

The Board of Commissioners of Lincoln County met with Chairman Bill Newman presiding at the Lincoln County Courthouse Circuit Courtroom

The following were present:

Roll Call: Quorum Present (21 Present, 4 Absent)

Present: Anthony Taylor, Brandon Kolle, Danny Walker, Bonnie Caldwell, Terri Rogers, Doug Cunningham, Glen Douglas, Mary Ann Tackett, Jack Atchley, Daniel Eldridge, Kate Guin, Mark Mitchell, Randy Bradford, Ricky Bryant, Jason Nix, Troy Frassrand, Jason Hambrick, Jennie Roles-Walter, Steve Guntherberg, Steve Spray, Bill Newman

Absent: Ben Brown, David Sanders, Pat Haynes, Tori Young

Roll Call began at: 06:04:13 PM (Elapsed time: 00:00:02)

Ben Brown is present at: 06:04:52

County Clerk Phyllis F Counts, County Attorney Ed Simms and Finance Director Vicky Trentham were also present.

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DEZI FLETCHER, MINISTER WEST END CPCA CHURCH, OFFERED THE INVOCATION

ZA'LIN HENDERSON LED THE PLEDGE OF ALLEGIANCE. HE IS 12 YEARS OLD AND ATTENDS FAYETTEVILLE MIDDLE SCHOOL. HE IS A PROUD MEMBER OF THE MEN OF FAYETTEVILLE. HE ENJOYS SINGING, GOING TO CHURCH, AND SPORTS OF ALL KINDS. SON OF MARCUS AND TONESHA SEAY

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APPROVAL OF MINUTES JANUARY 17, 2023

Motion by Commissioner Bradford, seconded by Commissioner Douglas and passed with a unanimous voice vote

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THE FOLLOWING MONTHLY COMMITTEE MINUTES WERE RECEIVED

- NOV 01 – AG COMMITTEE**
- DEC 12 – VETERANS COMMITTEE**
- DEC 14 – ISWA**
- DEC 19 – IDB**
- JAN 05 – BOARD OF EDUCATION**
- JAN 11 – ISWA**
- JAN 12 – LAW ENFORCEMENT**
- JAN 12 – E911**
- JAN 16 – AIRPORT AUTHORITY**
- JAN 16 – AUDULT CONTROL BOARD**
- JAN 19 – LEPC**
- JAN 23 – PARKS & RECREATION**
- JAN 26 – BOARD OF ZONING APPEALS**
- FEB 02 – PLANNING COMMISSION**
- FEB 06 - BOARD OF EDUCATION**
- FEB 06 – BEER BOARD**

QUARTERLY REPORTS

- AGRICULTURE REPORT**
- CHAMBER OF COMMERCE REPORT**
- EMERGENCY MANAGEMENT REPORT**
- FAYETTEVILLE-LINCOLN COUNTY LIBRARY REPORT**

**LINCOLN COUNTY BOARD OF PUBLIC UTILITIES
LINCOLN COUNTY HEALTH DEPARTMENT**

Motion by Commissioner Nix, seconded by Commissioner Spray and passed with a unanimous voice vote to acknowledge the receipt of these reports

**CONSIDERATION FOR APPROVAL OF RESOLUTION OF RESPECT FOR FORMER COUNTY
COMMISSIONER JOE T STEVENSON**

Motion by Commissioner Mitchell, seconded by Commissioner Walker and passed with a unanimous voice vote

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RECOGNITION OF KEVIN POSEY- HE IS THE RECIPIENT OF THE 2022 GOVERNOR'S VOLUNTEER STARS AWARD FOR LINCOLN COUNTY, SERVED TWO TERMS AS PRESIDENT OF THE L.C. LIVESTOCK ASSOCIATION, CURRENTLY SERVING HIS SECOND FOUR-YEAR TERM ON L.C. SCHOOL BOARD, ALSO SERVES ON TN AUTOMATIC MERCHANDISERS ASSOC., SOUTHEASTERN VENDING ASSOC., EMERGING LEADERS NETWORK BOARD AND THE TN CATTLEMEN'S ASSOC. BOARD. HE IS A NATIVE OF L.C. HE IS THE SON OF TONY POSEY AND JAN POSEY, MARRIED TO HANNAH POSEY, HAS FOUR CHILDREN- JACK, ARLEIGH, JESSIE AND OAKLEY. HE IS A MEMBER OF FAYETTEVILLE FIRST BAPTIST CHURCH.

