

Cannon County,
Tennessee
Board of
Commissioners
Legislative Minutes

October 3, 2020

Call to Order - The meeting was called to order Saturday, October 3, 2020 in the courtroom of the Cannon County Courthouse.

Prayer and Pledge - Prayer was led by Commissioner Corey Davenport, Pledge was led by Commissioner Brent Brandon.

Roll Call - Present - Russell Reed, Corey Davenport, Karen Ashford (electronically), Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Absent - Jeannine Floyd.

Election of Chairman - Commissioner Corey Davenport nominated Commissioner Greg Mitchell and Commissioner Ronnie Mahaffey nominated County Executive Brent Bush. Voting for Greg Mitchell - Russell Reed, Corey Davenport, Karen Ashford, Greg Mitchell, Brent Brandon, Randy Gannon. Voting for Brent Bush - Jim Bush, Ronnie Mahaffey. Commissioner Greg Mitchell was voted as Chairman by a vote of 6 for, 2 against.

Election of Chairman Pro-Tem - Commissioner Randy Gannon nominated Commissioner Russell Reed for Chairman Pro-Tem. Commissioner Corey Davenport made a motion for nominations to cease. Motion was approved by All Ayes. Voting for Russell Reed - Corey Davenport, Karen Ashford, Greg Mitchell, Brent Brandon, Randy Gannon. Commissioner Russell Reed passed but then changed his vote to Reed. Commissioners Jim Bush and Ronnie Mahaffey passed resulting in a nay vote. Commissioner Russell Reed was voted as Chairman Pro-Tem by a vote of 6 for, 2 against.

Approve/Change Agenda - Item No. 16 Property Appraisal Cost Sharing to No. 8 and move item 14, Approve Governor's Support Grant to No. 13. Add resignation letters to Item C on the Consent Agenda. Commissioner Corey Davenport made a motion to approve changes to the agenda. Commissioner Randy Gannon seconded the motion. Motion was approved by a Voice Vote. There was a discussion about the Fire Dept selling two trucks and it was decided to put this on the November agenda.

Consent Agenda - Chairman Greg Mitchell read the resignation letters of Brenda Phillips that resigned from the Planning Commission and Chris Coats that resigned as the County Attorney. The notary applications to be approved are Chris Coats, Susan Melton, Lori Patterson, Melissa Markum. Commissioner Corey Davenport made a motion to approve the resignation letters, notaries, and minutes of the September meeting. The motion was seconded by Commissioner Randy Gannon. Motion was approved by a Voice Vote. Commissioner Jim Bush recommended that Brent Bush consider hiring an attorney out of the county.

Public Comment - Greg Johnson made a request that the County Commission inform the County Clerk to release the pending minutes of the county commissioners meetings. Commissioners were in agreement that the minutes are not official until approved by the County Commission. A motion was made by Commissioner Corey Davenport to leave it as is and only publish approved minutes. Commissioner Brent Brandon seconded the motion. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Motion was approved by a vote of 8-0.

Property Appraisal Cost Sharing/Cannon County & City of Woodbury - Chris Coats and Matt Cowen explained the agreement that both city and county attorneys had come to an agreement on. The agreement is basically the same as what is currently in place but under state law it has to be in writing. The city currently does what they call ESN100 which is the city limits of Woodbury. They also respond to ESN110 which is within a 5 mile radius of Woodbury. Mutual aid goes beyond the 5 mile radius and what that means is that if a county fire dept needs back up the city responds and if the city needs back up the county responds to aid. The only change in what they are currently doing is the incident commander and it states that wherever the location of the fire is, that the incident commander. Mr. Cowen said that this agreement has the approval of Mayor Duggin and is prepared to sign off on this if the Commission approves it. County Executive Brent Bush said the Property Assessor sends a bill to the County Executive's Office for the property appraisal of the Town of Woodbury. If there is no agreement in place then the Town of Woodbury is required to pay for the property appraisal. The cost of the appraisal is approximately \$13,000 every year. Mr. Cowen stated that last year the mutual aid cost that the city incurred was approximately \$30,000 and this agreement is favorable to the county as far as numbers go. The mutual aid from the county to the city was not available and Commissioner Jim Bush asked if this could be deferred until the next meeting when the numbers are available. Attorney Matt Cowen said that the city's position on this if it was not approved at this meeting they needed an invoice and would cut a check. Commissioner Randy Gannon made a motion to table this to our next meeting. Commissioner Corey Davenport seconded the motion. The motion was approved by a voice vote.

