

**MINUTES
LEGISLATIVE COMMITTEE
JEREMY MANSFIELD, CHAIRMAN
MAY 8, 2023**

Present:

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

Absent:

Jeremy Mansfield, Chairman

Also Present:

John C. Isbell, County Mayor
Eric Sittler, Law Director
Steve Weiner, Staff Attorney
Jennifer Mitchell, minute taker

Vice-Chairman David Klein brought the regular scheduled Legislative Committee meeting to order with an invocation by Comm. Teachenor on Monday, May 8, 2023, at 5:35 p.m. Vice-Chairman Klein declared a quorum present to conduct business.

3. Approval of Agenda. Commission Chairman Hyde requested the addition of Daniel Brooks to Commission Recognition as item 10c. Comm. Teachenor requested the addition of the Westmoreland Boys' and Girls' basketball teams to Commission Recognition. Without objection, Vice-Chairman Klein removed item 8a and moved item 9b to next month's meeting. Upon motion of Comm. Brown, seconded by Comm. Shoaf, the Committee voted unanimously to approve the agenda, as amended.

4. Approval of minutes of April 10, 2023. Upon motion of Comm. Rogers, seconded by Comm. Teachenor, the Committee voted unanimously to approve the minutes of April 10, 2023.

5. Recognition of the Public.

Kevin Baigert of 424 AB Wade Road, Portland spoke in favor of Planning Commission resolutions, feels it is a good start.

Tracy Finegan of 737 Shun Pike, Cottontown asked the Committee to override the veto. She also spoke to previous flood events at the Draper House property.

Penny Wicker of 221 Bugg Hollow Road, Gallatin stated she would like more open and honest communication. Would like to know the vision for the rural areas.

Charlena Aumiller of 143 Ruland Circle, Hendersonville spoke against the County keeping the Draper House and is opposed to giving property to non-profit. She also spoke against override of veto. She also asked for the grant contract to be provided and back up information of costs.

Wayne Padgett of 279 Bursby Branch Road, Cottontown spoke in favor of the Mayor's veto.

6. Report of the Chairman. No report

7. Report of County Mayor. No report

8. Old Business.

- a. EMS Operations Resolution. – Removed from the agenda
- b. Approving oversight of Judicial Magistrate Program from County Mayor to County Law Director.

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

- c. Veto to override Resolution 2304-12 (attached).

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

Vice-Chairman Klein stated that based on the numbers he received from Finance Director David Lawing and Grants Administrator Kim Norfleet the cost difference is \$13,511.00 more if properties are removed from FEMA grants.

County Mayor John Isbell stated he looked at the projects separately.

After further discussion, Comm. Shoaf moved, seconded by Comm. Brown, to override the veto. The motion carried unanimously.

9. New Business.

- a. Veterans' service report (attached for info only). No action taken

Director of Veterans' Services Jeff Oakey gave brief overview of the attached Veterans' Service report and activities of the office.

- b. Resolution requesting that the General Assembly of the State of Tennessee preserve the fundamental right of Tennesseans to keep and bear arms (attached). - Moved to next month's meeting
- c. Resolution for the review of any county contracts \$1,000.00 or more (attached).

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

Comm. Shoaf moved, seconded by Comm. Brown, to approve.

Comm. Shoaf moved to amend to add or is price has not been indicated or in consideration not given and to add a clause at the end to intervene in any contract at the direction of the Legislative Body. Comm. Brown agreed to the amendment. The Committee voted unanimously to approve and forward to full Commission as amended.

10. Commission Recognition.

- a. Hayden Baker – Eagle Scout
- b. Honoring Chief Marty bowers for 30 years of service
- c. *Daniel Brooks*
- d. *Westmoreland Boys' basketball team*
- e. *Westmoreland Girls' basketball team*

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

11. Zoning.

- a. 257 Allen Road – Assignment of County Zoning to De-annexed Parcel – Sumner County is recommending a zoning classification of Rural Residential ® to subject property due to de-annexation from the City of Goodlettsville, Tennessee. Request is being made pursuant to Chapter 17, Section 1705 of the Sumner County Zoning Resolution. Subject property is located at 257 Allen Road, Goodlettsville, Tennessee, 37072, is Tax Map 139, Parcel 098.01, and contains 5.44 acres. Property is currently located in the City of Goodlettsville, but is set to be formally de-annexed effective 9/9/2023. First Reading.

Comm. Brown moved, seconded by Comm. Rogers, to suspend the rules to allow Development Services Director Josh Suddath to speak.