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RECOGNITION OF AMY DENNIS, FIELD REPRESENTATIVE FOR CONGRESSMAN SCOTT DES JARLAIS & BLAKE NEELY , FIELD REPRESENTATIVE FOR SENATOR MARSHA BLACKBURN

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CONSIDERATION FOR APPROVAL TO RE-APPOINT DR. KYLE SPEARS MD, DR THERESA MORRISON MD, VICKIE GROCE FNP, BILL NEWMAN, COUNTY MAYOR, WILLIAM H KIDD DVM, DR BILL HEATH DIRECTOR OF SCHOOLS, JAMES E (JAY) COLBERT III DDS, AND BECKY D GLEGHORN DPH TO THE LINCOLN COUNTY HEALTH DEPT. BOARD – TERMS EXPIRE MARCH 2027

Motion by Commissioner Frassrand, seconded by Commissioner Eldridge and passed with a unanimous voice vote

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INTRODUCTION OF KEVIN CHASTINE OF GRIGGS & MALONEY - NANCY HARRIS, COUNTY PLANNER
(See budget for motion on this item)

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CONSIDERATION FOR APPROVAL TO APPOINT COLIN WAKEFIELD TO ZONING APPEALS BOARD, -- TERM EXPIRES JANUARY 2028

Motion by Commissioner Frassrand, seconded by Commissioner Roles-Walter and passed with a unanimous voice vote

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CONSIDERATION FOR APPROVAL OF RESOLUTION OF L.C. LEGISLATIVE BODY APPROVING DONATION OF COUNTY PROPERTY TO STATE OF TENNESSEE

Motion by Commissioner Guntherberg, seconded by Commissioner Bryant and passed with a unanimous voice vote

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2022 PLANNING AND ZONING PERFORMANCE REPORT – CHARLES HUNTER, PLANNING AND ZONING DIRECTOR

Motion by Commissioner Atchley, seconded by Commissioner Taylor to acknowledge the presentation of this report.

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CONSIDERATION FOR APPROVAL OF RESOLUTION OF L.C. LEGISLATIVE BODY REGARDING COUNTY POWERS RELIEF ACT

Motion by Commissioner Guntherberg, seconded by Commissioner Douglas and passed with a unanimous voice vote

CONSIDERATION FOR APPROVAL TO ACCEPT PROPERTY LOCATED AT NEW BLANCHE SCHOOL FOR THE PURPOSE OF BUILDING A NEW BLANCHE FIRE STATION

Motion by Commissioner Kolle, seconded by Commissioner Walker and passed with a unanimous voice vote

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CONSIDERATION OF MOTION TABLED AT DECEMBER 20, 2022 COUNTY COMMISSION MEETING FILE #2022-R7 JACK DANIELS-BROWN FORMAN, WABASH ROAD, MULBERRY TN

Motion by Commissioner Cunningham, seconded by Commissioner Guin that this item be removed from the table and passed with a unanimous voice vote.

Motion by Commissioner Cunningham, seconded by Commissioner Hambrick that this item be referred back to Planning and Zoning to have it changed from A-1 to C-1. Motion passed with a unanimous voice vote.

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CHAMBER OF COMMERCE REPORT – CAROLYN DENTON, DIRECTOR

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BUDGET COMMITTEE SECRETARY RICKY BRYANT PRESENTED THE BUDGET COMMITTEE REPORT

Set forth on page(s) _____

CONCUR WITH THE RECOMMENDED APPROVAL FOR THE AMOUNT OF \$8,116.67 FROM FUND BALANCE AS THE COUNTY'S 1/3 COST OF REPLACING THE LIBRARY'S HVAC SYSTEM

Motion by Commissioner Nix, seconded by Commissioner Taylor and passed with a unanimous voice vote

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CONCUR WITH THE RECOMMENDED APPROVAL TO HIRE GRIGGS & MALONEY TO ASSIST IN LINCOLN COUNTY PLANNING & ZONING SERVICES AND THAT GRIGGS & MALONEY PROVIDE MONTHLY ACTIVITY REPORTS

Set forth on page(s) _____

Motion by Commissioner Roles-Walter, seconded by Commissioner Kolle and passed with a unanimous voice vote

CONCUR WITH THE RECOMMENDED APPROVAL OF MAYOR NEWMAN SIGNING A LETTER OF AGREEMENT TO ACCEPT THE \$149,529.49 FOR THE OPIOID ABATEMENT AND REMEDIATION ACTIVITIES LISTED

Set forth on page(s) _____

Motion by Commissioner Taylor, seconded by Commissioner Caldwell and passed with a unanimous voice vote

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HUMANE SOCIETY UPDATE

Mayor Newman updated the committee on the electrical and flooding problems concerning the Human Society. A recent visit from the State Fire Marshall resulted in concerns of electrical issues. Specifications are being addressed by certified electricians and the City will be bidding out those services. The County will pay their portion of the total cost once determined.

