

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

August 30, 2012

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Gary Farley
Commissioner Trey Gooch
Commissioner Jeff Jordan
Commissioner Allen McAdoo
Commissioner Steve Sandlin
Commissioner Adam Coggin, C

OTHERS PRESENT:

Ernest Burgess Lisa Nolen
Sonya Stephenson Lisa Crowell
Jason Mathis Carol Cook
Steve Schroeder Susan Allen
Becky Shelton

Chairman Coggin presided and called the meeting to order at 5:30 p.m. with all members being present at that time.

MINUTES:

"Commissioner Gooch moved, seconded by Commissioner Sandlin, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

FILL TWO VACANCIES ON CODES ENFORCEMENT ADJUSTMENTS & APPEALS BOARD:

Chairman Coggin advised applications had been received from Kenneth Bumpas and Daryl Alexander for appointment to the Codes Enforcement Adjustments & Appeals Board. Following review,

"Commissioner Farley moved, seconded by Commissioner Sandlin, to recommend appointment of Kenneth Bumpas and Daryl Alexander to the Codes Enforcement Adjustments & Appeals Board. This motion passed unanimously by acclamation."

FILL VACANCY ON ROAD BOARD AND SCHOOL BOARD ZONES COMMITTEE:

Chairman Coggin advised no applications had been received for the citizen at large position on the Road Board and School Board Zones Committee so the vacancy was being announced again. Commissioner Farley questioned if no one applied then what would the status of the Committee be. Chairman Coggin advised he thought it would just be announced again. Commissioner Farley questioned if no one applied would there be a problem with Coy Young staying on the Committee and Mayor Burgess advised he preferred finding someone to serve as the Committee was not to start until fully staffed. Chairman Coggin will see if he can find an applicant and will research as to proceeding.

FILL VACANCY ON BEER BOARD:

Chairman Coggin advised applications had been received from Jason Mathis and Michael V. Anderson for appointment to the Beer Board to fill the unexpired term of David Nipper. The Committee was advised Mr. Anderson was unable to attend the meeting. Mr. Mathis was in attendance and addressed the Committee regarding his desire to serve on the Beer Board and his current job with the Rutherford County Special Enforcement Bureau which does stings and investigations of convenience stores. Commissioner Gooch questioned if the Beer Board position would be a conflict of interest with Mr. Mathis' position at the Sheriff's Department doing investigations including the sale of synthetics at markets. Mr. Mathis advised he had received no clear answer from the County Attorney's Office. Mayor Burgess advised he felt Mr. Mathis could recuse himself if he had been involved in any investigations and the Board does have two alternates. Commissioner McAdoo advised he wanted a legal opinion from the County Attorney on the potential conflict of interest. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner

Black, to recommend Michael V. Anderson for appointment to the Beer Board. This motion passed by acclamation with Commissioners Gooch and Farley voting "no".

Mr. Mathis was encouraged to apply for future vacancies on the Beer Board.

"Commissioner Sandlin moved, seconded by Commissioner Black, to request a legal opinion from the County Attorney on any conflict of interest with Jason Mathis' position at the Sheriff's Department if appointed to the Beer Board. This motion passed unanimously by acclamation."

ANNOUNCE TWO VACANCIES ON BEER BOARD:

Chairman Coggin advised the positions of William Murray and Keith Bratcher on the Beer Board were expiring and accordingly being announced.

ANNOUNCE THE VACANCIES ON THE AUDIT COMMITTEE OF THE SCHOOL BOARD REPRESENTATIVE, ROAD BOARD REPRESENTATIVE AND CITIZEN:

Chairman Coggin advised the positions of School Board representative Wayne Blair, Road Board Representative Keith Bratcher and citizen Jason King on the Audit Committee were expiring and accordingly being announced. The terms for the School Board and Road Board representatives are two years and the citizen is four years.

ANNOUNCE THREE VACANCIES ON BOARD OF ZONING APPEALS:

Chairman Coggin advised the terms of Jerry Sartain, Alternate Michael Wrather and Alternate Jared Barrett on the Board of Zoning Appeals were expiring and accordingly being announced.

