IN THE CHANCERY COURT OF MOORE COUNTY, TENNESSEE

GATEWAY AT LYNCHBURG, LP,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 3308**
	)	
METROPOLITAN LYNCHBURG MOORE COUNTY PLANNING AND ZONING COMMISSION; METROPOLITAN COUNCIL OF THE METROPOLITAN GOVERNMENT OF LYNCHBURG, MOORE COUNTY, TENNESSEE and THE METROPOLITAN GOVERNMENT OF LYNCHBURG, MOORE COUNTY, TENNESSEE,	)	FILED December 17, 2025 RULE DOCKET BOOK AT 3:25 A.M. P.M. TAMMY P. ROBERTS CLERK & MASTER Tammy P Roberts
	)	
Defendants.	)	

ANSWER

Comes now the Defendants, Metropolitan Moore County Planning and Zoning Commission ("Planning Commission"), Metropolitan Council of the Metropolitan Government of Lynchburg, Tennessee (the "Metro Council") and the Metropolitan Government of Lynchburg, Moore County, Tennessee (the "Metro Government"), by and through undersigned counsel and, for answer to the Complaint filed against them, say:

FIRST DEFENSE

The Complaint fails to state a claim against Defendant upon which relief can be granted.

SECOND DEFENSE

Now answering the specific averments of the Complaint, Defendants say:

1. Admitted.

2. The allegations of Paragraph 2 of the Complaint are denied as stated. Although the Planning Commission was created by ordinance of the Metro Council, and, accordingly, it is a creature of the Metro Government; it does not act on behalf of the Metro Government or Metro Council with respect to enacting and/or amending zoning ordinances. The enactment of zoning ordinances and for amendments thereto, is vested in the Metro Council. The Planning

Commission serves the Metro Government and Metro Council solely in ad advisory capacity with respect to the enactment of zoning ordinances and amendments thereto. It is admitted that the Planning Commission can be served with process via Moore County's attorney, William C. Rieder. All allegations contained in Paragraph 2 of the Complaint inconsistent with the foregoing are denied.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

7. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the Complaint.

8. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Complaint.

9. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 of the Complaint.

10. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10 of the Complaint.

11. The land was zoned as R-1 on or about January 28, 2025.

12. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the Complaint.

13. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the Complaint.

14. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of the Complaint.

15. Admitted.

16. The letter attached to the Complaint as Exhibit 1 speaks for itself.

17. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 of the Complaint.

18. On or about April 1, 2025, a representative appeared before the Planning Commission and requested to be added to the agenda to address the Commission regarding a potential affordable housing development in Moore County, Lynchburg. The agenda was amended to allow the Gateway representative to address the Commission. The representative explained that the potential project was contingent upon receiving federal tax credits through the Tennessee Housing Development Agency ("TDHA"). The Gateway representative presented a letter to the Chairman, Dexter Golden, who advised the representative that the county attorney would review the letter. No application of any kind was presented by Gateway at the April 1, 2025 Planning Commission meeting. All allegations in Paragraph 18 inconsistent with the foregoing are denied.

19. To the extent relevant, the averment in Paragraph 19 of the Complaint is admitted.

20. The minutes of the April 1, 2025 Planning Commission do not reflect that the Gateway representative was advised to obtain approval of the project from the Metro Mayor. All allegations contained in Paragraph 20 of the Complaint inconsistent with the foregoing are denied.

21. It is admitted that Gateway obtained from Metro Mayor Sloan Stwart the letter attached as Exhibit B to the Complaint. The language contained in the letter speaks for itself.

22. It is admitted that Gateway obtained the letter attached to the Complaint as Exhibit C, which speaks for itself.

23. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 23 of the Complaint.

24. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 of the Complaint.

25. It is admitted that the zoning ordinance enacted on or about February 17, 1997 would have been the zoning ordinance applicable to the subject property on April 2, 2025. Defendants would show that no application of any kind whatsoever had been submitted to the Planning Commission by Gateway to proceed with the development of the potential project discussed at the April 1, 2025 Planning Commission meeting. To this date, Gateway has not acquired title to the subject property where said project is proposed to be located.

