up for the public forum and he just wanted to thank the committee for crossing their "i's" and dotting their "t's". No other comments or concerns were voiced. Hon. Johnny Lanier made the motion to move back to general session court and Hon. Mark Gilliam seconded the motion.

**15 Aye 1 Nay**

Jim then asked for a motion to add the zoning resolution for custom slaughter houses as stated to be presented to the resolution requirements of Hardeman County. Hon. Bobby Wright made the motion and Hon. Johnny Lanier seconded the motion.

### **CARRIED BY ACCLAMATION**

### **SOLAR RESOLUTION MORATORIUM – JIM PIERCE**

Jim stated that they have been trying to gather information that would draft a good resolution that could be submitted to the commission. After exhausted efforts to please both public and industry they hit an impasse. Fortunately Governor Lee has requested an independent study be done by outside commissions to understand the effects of solar farms and the affects to rural areas. So instead of continually wrestling with the idea, they decided that the state should be deferred to, to define what their expectations are. Also there will not be anymore permits issued. Mr. Pierce asked that motion be made to suspend general session and then open to public forum. Hon. Bobby Wright made the motion and Hon. Bethany Miller seconded.

**16 Aye 0 Nay**

### **GREENGO ENERGY & HICKORY VALLEY SOLAR FARM - JONATHAN FLEMING**

Mr. Fleming stated that he had three things to talk about: information on the company in general, how they keep taxes low, and the business proposal. He started by addressing the concerns about the solar panel leaking contaminants into

the soil and that will contaminate the site over the course of the project life. He handed Tonet Griggs the County Clerk a study done by North Carolina State University about the health and safety facts.

There is an opportunity to keep taxes low through the revenue that comes from the solar project alone. The project could generate around \$600,000 to \$630,000 dollars yearly tax revenue. Their project has been approved by the planning board and the board of zoning appeals, but now they need to make investment decisions between now and June 2023.

John Cooper is the attorney for Greengo. He states the company has already invested millions of dollars in this project and the investors must have certainty regarding the regulations they are operating under before investing 100's of millions in the project. There are two alternatives they want the commission to consider for this project. The first is a cap of 3% of the overall property area as a max. That would be in lieu of the moratorium. The second is that the moratorium be amended so that the existing projects can be grandfathered in so that they may continue until the state regulations are clarified. The plots that they are looking at are 865 acres but they are only looking to use 500-600 acres. They have not closed on the land. They are under lease option right now.

Attorney Madison Hanes, which is the attorney for Silicone Ranch highlighted a few things that were previously pointed out by Jonathan. The TBA purchase option uses their equity in the land as part of their finances for other projects so they are not as willing to sell their land. She also stated that BEA will receive a 2.2 million dollar benefit with no tax, open rate increase, or no fees incurred by BEA tax payers or BEA freight payers. The money can be spent in any way possible except on fire, rescue, water, school, and library. The risk is enormous on this project and allowing their amendment to the moratorium will allow for the contract to be honored with TBA would provide their company with the contractual protection they need to be able to move the project forward under the regulations they have now. They will be happy to tweak it in the moratorium language and continue to work with the community.

Jim Piece stated that there will not be any amendments taken. They will have to go back in front of the planning commission and recommended by the county commission coming forward.

Hon. Russell Deberry asked if the state until they come out with compliances wouldn't we have to follow them? Jim Pierce answered him stating that what ever regulations the state sets we have to abide by. Hon. Deberry then ask would it not be smart to table this project and wait on state because if they agree to this it may be a few months down the road and everything they voted on may have to change. Hon. David Bell made the motion to table and Hon. Bethany Miller seconded the motion.

Jim asked for a motion to adapt the resolution of the moratorium. Hon. Bobby Wright made the motion and Hon. Johnny Weems seconded the motion.

**16 Aye 0 Nay**


## **ANNOUNCEMENTS**

- Hardeman Adoptable Animals need volunteers.
- Mayor Bowden of Whiteville announced that there will be a poverty simulation February 8<sup>th</sup> in Bolivar at the First Methodist Church.
- Next meeting will be February 21, 2023.

## **ADJOURN**

Hon. Johnny Weems made motion Hon. Russell Deberry seconded.

**COUNTY MAYOR**



**COUNTY CLERK**