COVID 19 POLICY UPDATE- Financial Director Diane Hickman introduced Marissa Combs, an attorney for Five Points Benefits Solutions. Five Points Benefits Solution was brought in by Diane Hickman and Brent Bush to help with benefits and HR in December. Ms. Combs discussed the memo from the Comptroller that stated that the county should adopt a policy on how to handle paying employees in the event of a shut down. Without a policy in place it could result in an audit finding. This resolution also covers hazardous weather, a public health emergency or any other emergency that presents a threat to the safety of the public. Commissioner Corey Davenport questioned the wording that authorizes the County Executive to designate certain employees essential when each office is in control of their own office. Ms. Combs said that would be an easy amendment to make and the wording could read County

Executive or Department Head. This resolution becomes effective March 1, 2020 and will not expire. Commissioner Corey Davenport made a motion to approve the resolution with the amendments that were approved here. Commissioner Randy Gannon seconded the motion. The amended copy with changes will be provided in the minutes to review at the next meeting. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, and Ronnie Mahaffey. Motion was approved by a vote of 8-0. The second Resolution 2020-10 explained by Ms. Combs deals with what happens after reopening. This is a Federal Law and the local government has no ability to disagree with this law. For audit purposes you still need a Comptroller authorization. The County has implemented and followed the Families First Coronavirus Response Act (FFCRA) since it was signed into law on April 1, 2020 but to survive an audit finding there needs to be an authorization by the funding body. Ms. Combs stated the only discretionary part of this resolution is the Emergency responders are eligible for FFCRA paid leave. Under this act the County must provide two new paid leave types to their employees: Emergency Paid Sick Leave (EPSL) and Expanded Family and Medical Leave (FMLA). If adopted the policy shall become effective April 1, 2020 until December 31, 2020 to coincide with FFCRA. Ms. Combs explained that this is not optional that if not followed you could expose the County to liability and Dept. of Labor will come in and assess penalties. FFCRA outlines six qualifying reasons the employee may be eligible for these new paid leaves.

1. The employee is subject to quarantine or isolation order related to Covid-19.
 2. has been advised by a health care provider to self quarantine related to Covid-19.
 3. is experiencing Covid-19 symptoms and is seeking medical diagnosis.
 4. is caring for an individual subject to an order described in (1) or self quarantine as described in (2).
 5. is caring for a child whose school or place of care is closed for reasons related to Covid-19.
 6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services..
- Reasons 1-3 are paid for 80 hours at 100%, of the employee's calculated regular pay with the exception of 120 hours for EMS employees . Reasons 4-6 are for up to 80 hours at $\frac{2}{3}$ of the employee's calculated regular rate of pay. FMLA+ is a new paid leave for employees that are caring for a child whose school or place of care is closed due to Covid-19 this is paid at $\frac{2}{3}$ the employee's regular rate of pay for up to 12 weeks. The law prohibits the employer to require the employee to use their existing leave first. This can only be used if the employee has not used FMLA in the last 12 months. Commissioner Corey Davenport made a motion to approve as written. Motion was seconded by Commissioner Brent Brandon. Commissioner Ronnie Mahaffey questioned if the employee did not miss any wages did that employee qualify for Covid related pay? Ms. Combs answered if that employee was diverted from their regular job to do a Covid related job such as taking temperatures that could be reimbursed to the county. The employee will never exceed their normal salary. It will be considered required leave time that the county is required to pay in accordance with the law and there will be a cap on it. Ms. Combs also explained that there are certain requirements and rules

and that they have changed a couple of times. When the county submits an application they will either say it is Covid related or not and her advice to all districts is to document what you can and submit more than your cap because if groups leave it on the table they will reallocate those funds. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon. Voting Nay: Ronnie Mahaffey Motion was passed by a vote of 7 for 1 against.

A.D.A. Website Update - Rachel Baker spoke about how the website should be a communication tool, directory, archive, resource for the latest updated information, it should be updated daily and ADA compliant. One of the things that have been looked at is purchasing our own managed server. This would allow the county to have ownership of the emails, root access, updates, backups. The managed server services provide 24/7/365 administrative services, security monitoring, hardware and software patching, updating and replacing. We will be able to store all audio and video from meetings so they are archived. The .gov has already been applied for and once we get that we can purchase a server and the cost of that is \$1,200 a year and \$1,500 for additional software. The website will be finished by the 12-31-20 deadline.

Veterans Service Office Update - Rachel Baker gave a six month update on the Veteran's Service Office. The responsibility of the VSO is to assist veterans and dependents in applying for available federal benefits from the VARO. The VSO completes applications, research medical conditions and obtain medical records, financial information, file applications for GI Bill, contacts survivors of deceased veterans in obtaining death benefits, assisting veterans on government life insurance, and other veteran benefits. Ms. Baker explained the room for growth and future goals.

Old Business - Greenbelt will be put on the November agenda.

Approve Loans Payoff - Resolution BA20/21-3 is to pay off principal on notes \$176,300.00. To pay off these notes early will save \$13,164.03 in interest and will be taken from debt service. A motion was made by Commissioner Corey Davenport, seconded by Commissioner Russell Reed to pay both loans off early. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Motion passed by a vote of 8 for, 0 against.

