

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT

STEERING COMMITTEE

Lonnie Taylor, Chair
T Bubba Gregory, Pro Temp
Beverly Atwood, Secretary

Landon Gulley
Lesley Overman

Amber Russell
David Thomas

MARCH 4, 2025 | 6:00 PM | TC COMMUNITY CENTER

AGENDA

1. Open Meeting
2. Review minutes from February 4, 2025
3. **Status of Previous Items**
 - A. Impact Fee
 - B. Other
4. **Items of Consideration**
 - A. Upcoming Budget
 - B. Jefferson County Resolution Consideration
 - C. Other
5. Other Discussion
6. Public Comment
7. Adjourn

If you are unable to attend, make arrangements with your committee's Vice Chair
Vice Chairs: Alan Carman, Will Dennis, Bubba Gregory, Judy Kerr, Lonnie Taylor, and Steve Whittaker

HARTSVILLE/TROUSDALE STEERING COMMITTEE REGULAR MEETING

Meeting Minutes

February 4, 2025 - 6:00 P.M. – Trousdale County Mayor's Office

Present: Lonnie Taylor, t. Bubba Gregory, Beverly Atwood, Landon Gulley, Lesley Overman and Alan Carman

Absent: Mark Presley, Amber Russell and David Thomas

Meeting Called to order by Lonnie Taylor, Chair

Approval of Minutes – **Motion by Gregory and seconded by Overman. All in favor.**

Status of Previous Items

Jake Brake Ordinance (First Response Services) No representative in attendance. Sheriff covered at commission meeting. Motion by Gregory and seconded by Gulley to send back to the First Response services for clarity. All in favor.

Surplus Vehicles (First Response Services) Two police cars wanting to surplus to Blount County. Blount County doesn't charge us for training services, and this would help them out as they do us. Motion by Gregory and seconded by Gulley to proceed. All in favor.

*** Found after Steering Committee meeting that these two items had been recommended to the full Commission by the First Response Committee at their January 27th meeting.*

Impact Fees (Budget & Finance) Lonnie's has received an email from Bellar on a request to maybe do a flat percentage. Gulley stated budget and finance made a motion of recommendation that any increase beyond \$1500.00 goes to the 171 funds. May need to get some clarity from the IDP clause of the PILOT payment in lieu of taxes. Motion by Gulley and seconded by Overman to go back to the Codes and Zoning for the recommendation from Budget and Finance and the review of the IDP pieces that may be involved with pilot program.

Other Overman it has been suggested that the Personnel Committee look at the pay for administrative days for inclement of weather. Ambulance services have requested to go back 11 years retroactive. Mr. Bellar is reviewing verbiage. They are awaiting recommendations from MTAS before scheduling the next meeting. They are requesting additional members be added to the committee. It may be best to adopt the Metro Government Personnel Policies. There are some gray areas that are creating some problems with the policies at hand. MTAS is willing to assist with this at no charge.

Audit Committee will meet February 20th @ 6 pm at the mayors' office. This meeting is to discuss 3 findings from the Comptrollers Audit, one being a repeat finding from the Water Department.

Park and Recreation will meet February 11th at 6 pm at the Community Center.

Public Works will meet February 11th at 7 pm at the Community Center. Awaiting on Caterpillar quote for generator. Carman is looking at the electrical draw through Tri County.

Items of Consideration

Location of Meetings Gulley has a concern of the location of meetings in regard to public attendance and videoing and non-live streaming. Believes meetings should be at the community center or the courthouse. The mayor's office is not easy to access due to parking in the back and not visible.

Other Discussion

Jail – To build the new jail building you are looking at about a .60 cent property increase with no way to fund. Core Civic Prison contract expires this year and may want to look at a sub committee to make revisions to the new contract. Lonnie is looking at some outside the box ideas to possibly help with this funding – gathering information now.

Wheel tax – have 2 years until referendum or could call a special election.

Budget – Getting close to Budget season. We need to look at the retention of employees and review the county zoning maps. Highly recommended by Gulley.

Codes and Zoning – Revised Codes and Zoning ordinances are being finalized. Looking at taking apart by chapters may need to have a sub committee to review items coming from Rick Gregory. We don't need this come as a lump sum as many items may get overlooked.

