

**MINUTES OF THE HARDEMAN COUNTY
LEGISLATIVE BODY JANUARY TERM
REGULAR SESSION
January 23, 2024**

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 23rd day of January, 2024 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. Mark Gilliam, Hon. Brad Grantham, Hon. Bobby Hensley, Hon. Joe Jenkins, Hon. Jeff Kennamore, Hon. Chandra Y. Lake, Hon. Bobby Wright, Hon. Bethany Miller, Hon. Jackie Sain, Hon. John Vickers, Hon. Johnny Weems and Hon. Bobby Wright were present and Hon. Thomas Polk deceased. 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:

15 PRESENT 1 ABSENT

APPROVAL OF MINUTES

Hon. Brad Grantham made a motion and Hon. Johnny Lanier seconded to approve the minutes of the Regular Meeting held November 21, 2023 with the correction of adding who seconded the motion to accept the Sheriff's office to scrap the old convection oven.

CARRIED BY ACCLAMATION

APPROVAL OF NOTARIES

Hon. Johnny Lanier made a motion and Hon. Jackie Sain seconded to approve the list of notaries.

CARRIED BY ACCLAMATION

PUBLIC FORUM

No one signed up for public forum.

APPOINTMENT FOR DISTRICT 1 POSITION 3 CHAIR

Mamie Polk was voted to an interim position for her late husband Hon. Thomas Polk. Hon. Jackie Sain made the motion to place her in the seat for the rest of his term, and Hon. Chandra Lake seconded the motion.

After Mamie Polk accepted and was sworn into the position by Hon. Boyette Denton, Hon. Johnny Weems made the motion to close nominations and Hon. Johnny Lanier seconded that motion.

ROLL CALL VOTE: 15 AYE 0 NAY

COMMITTEE & DEPARTMENT REPORTS:

BOARD OF EDUCATION – DIRECTOR CHRISTY SMITH

Director Smith brought forth five budget amendments (see attached). Hon. Johnny Lanier made a motion to accept the budget amendments and Hon. Bethany Miller seconded the motion.

ROLL CALL VOTE: 16 AYE 0 NAY

The Capital Improvement Projects have started. Several smaller projects have been completed and two larger ones are about to start. The two campuses for the projects are Bolivar Elementary School and Bolivar Central High School. The project consists of windows, doors, led lighting, and new entry way. There will be bullet proof film on the windows that will be installed. Life check will also be

placed at all campuses. Life check is an alert system that goes on the door and if that door has not been checked in a certain amount of time an alert will be transmitted to an employee.

HIGHWAY DEPARTMENT – SUPERINTENDENT CASEY SWIFT

Casey only had one thing to bring before the committee. He presented a budget amendment to put money back into the rock account. Hon. Mark Gilliam made a motion to accept the budget amendment and Hon. Johnny Lanier seconded the motion.

ROLL CALL VOTE: 16 AYE 0 NAY

ELECTION COMMISSION – AMBER MOORE

No report

BUILDING COMMITTEE – HON. DAVID BELL

Commissioner Bell informed us that the contract has been signed and the architects didn't get to come out because of the snow.

LAW ENFORCEMENT COMMITTEE – HON. CORY BUFFORD

There was a flooding in the CJC. The insurance company is taking care of this unexpected event.

BICENTENIAL COMMITTEE – HON. BRAD GRANTHAM

The county has been approved for the ACD grant. This grant is \$300,000 which the match for this Hon. Brad Grantham believes it is a 70/30 percentage. The Bicentennial committee had 10,000 but only used under 5,000. They want the left over amount to be placed into budget for Little Courthouse renovations.

AMBULANCE COMMITTEE – HON. BETHANY MILLER

Commissioner Miller said that the committee comes to the board with a positive recommendation to hire a clerical assistant for the EMS.

GENERAL SESSION JUDGE VACANCY – JUDGE W. BOYETTE DENTON

Judge Denton respectfully brought forth his letter of resignation due to progression of his Parkinson's disease. He thanked the County of Hardeman for all of their support, prayers, and love. (SEE ATTACHED)

AMENDMENTS:

Budget Amendments 1, 7, & 8 were line item transfers.

1. Ambulance (SEE ATTACHED)
2. Ambulance (SEE ATTACHED)
3. Airport (SEE ATTACHED)
4. Hardeman County Sheriff's Office (Drug Fund) (SEE ATTACHED)
5. Hardeman Co Sheriff's Office (Workhouse) (SEE ATTACHED)
6. Hardeman Co Sheriff's Office (SEE ATTACHED)
7. Hardeman Co Sheriff's Office (SEE ATTACHED)
8. Juvenile Services (SEE ATTACHED)
9. Ambulance (SEE ATTACHED)

Hon. Johnny Weems made motion to accept the budget amendment and Hon. Jeff Kennamore seconded the motion.