Approve Governor's Support Grant Expenditures - There was discussion on the items listed approved by the Budget Committee. Commissioner Ronnie Mahaffey questioned the urgency of spending this money before the ADA requirements have been met. County Executive Brent Bush stated that the ADA website, Transition Plan, and Fire code compliance is the most urgent. Commissioner Jim Bush questioned if the Ambulance Dept had a Capital Outlay for new

ambulances. Commissioner Brent Brandon confirmed that the 2 pennies were taken out of their budget last year and there is no Capital Outlay. Commissioner Randy Gannon made the comment that the Sheriff's Dept needed safe vehicles to ride in. Commissioner Randy Gannon made a motion to approve item (8) ADA website in the amount of \$5,000, (10) Fire Marshall required repairs at the old hospital in the amount of \$45,000, (23) ADA Transition Plan in the amount of \$15,000. Commissioner Corey Davenport seconded the motion. Voting Aye: Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Voting Nay: Russell Reed Motion was approved by a vote of 7 for 1 against. Commissioner Randy Gannon moved to approve item (21) Extension Office for computers in the amount of \$2,165. Motion was seconded by Commissioner Corey Davenport. Voting Aye: Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon. Voting Nay: Russell Reed, Ronnie Mahaffey. Motion was approved by a vote of 6 for, 2 against.

Commissioner Karen Ashford made a motion to approve item (15) Ambulance Service purchase of a new ambulance in the amount of \$114,972. Motion was seconded by Commissioner Brent Brandon. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Greg Mitchell, Brent Brandon, Randy Gannon. Voting Nay: Jim Bush, Ronnie Mahaffey. Motion was approved by a vote of 6 for, 2 against.

Commissioner Russell Reed made a motion to approve item (17) Sheriff Dept. for the purchase of 3 new vehicles in the amount of \$100,000. Motion was seconded by Commissioner Karen Ashford. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Greg Mitchell, Brent Brandon, Randy Gannon. Voting Nay: Jim Bush, Ronnie Mahaffey. Motion was approved by a vote of 6 for, 2 against.

Budget Amendments -

County General Fund - Resolution BA20/21-2 with approximately \$25,000 coming from fund balance. County Buildings - \$2,553.00, Trustee - \$3,041.00, Data Processing - \$7,347.00 with \$5,000 coming from Governor's Support Grant, Juvenile Court - \$384.00, Probation Office - \$634.00, Veteran's Office - \$3,600.00, Barrett Group - \$14,112.00. A motion was made by Commissioner Jim Bush to approve Resolution BA 20/21 County General. Motion was seconded by Commissioner Corey Davenport. Voting Aye: Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon. Voting Nay: Russell Reed, Randy Gannon, Ronnie Mahaffey.

Debt Service - Resolution BA20/21-3 Commissioner Jim Bush made a motion to approve the early payoff of the loans in the amount of \$176,300.00. Motion was seconded by Commissioner Randy Gannon. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Motion was approved by a vote of 8 for, 0 against.

Discussion / Change on Barrett Resolution 2020-8 - A motion was made by Commissioner Corey Davenport to approve Resolution 2020-8 to Re-Enact the Litigation Taxes for General Sessions Court as written with management oversight by Financial Management.. Commissioner Ronnie Mahaffey seconded the motion. Voting Aye: Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Voting Nay: Russell Reed. Motion was approved by a vote of 7 for 1 against.

Volunteer Firefighter (1) Free License Plate - A motion was made by Commissioner Corey Davenport to waive the \$50.25 wheel tax for volunteer firefighters that meet requirements for the one free plate. That is one free plate and wheel tax per family. Motion was seconded by Commissioner Brent Brandon. Voting Aye: Corey Davenport, Karen Ashford, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Voting Nay: Russell Reed, Jim Bush. Motion was approved by a vote of 6 for 2 against.

Approve 2020/2021 Committee's List - A motion to approve the 2020/2021 Committee's List was made by Commissioner Jim Bush. In discussion it was decided to wait to add an additional member to the Beer Board until November. There was an error on the Local Emergency Planning Committee and Joint Economic and Community Development Board that John Barker is being replaced by Kevin Lee. Commissioner Ronnie Mahaffey expressed concerns with Nathan Luna being Chairman of the Zoning and Appeals Committee due to him representing Pemberton Trucking in the lawsuit against the county. It was decided to not approve the Zoning and Appeals Committee until November and Commissioner Ronnie Mahaffey had requested to be added to the Budget Committee and for that committee to be voted on separately. Commissioner Jim Bush rescinded his previous motion. A new motion was made by Commissioner Jim Bush to leave off the Zoning and Appeals Committee until we get information from Nathan Luna on where he stands with the lawsuit and vote on the Budget Committee separately. Commissioner Randy Gannon seconded his motion. Voting Aye: Corey Davenport, Karen Ashford, Jim Bush, Greg Mitchell, Brent Brandon, Randy Gannon, Ronnie Mahaffey. Voting Nay: Russell Reed. Motion carried by a vote of 7 for, 1 against.

Budget Committee - There was a lack of motion to add Ronnie Mahaffey to the Budget Committee. Commissioner Russell Reed made a motion to leave the Budget Committee as it stands. Commissioner Randy Gannon seconded the motion. Voting Aye: Russell Reed, Corey Davenport, Karen Ashford, Greg Mitchell, Brent Brandon, Randy Gannon. Voting Nay: Jim Bush, Ronnie Mahaffey. Motion was approved by a vote of 6 for, 2 against.

Adjourn - A motion to adjourn was made by Commissioner Randy Gannon, seconded by Commissioner Corey Davenport. Meeting adjourned at 1:15 p.m.