

**MINUTES
LEGISLATIVE COMMITTEE
JEREMY MANSFIELD, CHAIRMAN
FEBRUARY 13, 2023**

Present:

Jeremy Mansfield, Chairman
David Klein, Vice-Chairman
Robert B. Brown III
Merrol N. Hyde, Commission Chairman
Darrell Rogers
Matthew Shoaf

Absent:

Jamie Teachenor

Also Present:

Eric Sitler, Law Director
John C. Isbell, County Mayor
Steve Weiner, Staff Attorney
Merrol Hyde, Commission Chairman
Jennifer Mitchell, minute taker

Chairman Jeremy Mansfield brought the regular scheduled Legislative Committee meeting to order with an invocation on Monday, February 13, 2023, at 5:30 p.m. Chairman Mansfield declared a quorum present to conduct business.

3. Approval of Agenda. Without objection, Chairman Mansfield removed item 9e from the agenda. Upon motion of Comm. Brown, seconded by Comm. Shoaf, the Committee voted unanimously to approve the agenda, as amended.

4. Approval of minutes of January 9, 2023. Upon motion of Comm. Shoaf, seconded by Comm. Klein, the Committee voted unanimously to approve the minutes of January 9, 2023.

5. Recognition of the Public.

Wayne Padgett of 279 Bursby Branch Road, Cottontown spoke to the FEMA properties in Cottontown Community. He asked the Committee to go with the original FEMA plan that would cover 75% of costs, 12.5% by state and 12.5% by the County, to move the post office.

6. Report of the Chairman. No report

7. Report of County Mayor. No report

8. Old Business.

- a. FEMA Hazard Mitigation Grant Properties locates at 2265 TN-25 and 2268 TN-25 Cottontown, TN 37048.

Chairman Mansfield moved, seconded by Comm. Klein, to discuss. The motion carried unanimously.

Comm. Klein opened discussion with information he confirmed with Finance Director David Lawing and Grants Administrator Kim Norfleet. He presented a spreadsheet with two scenarios (attached).

Scenario 1: Original plan of demolishing the house at 2268 TN-25 and moving post office to 2320 TN-25 with a permanent foundation would cost the County \$179,307.63.

Scenario 2: Stop and leave post office and house where they are would cost the County \$165,796.08.

After lengthy discussion, Comm. Shoaf moved, seconded by Chairman Mansfield, to modify scenario 2 to add \$6,000.00 to demolish house.

After further discussion, Comm. Shoaf withdrew his original motion, Chairman Mansfield agreed as the seconder.

Comm. Shoaf moved, seconded by Comm. Klein, to approve scenario 2.

Comm. Shoaf moved to rescind his motion, Comm. Klein agreed as the seconder.

Chairman Mansfield moved, seconded by Comm. Shoaf, to proceed with closing out property 1 known as the general store. The motion carried unanimously.

After discussion, Comm. Rogers moved, seconded by Comm. Shoaf, to defer the post office and Draper house property to next month. The motion carried unanimously.

- b. A Resolution requesting the Governor of Tennessee and State Attorney General take appropriate action to protect the medical freedom of those serving in the Tennessee Army and Air National Guard and Tennessee State Guard (attached).

Comm. Shoaf moved, seconded by Chairman Mansfield, to discuss. The motion carried unanimously.

Comm. Shoaf gave a brief overview of the resolution presented.

Comm. Shoaf moved, seconded by Chairman Mansfield, to approve the resolution and forward to full Commission. The motion carried unanimously.

9. New Business.

- a. Veterans' service report (attached for info only). No action taken
- b. 2023 Property Taxpayers Protection Act (attached).

Chairman Mansfield explained this will provide equal standards with counties and cities in being able to collect impact fees to pay for services that are a by product of growth.

Comm. Shoaf moved, seconded by Comm. Klein, to approve the 2023 Property Taxpayers Protection Act and forward to full Commission. The motion carried unanimously.

- c. Resolution prohibiting eminent domain from being used to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street (attached).

Chairman Mansfield explained that it would have to be a Public Act if the municipalities are listed. He removed the cities so it can move forward as a Private Act.

Comm. Rogers moved, seconded by Comm. Shoaf, to approve resolution and forward to full Commission. The motion carried unanimously.

- d. Potential time change for monthly meeting.

Chairman Mansfield recommended permanently moving meeting time to 5:30 pm.

Comm. Shoaf moved, seconded by Comm. Rogers, to approve meeting time change to 5:30 pm. The motion carried unanimously.

10. Commission Recognition.

- a. Beverly Richards Surles – 99th Birthday
- b. Liberty Creek High School Varsity Cheerleading Team
- c. Liberty Creek High School Junior Varsity Cheerleading Team
- d. Liberty Creek Middle School Cheerleading Team

- e. Hendersonville High School Cheerleaders – TSSAA 5-PEAT State Champions
- f. Beech High School Football Team
- g. Kelley M. Bennett – juvenile court retirement
- h. Coach Ed Martin

Comm. Shoaf moved, seconded by Comm. Rogers, to group and approve items 10a through 10h. The motion carried unanimously.

11. Zoning.

10. Adjournment. Chairman Mansfield declared the meeting adjourned at 6:34 p.m. upon motion of Comm. Shoaf, and seconded by Comm. Rogers.