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CONCUR WITH THE RECOMMENDED APPROVAL TO POSTPONE THE SCHOOL'S REQUEST REGARDING HIGHLAND RIM SCHOOL PROJECT

Motion by Commissioner Guntherberg, seconded by Commissioner Frassrand and passed with a unanimous voice vote to address this issue in the upcoming FY 23-24 budget cycle.

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CONCUR WITH THE RECOMMENDED APPROVAL FOR ENA SERVICES LLC FOR DARK FIBER WAN SERVICES TO DELIVER INTERNET TO THE SCHOOLS

Motion by Commissioner Taylor, seconded by Commissioner Roles-Walter and passed with a unanimous voice vote

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CONCUR WITH THE RECOMMENDED APPROVAL OF THE 101 GENERAL FUND BUDGET AMENDMENTS

Motion by Commissioner Bryant, seconded by Commissioner Cunningham and passed with a unanimous voice vote

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CONCUR WITH THE RECOMMENDED APPROVAL OF THE 127 OTHER GENERAL GOVERNMENT SPECIAL REVENUE BUDGET AMENDMENT

Motion by Commissioner Douglas, seconded by Commissioner Guin and passed with a unanimous voice vote

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CONCUR WITH THE RECOMMENDED APPROVAL OF THE 141 GENERAL PURPOSE SCHOOL FUND BUDGET AMENDMENTS

Motion by Commissioner Taylor, seconded by Commissioner Roles-Walter and passed with a unanimous voice vote

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Motion by Commissioner Bryant, seconded by Commissioner Guin and passed with a unanimous voice vote to acknowledge receipt of the financials.

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CHAIRMAN CUNNINGHAM INFORMED THE COMMITTEE THAT A SUIT HAS BEEN FILED AGAINST THE COUNTY AND PLANNING & ZONING. ATTORNEY SHAWN HENRY HAS BEEN HIRED TO REPRESENT THE COUNTY AND PLANNING & ZONING. A HEARING IS SCHEDULED FOR TUESDAY, FEBRUARY 14, 2023 IN CHANCERY COURT.

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CONCUR WITH THE RECOMMENDED APPROVAL OF THE FOLLOWING CANDIDATES FOR NOTARY PUBLIC

HOLLY BARTLETT	PHYLLIS LYNN CARLISLE	ANGEL S WILSON	JAMES R HOWISON
KYLE RICHARDSON	SANDRA METCALF	REBEKAH OWEN	ANDREA DELAP
MELISSA STEVENSON	DEBRA K BURKETT	CARY B SULLIVAN	KATHERINE BURK
ROBIN ROZAR	KELLIE KNOTTS		

Motion by Commissioner Guntherberg, seconded by Commissioner Spray and passed with a unanimous voice vote

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NEW BUSINESS: Commissioner Walker asked that Gary Byers be recognized to speak. There was no objection and he was allowed to address the commission.

After much discussion Commissioner Caldwell made a motion, seconded by Commissioner Tackett, to refer this back to Planning and Zoning for another look at rules and regulations for a minor sub-division. Discussion continued. Commissioner Bryant made a motion that this item be tabled, seconded by Commissioner Cunningham. A voice vote was heard and motion failed. **No** votes (12) were **Caldwell, Walker, Rogers, Guin, Bradford, Frassrand, Hambrick, Roles-Walter, Spray, Tackett, Atchley, and Taylor.** **YES** votes (9) were: **Cunningham, Nix, Eldridge, Douglas, Mitchell, Brown, Kolle, Bryant, Guntherberg.** **Absent: Sanders, Haynes, Young.** Original motion was then considered and it passed with a unanimous voice vote.

There being no further business to come before the Board, motion to adjourn by Commissioner Bryant seconded by Commissioner Guntherberg. A unanimous voice vote was heard.



BILL NEWMAN, CHAIRMAN

ATTEST



PHYLLIS F COUNTS, COUNTY CLERK