2012/13 STANDING COMMITTEES:

Chairman Coggin presented a proposal for the 12/13 standing committees wherein twenty-one Commissioners received their first choice and nineteen Commissioners received their second choice. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner J. Jordan, to approve the 2012/13 standing committees as presented. This motion passed unanimously by acclamation."

DEPUTY TO THE MAYOR:

HR Director Sonya Stephenson presented a proposed Resolution and amended job description for the use and information of the Committee advising the same resulted from discussion at the last meeting and phone calls received since. The Committee was advised as it has not been the practice for Steering Committee to confirm employees hired by the Mayor in the past this employment will only be confirmed at the Commission as a courtesy. The position will be posted using Channel 19, County HR website, Tennessee Career Center, MTSU Career Center, Daily News Journal and Murfreesboro Post. The interview committee shall consist of the Mayor, Finance Director and HR Director and a member of the Steering Committee if desired. The Committee discussed whether to have a member on the interview committee.

The Committee again questioned if the Commission does not confirm the choice of the Mayor what would happen. Commissioner J. Jordan advised he was confident in the Mayor. Commissioner Sandlin advised this was setting precedent for the future. Ms. Stephenson advised department heads reporting directly to the Mayor are not confirmed and the Commission could eliminate the position from the budget. There is no job protection for this employee because with any change of County Mayors in an election, the new Mayor may want a different person. There is no severance package with the position and there is no transition period. Tennessee is an at will state with no

implied term of employment. Each new Mayor could employ their own deputy of their choosing.

Commissioner Gooch advised it is the Mayor's decision on who to hire and not necessarily the business of Commissioners. Commissioner J. Jordan advised it would be dumb to not hire the best person possible. The Committee was advised the confirmation is a courtesy but it could raise questions in the future. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Gooch, to approve the Resolution as presented with the deletion of "with confirmation to the Board of Commissioners," in the first paragraph. This motion passed by acclamation with Commissioners Sandlin and Black voting "no"."

Commissioner Sandlin advised he did not like the change and thought the Mayor would want the Commission to stand behind him. Mayor Burgess advised the Governor does not get legislative approval of his deputies nor does the Sheriff have to have approval of his chief deputy.

"Commissioner J. Jordan moved, seconded by Commissioner Gooch, to recommend the Chairman of Steering Committee serve on the Interview Committee. This motion passed unanimously by acclamation."

Commissioner McAdoo advised the Deputy to the Mayor was started with discussion regarding an in-house attorney and he questioned if the County would still be hiring an attorney. Chairman Coggin advised the Legal Services Agreement is for two years and can be renewed. Commissioner Farley advised these are two separate issues and the deputy is to help the Mayor with day to day issues. Mayor Burgess advised there is no intention for the deputy to be part of any in-house county attorney office and the County Attorney is off the table unless brought up.

Mayor Burgess next advised he had a problem with the title being Deputy Mayor and thought the title should be Deputy to the Mayor. The position does not take over in the event of the Mayor's incapacity and is just to help with day to day operations.

NEW BUSINESS:

The Committee next discussed instituting a time limit for public comments at public hearings. Commissioner Sandlin advised the Planning Commission implemented a three minute time limit and then anyone wanting to speak can do so after everyone has spoken once or if there is a representative for a group that representative can have a longer time. Commissioner Farley questioned if that shut down comments after inviting the public to attend and speak. Chairman Coggin advised the rules can always be suspended. This will be put on the next agenda.

Commissioner J. Jordan next questioned if there was a policy in place regarding notification and ask if this could be put on the next agenda.

Commissioner Black next brought up the issue of an elected official not being on the Board of Zoning Appeals. With the new plan the BZA may become more important to rural Commissioners. Commissioner Black felt this needed to be looked into. Commissioner McAdoo advised Commissioners previously served on the BZA and this may need to be researched on why Commissioners were removed. Mayor Burgess advised the BZA is authorized by State statute and he would get some information together.

"Commissioner Black moved, seconded by Commissioner Sandlin, to request a legal opinion regarding the BZA, length of terms, composition, etc. This motion passed unanimously by acclamation."

There appearing to be no further business to come before

the Committee, Chairman Coggin declared the meeting adjourned at 6:42 p.m.

ADAM COGGIN, Chairman