Prepared by Jennifer Mitchell

Scenario #1: Go with the original Plan of demolishing the house at 2268 and moving the Post Office to 2320 with a permanent foundation

Description: Address: Acreage: Acquisition Date:	Total Cost	Property #1		Property #2		Property #3		County Share of Expenses
		Old General Store 2265 Hwy 25 1.0 2/15/22	Historic Post Office 2268 Hwy 25 2.4 2/15/22	First School/Comm. Center 2320 Hwy 25 1.8 6/17/19				
Archaeology Report:	\$ 1,500.00	\$ 750.00	\$ 750.00					\$ 1,500.00
FEMA Reimbursement:	\$ -	\$ -	\$ -					\$ 150.00
Property Appraisal:	\$ 1,200.00	\$ 600.00	\$ 600.00					\$ 362.50
FEMA Reimbursement:	\$ (1,050.00)	\$ (525.00)	\$ (525.00)					
Hazardous Material Testing Report:	\$ 2,900.00	\$ 1,450.00	\$ 1,450.00					\$ 362.50
FEMA Reimbursement:	\$ (2,537.50)	\$ (1,268.75)	\$ (1,268.75)					
Property Acquisition:	\$ 226,376.04	\$ 105,000.00	\$ 121,376.04					\$ 10.00
Property Acquisition Closing Costs:	\$ 3,404.60	\$ 1,672.50	\$ 1,732.10					\$ 32.00
FEMA Reimbursement:	\$ (201,058.06)	\$ (93,338.44)	\$ (107,719.62)					\$ 28,722.58
Building Demolition:	\$ 55,845.00	\$ 49,845.00	\$ 6,000.00					\$ 26,780.62
FEMA Reimbursement:	\$ (48,864.38)	\$ (43,614.38)	\$ (5,250.00)					
**FEMA Scope Change Budget Amendment-not possible:	\$ -							
Post Office Relocation:	\$ 63,690.00	\$ 36,765.31	\$ 11,294.62					\$ 48,059.93
New Post Office Foundation:	\$ 10,000.00		\$ 63,690.00					\$ 63,690.00
FEMA Reimbursement:	\$ -		\$ 10,000.00					\$ 10,000.00
Total FEMA Property Expenses:	\$ 364,915.64	\$ 159,317.50	\$ 205,598.14					\$ 19,842.00
Total FEMA Reimbursements:	\$ (205,450.01)	\$ (101,981.25)	\$ (103,468.75)					
Total FEMA Property Costs to Sumner County:	\$ 159,465.63	\$ 57,336.25	\$ 102,129.39					
Grand Total Costs to Sumner County:	\$ 179,307.63	\$ 57,336.25	\$ 102,129.39					\$ 19,842.00
								\$ 179,307.63

**FEMA Scope Change Budget Amendment-not possible:
The maximum reimbursement FEMA will pay under the initial plan is \$205,450.00. There is not time to process a request for increase caused by increased property values and demolition costs. Those increases have caused a reimbursement shortfall of \$48,059.94 if we proceed with Scenario #1. Scenario #2 will be within budget so there will be no shortfall.

Scenario #2: Stop where we are at and leave the Post Office and House where they are.

Description: Address: Acreage: Acquisition Date:	Total Cost	Property #1		Property #2		Property #3		County Share of Expenses
		Old General Store 2265 Hwy 25 1.0 2/15/22	Historic Post Office 2268 Hwy 25 2.4 2/15/22	First School/Comm. Center 2320 Hwy 25 1.8 6/17/19				
Archaeology Report: FEMA Reimbursement:	\$ 1,500.00	\$ 750.00	\$ 750.00					\$ 1,500.00
Property Appraisal: FEMA Reimbursement:	\$ 1,200.00 \$ (1,050.00)	\$ 600.00 \$ (525.00)	\$ 600.00 \$ (525.00)					\$ 150.00
Hazardous Material Testing Report: FEMA Reimbursement:	\$ 2,900.00 \$ (1,268.75)	\$ 1,450.00 \$ (1,268.75)	\$ 1,450.00					\$ 1,631.25
Property Acquisition: Property Acquisition Closing Costs: FEMA Reimbursement:	\$ 226,376.04 \$ 3,404.60 \$ (93,338.44)	\$ 105,000.00 \$ 1,672.50 \$ (93,338.44)	\$ 121,376.04 \$ 1,732.10					\$ 10.00 \$ 32.00 \$ 136,442.20
Building Demolition: FEMA Reimbursement:	\$ 49,845.00 \$ (43,614.38)	\$ 49,845.00 \$ (43,614.38)						\$ 26,030.63
FEMA Scope Change Budget Amendment-not necessary:	\$ -	\$ -	\$ -					
Post Office Relocation: New Post Office Foundation: FEMA Reimbursement:	\$ - \$ - \$ -							
Total FEMA Property Expenses:	\$ 285,225.64	\$ 159,317.50	\$ 125,908.14	\$ 19,842.00				
Total FEMA Reimbursements:	\$ (139,271.56)	\$ (138,746.56)	\$ (525.00)					
Total FEMA Property Costs to Sumner County:	\$ 145,954.08	\$ 20,570.94	\$ 125,383.14	\$ 19,842.00				
Grand Total Costs to Sumner County:	\$ 165,796.08	\$ 20,570.94	\$ 125,383.14	\$ 19,842.00				\$ 165,796.08

Color Key

FEMA Reimbursements

Grand Total Costs to Sumner County

Financial Difference between Scenarios:

\$	(13,511.56)
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