Public Comment None

Adjourn Made by Gulley and seconded by Overman. All in favor

Minutes Submitted by Committee Secretary Beverly Atwood

Provided by County Clerk Rita Crowder. Documents were forwarded to her for Commission consideration.

All,

The Jefferson County Commission passed Resolution 2025-11 related to property rights. At their request (Section 2), I am forwarding this resolution (attached) to you to request that you forward it to your respective County Legislative Bodies for their consideration of passing a sister resolution. If they have any questions related to this resolution, they may contact the Jefferson County Mayor's Office at 865-397-3800.

**JEFFERSON COUNTY, TENNESSEE
BOARD OF COMMISSIONERS**

RESOLUTION 2025-11

**A RESOLUTION RECOMMENDING THE GENERAL ASSEMBLY OF THE STATE OF
TENNESSEE PROTECT PRIVATE PROPERTY RIGHTS BY MAKING OR AMENDING LAW
TO LIMIT THE POWER OF EMINENT DOMAIN**

Sponsor: Terry Dockery

Co-sponsors: Janet Norton, Austin Brooks, Marcus Reed, Jimmy Dale Patterson, Joe Coleman, Greg Byrd, Rob Blevins, Paul Lowe, Jimmy Carmichael, Ronnie Coleman, A.J. Walker, Katy Huffaker, Randy Bales, Sammy Solomon, John Johnson, James Snodgrass, John Neal Scarlett, and Ransom Douglas

WHEREAS, property rights are the foundation of our capitalist economic system in the United States of America and are worthy of enhanced protections under Tennessee law; and

WHEREAS, the broad definition of “blighted areas” under T.C.A. § 13-20-201 place non-blighted, well-kept, code compliant property at risk of condemnation by housing authorities within redevelopment areas for private economic development, private gain, and private benefit; and

WHEREAS, certain non-blighted, well-kept, code compliant private property(s) that may exist within a “blighted area” as defined by T.C.A. § 13-20-201, are at risk of taking by eminent domain proceedings for private economic development, private use, and private benefit under T.C.A. § 29-17-102 (2) (c); and

WHEREAS, abandoning the “area” definition of blight and replacing it with a property-by-property definition of blight would protect the owners of non-blighted, well-kept, code compliant property from eminent domain proceedings; and

WHEREAS, narrowing the definition of blight, abandoning the “area” definition of blight, under T.C.A. § 13-20-201, and further enhancing the due process provisions of state law for property takings would protect property owners in the state of Tennessee from eminent domain proceedings.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Jefferson, County Tennessee, meeting on this 21st day of January 2025, as follows:

SECTION 1: That the General Assembly of the State of Tennessee is urged to enact proposed legislation HB0444/SB480 or similar language, titled and otherwise cited as the **Tennessee Property Rights Protection Act**, attached hereto as **Exhibit A**.

SECTION 2: That upon approval and signing of this resolution, a copy be transmitted by the County Clerk to the State Representatives and State Senator that represent Jefferson County, Tennessee and to the Tennessee Association of County Clerks with a cover letter requesting that a copy of this resolution be transmitted to other county legislative bodies in Tennessee for consideration.

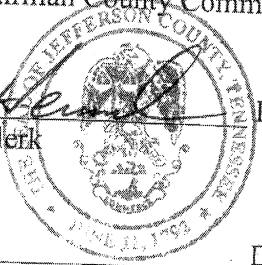
NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Jefferson County, Tennessee, meeting in regular session on the 21 day of January, 2025, as follows:

Date Received by County Mayor: 1-29-2025

Votes: Yes: 16 No: 1 Abstain: 0 Absent: 4

Approved: [Signature] Date: 1/29/25
James E. Carmichael-Chairman County Commission

Attest: [Signature] Date: 1-29-25
Frank Herndon-County Clerk



Approved [Signature] Date: 1-29-25
Mark Potts-County Mayor

Vetoed: _____ Date: _____
Mark Potts-County Mayor

Veto Override:

Votes: Yes: _____ No: _____ Abstain: _____ Absent: _____

Veto Override: _____ Date: _____
James E. Carmichael-Chairman County Commission

SENATE BILL 480
By Bowling

HOUSE BILL 444

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 13,
Chapter 20; Title 13, Chapter 21 and Title 29,
Chapter 17, relative to housing authorities.

