

RULES AND LEGISLATIVE COMMITTEE

Minutes for Dec. 18, 2018
3rd Floor Bedford County Courthouse at 5:00 PM



Present: Chairman Biff Farrar; Commissioners Ed Castleman, Jimmy Patterson, Greg Vick, Anita Epperson

Absent: None

Others Present: Mayor Chad Graham; Mayor's Exec Asst, Liz Barnett; Finance Director, Robert Daniel; County Commissioners: Sylvia Pinson, Mark Thomas, Linda Yockey, John Brown, Bill Anderson, Julie Sanders, Don Gallagher, Brent Smith, Chasity Gunn, Jeff Sweeney, Janice Brothers; BCSD Jail Director, Mary West; Times Gazette Reporter, John Carney; IT Director, Josh Carney; Probation Director, Joyce Reed; Juvenile Director, Cynthia West; BCFD, Brian Cantrell; e-911 Director, Phillip Noel; Asst Fire Chief, Brian Cantrell; Sheriff, Austin Swing; Workhouse, Ronnie Prince; Archives, Anna Frazier; Zoning Director, Chris White; Hwy Super, Stanley Smotherman; EMA Director, Scott Johnson; City Manager, Shanna Boyette; Other guests: Jay Graham, John Anderson, 4 others.

1. **Call the meeting to order:** Chairman Biff Farrar, 5:00 PM
2. **Roll Call:** All committee members present
3. **Prayer:** Chairman Biff Farrar
4. **Approval of Nov. 20, 2018 Rules and Legislative Committee minutes** – Motion made to approve, (Castleman, Patterson) unanimous.
5. **Consideration of placing the approval Commission minutes on Dec. 11, 2018, County Commission Agenda** – Motion made to place items on county commission agenda, (Epperson without recommendation, Castleman) unanimous.
6. **Consideration of placing the notary applicants on the Feb. 12, 2019, County Commission agenda as requested by County Clerk, Donna Thomas** – Motion made to approve, (Epperson, Vick) unanimous.
7. **Veterans Officer Report** – Reports distributed out prior to the meeting. Motion made to approve report, (Patterson, Castleman) unanimous.
8. **Community Clinic Report** – FYI. No approval needed.
9. **Ag Center Report** – Included in packet. Commissioner Bill Anderson is the new Chairman for this Committee.
10. **OLD BUSINESS**
 - a) **Guidelines for Naming County Buildings** – Commissioner Vick moved to accept; Epperson seconded. Will send to the full Commission for January meeting.
 - b) **Beer Permit Review** – Application revision being worked on by Beer Board, Commissioner Brent Smith, Zoning Director Chris White. Smith elaborated on permit/application process; he stated the revision included common sense changes. Establishments applying for a permit must

be 2,000' from churches & schools; must be 300; from neighboring residential dwellings. Distance requirement is from building-to-building, not property line-to-property line. Existing permits are grandfathered & not affected by this revision. The new process puts the onus on the applicant.

Commissioner Pinson asked if the TBI background check goes beyond the State of TN. Smith commented that criminal background checks are normally done nationwide.

Commissioner Yockey has no opposition to proposed revision, but wants to ensure the Beer Board is kept in the loop & their input is also considered. Smith did discuss this with the Beer Board & their Chair, Troy Thompson, is in full support of the revisions being proposed.

Commissioner & Fire Chief, Mark Thomas, asked that appropriate measures be taken to ensure emergency vehicles have access to these locations. One way or dead-end roads that might allow for fire trucks to get to the emergency very well may not have a way out or room to turnaround. These consideration should be included in the amendment to the new application process.

Commissioner Smith asked who polices the issue when someone is operating without a beer license? City Manager, Shanna Boyette, answered TN Dept of Revenue is over this; it's at the State level

Attendee John Anderson asked if these proposed revisions will be avail to the public prior to becoming official? Commissioner Vick admitted that there will be plenty of time for review from this Committee meeting up until this proposal goes in front of the Commission in January.

Commissioner Thomas asked what happens when the property owner is not the one with the beer license? Commissioner Epperson said the revision states that the owner must sign/acknowledge the license is being applied for. City Manager, Boyette, contributed that the City application includes the question, "Are you the owner of the property where beer sales will take place?" If the answer is "no", then the applicant must get written notification from the property owner acknowledging awareness & submit that with the application.

Commissioner Sweeney asked who enforces the rules? Once the revision is approved & we have all these great new rules, if someone falls out of compliance &/or violates procedure, who polices that, who enforces it, who follows up on complaints?