Mr. Suddath stated the City of Goodlettsville received a letter stating the states annexation policy wasn't followed several years ago. The City of Goodlettsville adopted a resolution to de-annex the parcel.

- b. Liberty Farm – Rezoning – Application is seeking a rezoning from Planned Unit Development (PUD) to Rural Residential (RR). Subject property is located at Liberty Lane and Upper Station Camp Creek Road, Gallatin, Tennessee, 37066, is Tax Map 124, Parcel 007.03, contains 23.59 acres and is zoned Planned Unit Development (PUD). This item was deferred at the March 28, 2023 Planning Commission meeting. First Reading.

- c. PC Resolution 2023-1 and PC Resolution 2023-02 – PC Resolution 223-01: Amending requirements at Chapter 4, Section 404 of the County Zoning Resolution related to Variable Lot Sizes. PC Resolution 2023-02: Amending requirements at Chapter 10, Section 1005 of the County Zoning Resolution related to Finished Floor Elevation (FFE) Provisions for Flood Hazard Reduction. First Reading.

Docketing purposes; no action needed.

12. Adjournment. Vice-Chairman Klein declared the meeting adjourned at 6:25 p.m. upon motion of Comm. Teachenor, and seconded by Comm. Shoaf.

Prepared by Jennifer Mitchell

WESTLAW CLASSIC

NOTES OF DECISIONS (1)

Veto powers

West's Tennessee Code Annotated
Title 5. Counties

§ 5-6-107. Powers; veto

TN ST § 5-6-107 West's Tennessee Code Annotated Title 5. Counties Effective: July 10, 2015 (Approx. 2 pages)

Effective: July 10, 2015

T. C. A. § 5-6-107

§ 5-6-107. Powers; veto

Currentness

(a)(1) The county mayor has the power of veto with respect to resolutions of the county legislative body.

(2) Such veto shall apply only to legislative resolutions and shall not apply to resolutions in which the legislative body is exercising administrative or appellate authority.

(b)(1) Every resolution shall be submitted to the county mayor.

(2) If the county mayor signs it, the resolution shall become effective immediately or at a later date if the resolution so provides.

(3) If the county mayor vetoes the resolution, the county mayor shall return it to the county legislative body for action on the county mayor's veto, in which case it shall become effective only upon subsequent passage by a majority of all the members comprising the county legislative body.

(4) Such passage must take place within twenty (20) days of receiving the county mayor's message of veto or at the next regular meeting of the county legislative body, whichever is later.

(5) If the county mayor fails either to sign or to veto a resolution and to report the county mayor's action to the county legislative body within ten (10) days after the resolution is submitted to the county mayor, the resolution shall become effective without the county mayor's signature upon the expiration of the ten-day period or at a later date if the resolution so provides.

(c) The veto may not be exercised with respect to specific items or parts of items in the annual county budget, and may only be exercised with respect to the whole.

(d)(1) This section shall not be applicable to counties of Class 1 as established by § 8-24-101, that have comparable provisions in special or private acts establishing a veto power in the county mayor.

(2) This section shall not be applicable in any county in which the county mayor is elected as chair of the county legislative body as provided in § 5-5-103.

(3) This section shall be applicable in counties having a population of not less than twelve thousand three hundred fifty (12,350) nor more than twelve thousand three hundred

seventy-five (12,375), by the federal census of 1970 or any subsequent federal census.

(4) This section shall be applicable in counties having a population of not less than thirty-eight thousand eight hundred (38,800) nor more than thirty-eight thousand nine hundred (38,900), by the federal census of 1970 or any subsequent federal census.

Credits

1978 Pub.Acts, c. 934, § 18; 1979 Pub.Acts, c. 53, § 2; 1988 Pub.Acts, c. 981, § 1.

Formerly § 5-607.

Notes of Decisions (1)

T. C. A. § 5-6-107, TN ST § 5-6-107

Current with laws from the 2023 Regular Sess. of the 113th Tennessee General Assembly. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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**A RESOLUTION APPROVING THE OVERSIGHT OF THE JUDICIAL
MAGISTRATES PROGRAM FROM COUNTY MAYOR TO COUNTY LAW
DIRECTOR**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of May 2023, that this body hereby approves the oversight of the judicial magistrate program from the County Mayor to the County Law Director.

Kew BARGE 424 ADA WADE RD
Tracy Finegan ~~415~~ 737 Sun Pice

Penny Wick 221 Buss Hill Rd

Charlene Ann Miller 143 Ruland Cir

Wayne ~~Brian~~ Padgett Cotentown 279 Bursley
Branch
Road