WHEREAS, the General Assembly expressed the need to protect private property from eminent domain in Public Chapter 863 in 2006 with the following statement: "It is the intent of the general assembly that the power of eminent domain shall be used sparingly, and that laws permitting the use of eminent domain shall be narrowly construed so as not to enlarge by inference or inadvertently the power of eminent domain."; and

WHEREAS, under Tennessee Code Annotated, Section 13-20-201, the broad definition of "blighted areas" places non-blighted real property at risk of acquisition by eminent domain because "blighted areas" may contain individual properties that do not meet the definition of "blighted areas" under such statute; and

WHEREAS, this act deletes the "blighted areas" definition in Tennessee Code Annotated, Section 13-20-201, and replaces it with a property-by-property definition to protect well-kept, code-compliant, non-blighted real properties from being taken by the power of eminent domain while preserving the ability of housing authorities to use the power of eminent domain to acquire properties for redevelopment that are truly blighted properties; and

WHEREAS, this act improves due process for property owners by providing a reasonable amount of time for owners of blighted property to correct code violations that cause their property to be deemed as blighted before their property is subjected to acquisition by eminent domain proceedings by housing authorities; and

WHEREAS, this act replaces and narrows the definition of "blighted areas" while preserving the ability of housing authorities to acquire property by the power of eminent domain for public use; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Tennessee Property Rights Protection Act."

SECTION 2. Tennessee Code Annotated, Section 13-20-201, is amended by deleting the section and substituting:

As used in this part, "blighted property":

- (1) Means an improvement to real property that was inspected by the appropriate local governmental authority and cited for one (1) or more enforceable housing, maintenance, or building code violations that:
 - (A) Affect the safety of the occupants or the public;
 - (B) Involve one (1) or more of the following:
 - (i) A roof or roof framing element;
 - (ii) Support walls, beams, and headers;
 - (iii) Foundation, footings, and subgrade conditions;
 - (iv) Light and ventilation;
 - (v) Fire protection, including egress;
 - (vi) Internal utilities, including electricity, gas, and water;
 - (vii) Flooring and flooring elements; or
 - (viii) Walls, insulation, and exterior envelope; and
 - (C) Have not been remedied within a reasonable time after two (2) notices to cure the noncompliance; and

(2) Does not include land used primarily in the production of agriculture, as that term is defined in § 1-3-105.

SECTION 3. Tennessee Code Annotated, Section 13-20-202, is amended by adding the following new subsections:

(d) When a housing authority or other condemning authority approves a prospective or actual taking under this part 2, the property owner has a right to have a court of competent jurisdiction determine if the taking is to remediate blight and resell the property.

(e) This section does not preclude:

(1) A housing authority or community development agency from designating an area for the purpose of urban renewal or redevelopment, subject to approval by the governing body of the local government in which the urban renewal or redevelopment area is located;

(2) A municipality from establishing a tax increment financing zone within or without a redevelopment area or urban renewal area; or

(3) A municipality or housing authority from applying for and using grant funding to facilitate a redevelopment or urban renewal plan.

SECTION 4. Tennessee Code Annotated, Section 13-20-203, is amended by adding the following new subsections:

(c) A housing authority may acquire real property through a negotiated sale, without the use of eminent domain. A housing authority may pay more than fair market value for a property that is not a blighted property.

(d) A housing authority may contract with a third-party agent, at the housing authority's expense, for the purpose of negotiating the purchase price of real property

within an urban renewal or redevelopment area if the property is not subject to acquisition by eminent domain.

SECTION 5. Tennessee Code Annotated, Section 13-20-202(a)(1), is amended by deleting the language "blighted areas" and substituting "blighted property".

SECTION 6. Tennessee Code Annotated, Section 13-20-209, is amended by deleting the language "blighted areas" wherever it appears and substituting "blighted property".

SECTION 7. Tennessee Code Annotated, Section 13-20-216(a), is amended by deleting the language "blighted area" and substituting instead the language "blighted property".

SECTION 8. Tennessee Code Annotated, Section 29-17-102, is amended by deleting subdivision (2)(C) and substituting:

(C) The acquisition of property by a housing authority or community development agency to implement an urban renewal or redevelopment plan as authorized by title 13, chapter 20, part 2; provided, that the power of eminent domain is used only for the acquisition of:

- (i) Blighted property as defined in § 13-20-201; or
- (ii) Property that is for public use;

SECTION 9. This act takes effect upon becoming a law, the public welfare requiring it.