26. Admitted.

27. Admitted.

28. Admitted.

29. Admitted.

30. On April 21, 2025 the Planning Commission by and through its Chairman, Dexter Golden, who is also a member of the Metro Council, proposed amending the Zoning Ordinance by removing apartment developments from Residential-1 (R-1) to Commercial (C-1) ,doubling the minimum lot size for new R-1 homes from a quarter-acre to a half acre, doubling the land square footage requirements for apartment complexes tom 50,000 square feet of land for dwellings with more than four units plus 10,000 square feet of land for each unit over 4, and a capon the number of apartment units at 25 units ("Zoning Ordinance Amendment").

31. The proposed Zoning Ordinance Amendment was brought before the Metro Council by Planning Commission Chairman Dexter Golden, who is also a member of the Metro Council, under that portion of the agenda heading "Other Committee Report."

32. The allegations contained in Paragraph 32 of the Complaint states a legal conclusion based on an interpretation of Tenn. Code Ann. §8-44-110(a) for which no response is

required. To the extent a response is required, Defendants would show that the agenda was made available to the public well in excess of 48 hours before the April 21, 2025 meeting.

33. The allegations contained in Paragraph 33 of the Complaint states a legal conclusion based on an interpretation of Tenn. Code Ann. §8-44-110(c) for which no response is required. To the extent a response is required, Defendants would show that it did not attempt to circumvent Tenn. Code Ann. §8-44-110(c) by withholding items from the agenda for the purpose of avoiding a public disclosure of business conducted by it.

34. The allegations contained in Paragraph 34 of the Complaint states a legal conclusion based on an interpretation of Tenn. Code Ann. §8-44-105 for which no response is required. To the extent a response is required, Defendants would show that the passage of the Zoning Ordinance Amendment on first reading at the April 21, 2025 meeting of the Metro Council did not result in the enactment of the amendment as enactment required passage at a second reading. The Zoning Ordinance Amendment was enacted on second reading at the May 19, 2025 meeting of the Metro Council. The subject amendment was specifically noted as an item for action under "Old Business" on the agenda for the May 19, 2025 meeting. A copy of pertinent portions of the Agenda is attached hereto and incorporated herein by reference as **Exhibit 1**.

35. The allegations contained in Paragraph 35 of the Complaint are denied. The Zoning Ordinance Amendment was adopted by the Metro Council on second reading at its May 19, 2025 meeting after a public hearing was held on said date after proper notice of the hearing and meeting was reported and published in the Lynchburg Times, a paper of general circulation in Moore County, Tennessee.

36. The language of §7.090 of the Zoning Ordinance speaks for itself.

37. The language of §7.090 of the Zoning Ordinance speaks for itself.

38. The language of §7.090 of the Zoning Ordinance speaks for itself.

39. The language of §7.090 of the Zoning Ordinance speaks for itself.

40. The language of §7.090 of the Zoning Ordinance speaks for itself.

41. The language of §7.090 of the Zoning Ordinance speaks for itself.

42. The language of §7.130 of the Zoning Ordinance speaks for itself.

43. The language of T.C.A. §13-7-203 speaks for itself.

44. The language of T.C.A. §13-7-204 speaks for itself.

45. Denied. The Metro Council held a public hearing on May 19, 2025.

46. Denied. Notice of the public hearing was published in the Lynchburg Times in its April 23, 0225 edition, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 2**. The pertinent provisions of the subject matter of the amendment at issue and notice of the hearing and meeting are highlighted in yellow.

47. The language of Tenn. Code Ann. §1-3-120(d) speaks for itself.

48. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 48 of the Complaint.

49. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 49 of the Complaint.

50. Defendants do not have information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50 of the Complaint.

51. The language of Zoning Ordinance §7.090 and T.C.A. §13-7-203 speaks for itself. A notice of the public hearing and meeting was published in the April 23, 2025 edition of the Lynchburg Times as reflected in **Exhibit 2**.

52. There is and at no time material was there any law, rule, regulation or statute requiring Defendants to give specific notice of the proposed Zoning Ordnance Amendment to Gateway or any other person or entity.

53. The Planning Commission acts only in an advisory capacity with respect to the adoption and amendment of the Zoning Ordinance and, accordingly, there was no second reading of the Zoning Ordnance Amendment before the Planning Commission. The Planning Commission simply the Zoning Ordnance Amendment that it had proposed to the Metro Council. There was no requirement for the Planning Commission to have conducted a public hearing and public notice of same when it had a subsequent discussion of same at its regular meeting on May 6, 2025. All discussions of the amendment at issue by the Planning Commission took place at a regularly scheduled open meeting.

