

September 13, 2016

The Coffee County Legislative Body met September 13, 2016 in a regular scheduled meeting at the Coffee County Administrative Plaza at 6:00 PM.

Sheriff Steve Graves proclaimed the meeting open for business.

The Invocation was given by Jackie Duncan and the Pledge to the Flag was led by Rosemary Crabtree.

There were 20 members present for the meeting with Steven Jones being absent.

Mayor Cordell welcomed Mindy Acklen and some of her students from the High School who are doing an internship program in some of the county offices.

Mayor Cordell amended the agenda by adding under 9 unfinished business amending 2016-16 Wayside Acres and under 10f Limitations of political signs on County Property. Motion made by Duncan and seconded by Crabtree to approve the agenda as amended. Motion was approved with 20 yes votes.

Motion made by Kelly and seconded by Stubblefield to approve the minutes from the previous meeting. The motion was approved with 20 yes votes.

Motion made by Bricken and seconded by Shelton to approve the following notaries as listed: Melinda Anderson, Vickie Brown, Amanda M. Brown, Jacques R. Chouinard, Michelle Crawford, Cynthia Duke, Barbara Ernst, Elizabeth T. Ezell, Jason Gallagher, Michael Derrick Gallagher, Randall Harris, Leslie M. Hill, Erica Rose Marino, Kelly Sue Martin, Jennifer L. McCormick, Mary J. Mealer, John K. Millaway, Eddie P. Moffitt, Justin Mooneyham, Ashley Osmundsen, J. Michalle Reynolds, Karen E. Rhoton, Karen Swan and Meagan B. Willis. The motion was approved with 20 yes votes.

Motion made by Shelton and seconded by Morris for the adoption of Resolution 2016-19 in honor and recognition of James "Jimmy" White for his devotion and dedication to the citizens of Coffee County, Tennessee. The motion was approved with 20 yes votes.

Motion made by Bryan and seconded by Mai to elect Mayor Cordell as Chairman. The motion was approved with 20 yes votes.

Motion made by Kelly and seconded by Crockett to elect Steven Jones Chairman Pro Tem. The motion was approved with 20 yes votes.

Motion made by Shelton and seconded by Morris to elect Joe K. Pedigo as Parliamentarian. The motion was approved with 20 yes votes.

Nominations for the Budget and Finance Committee are as follows: Bricken and Kelly from Tullahoma, Jones from Manchester and Bryan and Morris from Rural. Motion made by Martin and seconded by Shelton to elect these nominations to the Budget and Finance Committee. The motion was approved with 18 yes votes and Morris and Bricken abstained.

Nominations for the Legislative Committee are as follows: Crabtree and Buckner from Tullahoma, Jones from Manchester and Speer and Bryan from Rural. Motion made by Argraves and seconded by Stubblefield to elect these nominations to the Legislative Committee. The motion was approved with 17 yes votes and Bryan, Speer and Buckner abstained.

Nominations for the Education Committee are as follows: Buckner and Crabtree from Tullahoma, Mai from Manchester and Shelton and Deford from Rural. Motion made by Morris and seconded by Crabtree to elect these nominations to the Education Committee. The motion was approved with 18 yes votes and Shelton and Buckner abstained.

Nominations for the Health, Welfare and Recreation Committee are as follows: Duncan and Crabtree from Tullahoma, Jones from Manchester and Hunt and Deford from Rural. Motion made by Kelly and seconded by Stubblefield to elect these nominations to the Health, Welfare and Recreation Committee. The motion was approved with 16 yes votes and Hunt, Deford, Duncan and Crabtree abstained.

Nominations for the Capital Outlay Committee are as follows: Martin and Buckner from Tullahoma, Jones from Manchester and Shelton and Morris from

Rural. Motion made by Bryan and seconded by Duncan to elect these nominations to the Capital Outlay Committee. The motion was approved with 16 yes votes and Morris, Shelton, Martin and Buckner abstained.

Nominations for the Law Enforcement Committee are as follows: Stubblefield and Duncan from Tullahoma, Mai from Manchester and Argraves and Farrar from Rural. Motion made by Morris and seconded by Hunt to elect these nominations to the Law Enforcement Committee. The motion was approved with 15 yes votes and Mai, Argraves, Deford, Stubblefield and Duncan.

Nominations to the Personnel and Compensation Committee are as follows: Heather Duncan, Leann Eaton, Tim Stubblefield, Diane Argraves, Steven Jones, Allen Lendley, Heather Shelton and Mayor Cordell. Motion made by Martin and seconded by Walker to elect these nominations to the Personnel and Compensation Committee. The motion was approved with 18 yes votes and Argraves and Stubblefield abstained.

Nominations to the Community Corrections Partnership are as follows: Mark Yother, Diane Argraves, Mayor Cordell, Craig Northcott, Ron Fuller, Ray Marcrom, Steven Jones, Paul Blackwell and Jon Nicoll. Motion made by Shelton and seconded by Bryan to elect these nominations to the Community Corrections Partnership. The motion was approved with 19 yes votes and Argraves abstained.

