

# Coffee County TN. Ad Hoc RE: BZA

February 13, 2024 4:00 PM

Members present: County Commissioners Laura Nettles, Joseph Hodge and Dennis Hunt.

Meeting called to order @ 4:00 PM by the Chair, Commissioner Nettles.

Agenda was approved by unanimous vote.

There was no public comment.

Minutes submitted by Secretary Dennis Hunt for the previous meeting were approved by unanimous vote.

Chairman Nettles presented to each member a copy of the minutes for Coffee County's Legislative Body (CLB) for the month of January, from the years: 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022 and 2023. Historically the month of January is when the CLB confirms appointments to the Board of Zoning Appeals (BZA). These documents were acquired from Coffee County Clerk Teresa McFadden and this committee wishes to express our gratitude for the time and effort her office exerted to find and print these minutes for us.

Discussion regarding T.C.A. and Coffee County's Zoning Resolution requirements regarding the BZA led the committee to conclude that Coffee County is in compliance with all aspects of those BZA requirements except for the term expiration of BZA regular members. T.C.A. and the County's Zoning Resolution requires that one regular member's term shall expire each year.

The three members of this committee systematically reviewed the documents chronologically, newest (2023) to oldest (2009), to determine when each current regular member was confirmed by the CLB.

Findings chronologically oldest to newest:

- \*2009 there was no mention of BZA appointments
- \*2010 there was no mention of BZA appointments
- \*2011 there was no mention of BZA appointments
- \*2012 Kevin Sipe, Lowell Duke appointed regular members Bobby Bryan associate member
- \*2013 Gary Cordell, Connie Larry, Bobby Bryan appointed regular members
- \*2014 Connie Larry, Gary Cordell, Lowell Duke, Sam Morton, Kevin Sipe, Bobby Bryan appointed regular members
- \*2015 there was no mention of BZA appointments
- \*2016 there was no mention of BZA appointments
- \*2017 there was no mention of BZA appointments
- \*2018 there was no mention of BZA appointments
- \*2019 Kevin Sipe, Sammy Morton Jr., Lowell Duke appointed regular members
- \*2020 Dennis Hunt, Bobby Bryan appointed regular members
- \*2021 there was no mention of BZA appointments
- \*2022 there was no mention of BZA appointments
- \*2023 Tim Morris appointed as a regular member with the designation as representative of the CLB. Helen Debellis appointed as associate member

CONCLUSION BY AD HOC COMMITTEE:

It is worth noting that although BZA appointments, historically speaking, are made in January of each year, it cannot be ignored that the possibility exists that appointments to the BZA may have been confirmed in other months but that would not diminish the fact that what this committee has discovered does not comply with either T.C.A. or Coffee County's Zoning Resolution requirements regarding BZA regular member term expirations. The committee concludes and recommends that an immediate remedy be initiated by the CLB.

REMEDY:

A motion was made by Commissioner Joseph Hodge that terms for the existing BZA regular members be assigned staggered term expiration dates in such a manner that one regular member's term will expire each year. The regular members should also be recorded as to their representative position as required by Coffee County's Zoning Resolution. The schedule for the regular member's terms to be as follows:

\*Lowell Duke term to expire 2024

\*Kevin Sipe term to expire 2025

\*Sammy Morton Jr. term to expire 2026 (Designated as full time farmer)

\*Dennis Hunt term to expire 2027 (Designated as Planning Commission Rep.)

\*Timothy Morris term to expire 2028 (Designated as CLB Rep.)

\*Helen Debellis designated as Associate Member to be addressed annually that will comply with T.C.A. 13-7-106 (a) which states this position is optional

A second to the motion was made by Commissioner Dennis Hunt

The motion was called to a vote by the Chair and was passed unanimously.

This recommendation for remedy shall be presented to the Coffee County Full Legislative Body for their actions upon it.

Meeting was adjourned by unanimous consent.

Respectfully submitted by Commissioner Dennis Hunt, Secretary