54. Admitted.

55. Admitted.

56. Admitted.

57. Admitted.

58. Admitted.

59. To the extent that the averment in Paragraph 59 of the Complaint refers to a Metro Council meeting held on October 20, 2025, it is admitted that Gateway representative Troy Woodis, attended the meeting.

60. At the October 20, 2025 Metro Council meeting, Mr. Woodis stated that he was appearing to ask whether Gateway could proceed under the "old zoning."

61. The substance of Mr. Woodis' remarks to the Metro Council is recited in the Minutes of the October 20, 2025 meeting, a copy of which is attached hereto and incorporated herein by reference as **Exhibit 3**. All allegations contained in Paragraph 61 of the Complaint inconsistent with what appears in the Minutes are denied.

62. Denied.

63. Denied. No proposal was received by the Metro Council from Gateway until October 20, 2025.

64. – 69. The substance of the statements made by Dexter Golden, Glenn Thomas and Troy Woodis during the October 20, 2025 meeting of the Metro Council are recited in the Minutes of said meeting (**Exhibit 3**). All statements attributed to the foregoing individuals in Paragraph 64 – 69 of the Complaint inconsistent with the Minutes are denied. To the extent such statements are consistent with the Minutes, they are admitted.

70. Admitted.

71. Denied.

72. Admitted.

73. It is admitted that Gateway's Application submitted on October 22, 2025 represented that the R-1 zoning classification as the zoning classification of the Land at the time of submission of the Application. Such representation was incorrect. At the time the Application was submitted on October 22, 2025; the Land was zoned in the C-1 (Commercial District – Highway) classification.

74. Denied. Gateway's Application incorrectly identified the correct zoning classification of the Land. Since the Land was zoned in the C-1 classification, which did not permit Gateway's proposed project to be located therein, Gateway's submission could not be approved.

75. The allegation in the first sentence of Paragraph 75 of the Complaint is denied. Gateway confirmed receipt of the Zoning Manual, which contained a list of all items required for submission and further confirmed that Ms. Christina Pyrdum, Metro Moore County Codes Director, had provided it with all information requested. Defendants do not have knowledge sufficient to form a belief as to the truth of the allegations contained in the second sentence of Paragraph 75 of the Complaint.

76. Admitted. At the time Gateway's Application was submitted on October 22, 2025, the Land was zoned C-1 and Gateway's Application was considered under that zoning classification.

77. Denied.

78. Defendants incorporate by reference the averments, responses, admissions and denials set forth in Paragraphs 1 – 77 of the Complaint as fully as if recited verbatim.

79. Denied.

80. Denied.

81. Zoning Ordinance §7.090 speaks for itself.

82. The Zoning Ordinance Amendment at issue was proposed by the Planning Commission and, accordingly, a report from the Planning Commission and a waiting period of thirty (30) days was not required for the Zoning Ordinance Amendment to become effective.

83. Zoning Ordinance §7.090 speaks for itself.

84. The allegations contained in Paragraph 84 of the Complaint states a legal conclusion based on an interpretation of Zoning Ordinance §7.130, which speaks for itself and no response is required. To the extent a response is required, Defendants followed all procedural prerequisites required by applicable state and local law.

85. Tenn. Code Ann. §13-7-203 speaks for itself. Defendants complied with Tenn. Code Ann. §13-7-203 in enacting the Zoning Ordinance Amendment.

86, Tenn. Code Ann. §13-7-204 speaks for itself. Defendants complied with Tenn. Code Ann. §13-7-204 in enacting the Zoning Ordinance Amendment.

87. Denied. A public hearing was held by the Metro Council on May 19, 2025 as confirmed by the Minutes, a copy of which are attached hereto and incorporated herein by reference as **Exhibit 4**.

88. Denied.

89. The proposed Ordinance was enacted by the Metro Council on May 19, 2025 after a public notice and public hearing.

90. Denied. Zoning Ordinance §7.090 was followed in enacting the Zoning Ordinance Amendment.

91. Denied.

92. Defendants incorporate by reference the averments, responses, admissions and denials set forth in Paragraphs 1 – 91 of the Complaint as fully as if recited verbatim.