ROLL CALL VOTE: 16 AYE 0 NAY

LAWSUIT UPDATE - DALE CONDER

(SEE ATTACHED)

COUNTY COMMISSIONER BOBBY WRIGHT

Hon. Bobby Wright stated that he recently had questions pertaining to Zoning and the duties and responsibility of Jim Pierce. He sent an email with the things that he was concerned about with zoning and the previous six injunctions filed against citizens of Hardeman County. The information requested was unable to be retrieved because of unforeseen circumstances therefore the questioning at hand will be placed on February's county commission meeting. Com. Wright said, "So what he heard is that some of these clients said if they pay \$500 this would go away." Attorney Conder stated "He did not know who told him that, but he didn't." Com. Wright then proceeds to ask if he can call Samantha Garner to the stand. Mayor Pulse interjected and said that he didn't think it was in order. Com. Wright asked why when he has the floor. Mayor Pulse told him he does but he thinks it is going into another forum and let him get a legal ruling. Mayor Pulse asked Attorney Conder which told him that he thinks it's just a matter of public opinion if they want to go through with the questioning.

Com. Wright said that he only has three questions to ask. Samantha takes the podium and he then proceeds to ask his first question, "Are you one of the citizens that Jim and Mr. Conder file an injunction against?" to which she replied "Yes sir." He then moves to his second question, "Have you obtained a zoning permit?" to which she replied "Yes sir." He then says, "Tell us what happened after you got your permit." Samantha proceeds, "The day of the permit I was on my way home, to uh...I received the permit and I got a call from Jim. He told me we went down to the first floor and he was like well we'll close the case and it will be done. I said well okay that is fine. And then we go downstairs and they said they have to contact their attorney and go through that whole process, or something of the sorts. So I get in my vehicle and go back home. On my way home I get a phone call from him and he says, "Hey so you're gonna have to pay the attorney fees and they're \$495 and then the case is done". I said no sir. I will see you in court."

Com. Wright then asked Attorney Conder "Are our fees \$500 to bring lawsuits to citizens of Hardeman County?" Attorney Conder replied "He never mentioned that figure to anybody. He doesn't think so. Com. Wright then asked "So with our compliance officer not being approved by this commission, did he have the right to say that it will cost her \$500 to drop this?" Attorney Conder responded, "I can't answer that. That's not a legal question. I think he can as the officer in charge of zoning that he can have the lawsuits filed if he doesn't get satisfaction from the notices and that kind of thing, but as far as telling someone \$500. I never mentioned, told anybody \$500, \$495 or anything else. I emailed Ms. Garner we talked about her getting her stuff taken care of." Com. Wright then asked, "She never mentioned anything about that?" Attorney Conder responded "She might mentioned of something to me about attorney fees but there is no basis for collecting attorney fees in the State of Tennessee unless there's a contract or statute that requires it and I am unaware of either of these in this situation." Com. Wright said that he had requested December 2023 that no more lawsuits be filed after these six. Mayor Pulse stated that no more have been filed since October 26, 2023. Mayor Pulse interjected with "Now is this line of questioning, this is not a public hearing." Com. Wright interrupted and Mayor Pulse said, "I have the floor sir so let me finish and I will finish." Mayor Pulse stated "You be very careful of what you're going to say before making any accusations about anybody. Be careful and very observant." Com. Wright stated "Only question I had was this board did not authorize him. You hired him but we did not approve him and it says it in our, in the." Mayor Pulse asked, "Are you bringing a cause of action?" "What is your, and we need to wrap this up to this is not on the Agenda." I appreciate your remarks but I am going to have to cut this up shortly. It could go into some legal issues." Com. Wright said that if the commissioner's did not approve the position then the lawsuits would be illegal and if Jim has authority the

commissioners need to confirm the position. Attorney Dale Conder asked “Who was he or him?” I know it’s not me.” Com. Wright says, “No, the Zoning Compliance Officer” Mayor Pulse told Com. Bufford that he has the floor. Com. Cory Bufford stated, “He was lost” He wanted an understanding of what the ordinances were that failed to met compliance leading to the lawsuits. Com. Bell wanted to know if historically the County has sued residents before. Mayor Pulse informed him Chip Curry said previous lawsuits have occurred. Hon. Brad Grantham requested that County Clerk Tonet Griggs confirm if Jim Pierce was approved. County Clerk Griggs said that she will research the matter and get back with the commissioners. Com. Deberry stated that there was no point in talking about it when no one is there from Zoning to give there side.

**** County Clerk Tonet Griggs confirmed that on October 17, 2023 Mr. Jim Pierce was carried by acclamation as Zoning Compliance Director. This can be found in book 55 and page 105. ****

PROCLAMATIONS & RESOLUTIONS

The proclamation of Charles Morrow is put off until February’s commission meeting because the receiver is sick and could not make it and he requested that it be done next month so he can attend. January 31st will now be known as Charles Morrow Day in Hardeman County.

The resolutions for this month will also be read next month because it is required that there is a 10 day notification before the meeting and because of the inclement weather last week they were moved to the following week.

ANNOUNCEMENTS

Next meeting will be held February 20, 2024

ADJOURN

Hon. Johnny Lanier made motion to adjourn and Hon. Mark Gilliam seconded to adjourn.

COUNTY MAYOR 

COUNTY CLERK 