Family member of Ms. King raised concerns about another event taking place this Saturday at the Anderton Road facility. Asked if he was the only one there that cared about the fact that another fatality could happen this weekend if the facility isn't shut down. What admits we're trying to fix the future & that we recognize there are holes in the system, which we're trying to fix. Smith asked the Sheriff how complaints would be investigated, would more law enforcement be avail? Back to Sweeney's original question – What's the chain of command? Who will be responsible to deal with the issues & complaints? Whose budget has the funding for this? Family member asked, is there anything that can be done to put a hold on things to avoid the event this Saturday?

Commissioner Epperson reads a letter from the Sheriff's office including complaints/citations/arrests, etc. handled by the Sheriff's office in regards to the facility on Anderton Road. Once the Beer Board submits info to Circuit Court Clerk's office, the court can handle the situation, begin the process of pulling the license. Epperson also read a letter from Beer Board Chairman, Troy Thompson, regarding the Board's lack of budget, official permits & application forms as opposed to copies of copies, booklets/brochures of CTAS rules for permits

of State & local laws, signage for the location applying for a permit (an additional way to notify neighbors). Mayor Graham added that he reached out to Thompson to fulfill his requests but asked him to hold off until the new process was approved. Vick clarified with Smith the desire to defer this for 30 days so the new process & amendments mentioned tonight could be reviewed by all parties involved. Mayor mentioned forming a Study Committee so this topic could be the main focus & not have to worry about other Committee meetings following this one.

Chairman Farrar confirmed the Committee has no power to shutdown the event taking place this weekend. However, also noted that so many people are aware that there will be an increased presence of law enforcement. Vick: The Beer Board has the authority to suspend & revoke licenses but must follow the process. King family member: Can an ad-hoc meeting be called soon enough to affect this weekend's event at the Anderton Road facility? Farrar: No, we can't. Epperson: Special called meetings must have a 5-day notice.

King family friend: Even if their beer license is suspended, patrons are allowed to bring their own alcohol in. So what do you do if this continues, despite the fact they may be operating on a suspended or revoked license in the future?

King family member: In order for this facility to sell alcohol, they must have a business license. Does anyone know if they do or not? Smith: This was discussed earlier & this falls under the State's responsibility. TN Dept of Revenue.

Anderson: What about the gambling aspect going on at this facility? Gambling is illegal in TN. Vick: It's not illegal to race horses in TN, but it is illegal to bet on horse racing in TN. King family friend: The ISIS website (federal) has a page to report illegal gambling in TN.

Smith: Is this a federal, state, or local law enforcement issue?

Vick moved that the meeting returns to the agenda. Old Business.

- c) **Bedford County Farmers Market Task Force** – Commissioner Vick met with Ag Ext Agent, John Teague. They do an outstanding job & I in no way want to interfere with what they are doing or have done. The intent is not to duplicate the existing “farmers” market but to develop a concept of a “market street” or “main street” market. Move to defer for 30 days to collect additional comments. Commissioner Yockey: And change the name. Vick: Agreed. Farrar: Visited with Teague as well. He's over the Farmer's Market & it's UT Extension Service Agency & the State. The Farmers Market does have a webpage: <https://extension.tennessee.edu/Bedford/Pages/Farmers-Market.aspx>
Has a Facebook page as well: <https://www.facebook.com/Bedford-County-Farmers-Market-973801912780075/>
Bill Tune formerly of the Celebration leased the Farmer's Market pavilion to us for 99 years at \$1.00; called the Celebration Pavilion. All farmers must follow the TN Dept of Ag Rules & Guidelines, State Compliance Guidelines. It's a great idea to support agricultural products & tourism. Bedford County is positioned great for tourism in the southern TN area. Let's promote our community more, draw more attention to our unique city.

Vick motioned to defer 30 days, Epperson seconded, all agreed, unanimous.

11. NEW BUSINESS –

- a) **Highway Department – Smotherman:** Submitted the County Roads Listing that require annual approval. County maintains over 685 miles of roadways – county roads & highways.

Committee motioned to send to the January Commission, (Patterson, Vick), unanimous.

b) **Building Codes Revisions** – Planning Commission referred revisions back to the Rules & Leg Committee. Motion made to send to the Commission with favorable recommendation, (Vick, Castleman), unanimous.

12. ANNOUNCEMENTS – Commissioner Yockey reminded everyone to follow the proper procedures & bylaws when appointing members to Boards. Chairman Farrar reminded Commissioners about the Jan. 31st deadline to have your annual ethics letter turned into the State. Yockey asked Liz Barnett to remind Commissioner of this deadline.

13. ADJOURN: 6:10 PM (Vick, Patterson), unanimous.