93. Tenn. Code Ann. §8-44-101(a) speaks for itself. Defendants complied with Tenn. Code Ann. §8-44-1019A) in enacting the Zoning Ordinance Amendment.

94. Tenn. Code Ann. §8-44-102 (a) speaks for itself. Defendants complied with Tenn. Code Ann. §8-44-102 (a) in enacting the Zoning Ordinance Amendment.

95. Tenn. Code Ann. §8-44-102(b) (1) speaks for itself.

96. Tenn. Code Ann. §8-44-103 speaks for itself. Defendants complied with Tenn. Code Ann. §8-44-103 in enacting the Zoning Ordinance Amendment.

97. Admitted.

98. Defendants would show that the passage of the Zoning Ordinance Amendment on first reading at the April 21, 2025 meeting of the Metro Council did not result in the enactment of the amendment as enactment required passage at a second reading. The Zoning Ordinance Amendment was enacted on second reading at the May 19, 2025 meeting of the Metro Council. The subject amendment was specifically noted as an item for action under "Old Business" on the agenda for the May 19, 2025 meeting. A copy of the Agenda is attached hereto and incorporated herein by reference as **Exhibit 1**.

99. Tenn. Code Ann. §8-44-110 (a) speaks for itself. Defendants complied with Tenn. Code Ann. §8-44-110 (a) in enacting the Zoning Ordinance Amendment.

100. Admitted. Defendants would show that it did not attempt to circumvent Tenn. Code Ann. §8-44-110(c) by withholding items from the agenda for the purpose of avoiding a public disclosure of business conducted by it.

101. Admitted. Defendants would show that it did not take any action in violation of the Open Meetings Act with respect to the enactment of the Zoning Ordinance Amendment.

102. Denied.

103. Denied.

104. Denied.

105. Defendants followed all procedural prerequisites required by the Open Meetings Act, with respect to its passage of the proposed Ordinance and, accordingly, the allegations in Paragraph 105 of the Complaint are denied.

106. All allegations in the Complaint which have not been denied, admitted or otherwise treated hereinabove are here and now specifically denied.

THIRD DEFENSE

Defendants would show that all applicable state and local prerequisites required for the enactment of the Zoning Ordinance Amendment were followed and, accordingly, the Zoning Ordinance Amendment is in full force and effect and is the zoning ordinance governing Gateway's Application for the proposed project at issue in this case.

Wherefore Defendants deny that the Plaintiff is entitled to the relief sought and prays that the Court declare that the Zoning Ordinance Amendment duly enacted by the Metro Council on May 19, 2025, which removed apartments from the R-1 zoning classification and placed them in the C-1 zoning classification be declared as the zoning ordinance controlling Gateway's proposed project that is at issue in this case.

Respectfully submitted,

HULL, RAY, RIEDER, LANE & JORDAN, P.C.

BY: _____

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Notice of Appearance has been mailed postage prepaid and emailed to Mr. Peter C. Sales. Mr. Andrew W. Tao, Bradley Arant Bould Cummings LLP, 1221 Broadway, Suite 2400, Nashville, TN 37203, psales@bradley.com and atao@bradley.com this 12 day of December 2025.

_____
WILLIAM C. RIEDER

EXHIBIT 1

AGENDA FOR MAY 19, 2025
METRO COUNCIL MEETING

METROPOLITAN COUNCIL

MAY 19, 2025

6:30 PM Council Meeting

American Legion

Public Hearing @ 6:20PM

****

A) CALL TO ORDER CHAIRPERSON

OPENING SHERIFF TYLER HATFIELD

PLEDGE OF ALLEGIANCE

INVOCATION

B) ROLL CALL
NUMBER PRESENT ABSENT QUORUM

C) APPROVAL OF MINUTES

MOTION SECONDED

D) PUBLIC COMMENT

E) ELECTIONS & APPOINTMENTS
1) TERRY D. GREGORY NOTARY PUBLIC
2) CODY GASS NOTARY PUBLIC
3) APPROVE LIBRARY BOARD
4) BRITTANY BURTON NOTARY PUBLIC

F) NEW BUSINESS
1) BUDGET AMENDMENTS
2) SURPLUS 2 GARDIAN MONITORS (EMS)
3) SURPLUS EQUIPMENT FOR MCTD
4) SURPLUS 2007 KENWORTH GARBAGE TRUCK
5) FRONTIER DAYS CLOSURES