Motion made by Shelton and seconded by Crabtree to confirm the Mayors appointment of Pat Egan and the Manchester Mayors appointment of David Pennington to the Public Building Authority. Mayor Cordell asked the County Attorney Bob Huskey to look into the issue of the authority of the County Mayor to appoint Manchester members of the PBA. Mr. Huskey explained that at the Mayor's request, he researched the State statutes which authorize and empower the establishment of the Public Building Authority by a municipality. A reference in the statute to a municipality refers to County or City. The State statute provides that the Board members of any such PBA will be appointed by the Chief Executive of the municipality or County that establishes the PBA. It further provides that if two (2) or more municipalities act jointly their respective memberships will be appointed by the respective Chief Executive Officer of each

municipality, which would indicate if this is a joint venture between Coffee County and the City of Manchester the City of Manchester Mayor would appoint the members representing Manchester and the County Mayor would appoint the other members. An examination of the actual Charter of the PBA reflects that its Charter is only in the name of the County and does not reflect any participation of the City of Manchester, but we all know that this has been a joint effort and that the operational costs are covered under a mutual agreement between the County and the City of Manchester. The By-Laws of the PBA actually provide that the County Commission appoints members of the Board. Therefore while the practice has been, I understand from the beginning of the PBA, that the Board members of the PBA are nominated by the County Mayor and approved by the County Commission, there is a conflict between the statute, the Charter and the By-Laws which provide that the County Commission will appoint PBA Board Members. The wording of the statute talks about "municipalities acting jointly" as opposed to the title or name of the entity and since Manchester clearly has been an active participating contributor in the cost of the PBA and the Conference Center from the beginning, it is not only the right thing, but the statutory requirement that the Mayor of Manchester nominate the members of the PBA Board to represent Manchester. That being the case, I see no problem with the County Commission offering a courtesy confirmation to the City Mayor's nomination to satisfy the By-Laws, but statutorily the nomination belongs to the City Mayor." Amendment by Kelly and seconded by Bricken to approve Pat Egan and accept Pennington as the City of Manchester Mayors appointment. The amendment was approved with 17 yes votes, 2 no votes and Walker abstained. No votes were Shelton and Crabtree. The original motion was approved as amended with 20 yes votes.

Motion made by Bryan and seconded by Morris to reconsider Resolution 2016-16 to sustain financial stability for Wayside Sewer System. The motion was approved with 14 yes votes, 4 no votes and 2 abstained. No votes were Walker, Crockett, Kelly and Bricken. Martin and Buckner abstained. Amendment by Bryan and seconded by Hunt to delay implementation of Resolution 2016-16 to sustain financial stability for Wayside Sewer System, until other options can be reviewed

by the Coffee County Water and Wastewater Authority, and written approval received from the State Comptroller and all State Agencies with jurisdiction in this matter, for any option which may be adopted by the Coffee County Water and Wastewater Authority to replace Resolution 2016-16. Motion made by Kelly and seconded by Walker to refer back to Water and Wastewater Authority, Legislative and Budget and Finance Committees. The motion to refer failed with 7 yes votes and 13 no votes. Yes votes were Walker, Crockett, Farrar, Speer, Kelly, Duncan and Crabtree. No votes were Bryan, Hunt, Cunningham, Orrick, Argraves, Morris, Shelton, Deford, Stubblefield, Martin, Buckner and Bricken. Motion made by Kelly and seconded by Martin to recess for 10 minutes. The motion was approved with 11 yes votes and 9 no votes. After recess discussion was held on the amendment made by Bryan to Resolution 2016-16 and Bricken wanted to add at the end of the amendment "to replace, amend or resend" which was accepted by Bryan and Hunt. The amendment was approved with 20 yes votes.

Motion made by Morris and seconded by Shelton to approve the following Budget Amendments. #171-2017-001 JAI Capital Projects, #151-2017-002 General Debt Service Fund, #101-2017-003 General Fund and #116-2017-004 Solid Waste/Sanitation. The motion was approved with 20 yes votes.

Motion made by Argraves and seconded by Mai for the adoption of Resolution 2016-20 Electing to Utilize the Victim's Services Statute of the Tennessee Code and to designate the Organizations to be the Recipients of the Funds.

Amendment by Kelly and seconded by Morris to receive a report and renew annually subject to be approved on a yearly basis. The amendment was approved with 20 yes votes. The motion was approved as amended with 20 yes votes.

Motion made by Morris and seconded by Shelton for the removal of trees at CCAP. The motion was approved with 20 yes votes.

Motion made by Kelly and seconded by Crabtree for the adoption of Resolution 2016-21 authorizing the issuance of General Obligation refunding bonds of Coffee County in the aggregate principal amount of not to exceed \$9,050,000, in one or more series, making provision for the issuance, sale and payment of said bonds, establishing the terms thereof and the disposition of proceeds therefrom; and

providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds. The motion was approved with 20 yes votes.

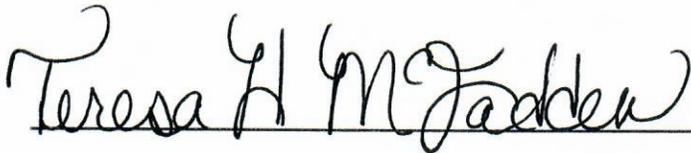
Discussion was held on the TDOT Improvement of Wilson Ave., Tullahoma, TN. There are discrepancies in the paperwork that was sent to the Mayor's office of which he has asked Attorney Huskey to look into.

Discussion was held on the limitations of political signs on county property and was sent to Legislative Committee to be studied.

Brief reports of standing Committees were given, including B & F, Legislative, Education, HWR, Capital Outlay, Law Enforcement and Personnel & Compensation Committee.

There being no further business the County Legislative Body adjourned.

Respectfully submitted this the 13th day of September, 2016.

A handwritten signature in cursive script, reading "Teresa H. McFadden", written over a horizontal line.

Teresa H. McFadden, County Clerk