(6) JAIL INSPECTION – SHERIFF HATFIELD

7) 1st READING 2025-2026 BUDGET

8) REZONING OF 26 HILL STREET FROM C-2 TO E1 MAP 03 HI CROUPT PARCEL 001 03

9) APPROVE GOVERNMENT CAPITAL FUNDING FOR INSTALLATION OF WATER METERS AT $1,488,240 FOR 10 YEARS

10) TCRS FOR ELECTED OFFICIALS

(7) OLD BUSINESS

1) REZONING MAP 042 PARCEL 031 00 FROM A-2 TO R-2 – 2nd READING

2) APARTMENTS FROM R-1 TO C-1 – 2nd READING

3) APT. SIZE DOUBLE AND NUMBER OF UNITS TO 4 (CAP) – 2nd READING

(8) OTHER COMMITTEE REPORT

1) BUILDING PERMITS FOR APRIL (INFO ONLY)

2) PUBLIC GUIDANCE – READY REMOVABLE AND NON-TRADITIONAL HOMES (DISCUSSION)

(9) COUNCIL MEMBERS QUESTIONS OR COMMENTS

(10) ANNOUNCEMENTS

1) DEBT OBLIGATION FOR GARBAGE TRUCK AND SCHOOL FINANCING

(11) ADJOURN

METROPOLITAN GOVERNMENT OF LYNCHBURG/MOORE COUNTYY, TENNESSEE

ORDINANCE _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF METROPOLITAN LYNCHBURG/MOORE COUNTY, TENNESSEE, BY AMENDING ARTICLE V, SECTION 5.043

Whereas, the Lynchburg/Moore County Metropolitan Planning and Zoning Commission has duly recommended to the Metropolitan Council of Lynchburg/Moore County that the Zoning Ordinance of Metropolitan Lynchburg/Moore County, Tennessee, be amended as hereafter described; and

Whereas, the Metropolitan Council has reviewed such recommendations and has conducted a public hearing thereon.

NOW THEREFORE BE IT ORDAINED BY THE METROPOLITAN COUNCIL OF LYNCHBURG/MOORE COUNTY, TENNESSEE AS FOLLOWS:

That the Zoning Ordinance of Metropolitan Lynchburg/Moore County, Tennessee, is hereby amended by the deletion of the language "Apartments" and is to read as follows:

ARTICLE V

Section 5.043 R-1, Residential District - Suburban

B. Uses Permitted

3. Town house, condominium, and other related multi-family residential developments, as regulated in Article IV, Section 4.070.

BE IT ENACTED that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

Recommended by the Planning Commission _____

Passes First Reading _____

Public Hearing _____

METROPOLITAN GOVERNMENT OF LYNCHBURG/MOORE COUNTYY, TENNESSEE

ORDINANCE

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF METROPOLITAN LYNCHBURG/MOORE COUNTY, TENNESSEE, BY AMENDING ARTICLE V, SECTION 5.045

Whereas, the Lynchburg/Moore County Metropolitan Planning and Zoning Commission has duly recommended to the Metropolitan Council of Lynchburg/Moore County that the Zoning Ordinance of Metropolitan Lynchburg/Moore County, Tennessee, be amended as hereafter described; and

Whereas, the Metropolitan Council has reviewed such recommendations and has conducted a public hearing thereon.

NOW THEREFORE BE IT ORDAINED BY THE METROPOLITAN COUNCIL OF LYNCHBURG/MOORE COUNTY, TENNESSEE AS FOLLOWS:

That the Zoning Ordinance of Metropolitan Lynchburg/Moore County, Tennessee, is hereby amended by the additions and is to read as follows:

ARTICLE V

Section 5.045 C-1, Commercial District – Highway

B. Uses Permitted

18. Apartments

E. Dimensional Requirements

4. Land Area (C-1)*

On lots where multi-family apartment dwellings are constructed, the following area requirements shall apply.

No lot or parcel of land shall be reduced in area to provide separate lots or building sites of less than fifteen thousand (15,000) square feet with approved public water and public wastewater service.

Number of Dwelling Units	With Public Water and Public Sewer
1	15,000 sq. ft.
2	30,000 sq. ft.
3	35,000 sq. ft.
4	50,000 sq. ft.
More than 4 Units	50,000 sq. ft. plus 10,000 sq. ft. for each unit over 4 with No More Than 25 units

BE IT ENACTED that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

Recommended by the Planning Commission _____

Passes First Reading _____

Public Hearing _____

Passes 2nd Reading _____

_____

Recording Secretary

_____

Sloan Stewart, Mayor

Metropolitan Government of Lynchburg/Moore County, Tennessee

EXHIBIT 2

LYNCHBURG TIMES ARTICLE-APRIL 23, 2025 EDITION PROVIDING NOTICE OF MAY 19, 2025 PUBLIC HEARING AND METRO COUNCIL MEETING

Metro Council taps the brakes on growth, again, with apartment zoning changes

April 23, 2025

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***By Tabitha Evans Moore* | EDITOR & PUBLISHER**

LYNCHBURG, *Tenn.* – It's February 2024, and local citizen Kim Lehman stands before the Metro Council during a rezoning public hearing.

"Every day, we lose 2,000 acres of farmland in the U.S.," Lehman states during her public comments. "To put it another way, on average, 1.4 acres of farmland is lost every minute of every day. Moore County is about 83,000 acres. In less than six weeks, statistically speaking, our entire county could be converted to concrete."

She's part of a grassroot movement here in Moore County seeking to prevent our rural community from "losing our farmland to rapid urbanization" and they have the attention of both the Metro Planning Commission and the Metro Council.

On Monday, the Council passed the first reading of a fourth measure intended to tap the brakes of growth here in our tiny county – voting 11-4 to move forward with the Metro Planning and Zoning Commission's suggestion to move apartment developments from the residential zoning category into the commercial zoning category and increase required lot sizes for those projects. They also recommended putting a 25 unit per parcel cap on future apartment developments.

The issue did not appear on the publicly posted agenda. Metro Planning and Zoning Chair and Metro Council member Dexter Golden brought up the issue during the council member questions or comments section at the end of the meeting.

"I would like to get a first reading tonight on moving apartments out of residential zoning (R-1) and into commercial zoning (C-1), Golden stated. "I'm also seeking to change the lot size of apartments, basically doubling the existing limits. Additionally, I'd like to propose a cap of apartment developments in the county to 25 units per parcel."
Golden told the group that the genesis of the change spurred from potential water capacity issues inside the Metro Utility Department.

"We're currently hovering at around 80 percent, and that's threshold at which the state starts looking at us to have a plan to upgrade the local water treatment plant," he told *The Times*. "New apartment complexes in the county could push us over that limit."
Golden made the motion and Bradley Dye seconded it.

{EDITOR'S NOTE: *Public meeting coverage is crucial to the health of any community. This article remains free to all readers thanks to our community partners at Barrel House Barbecue. Please support the local small businesses that support your community newspaper.}*

Rural development conundrum

It's an undisputable fact that the State of Tennessee is experiencing tremendous growth. Since 2010, we've experienced year-over-year growth with the largest population increases happening between 2019-2020 in cities like Clarksville, Nashville, Murfreesboro, Lebanon, and Chattanooga, according to University of Tennessee. In some cases, growth is outpacing infrastructure – especially in the suburbs and rural communities that surround big cities resulting in traffic congestion, crowded schools, and public utilities scrambling to meet demand.

"Save our town," is a refrain being heard with increasing frequency around the state not just in Lynchburg, but there are two sides to that coin, creating a conundrum for local elected and appointed officials.

Some see growth in our small rural town as a net positive. They argue that growth leads to increased tax revenue that could lower the burden for existing Moore County property taxpayers and help pay for much-needed infrastructure upgrades. Others prefer the small, rural atmosphere of Lynchburg and believe that growth can quickly stress existing infrastructure potentially leading to system collapses or the need for costly emergency upgrades. In counties like Metro Moore with a small property tax base, every new strain – whether it's a new business, a subdivision, or an apartment complex – could mean higher costs for current taxpayers if development doesn't pay for itself immediately. There are no easy answers.

Fourth initiative aimed at slowing growth

Monday night marked the fourth time in the past 15 months that the Metro Council has made changes to local zoning ordinances at the suggestion of the Metro Planning and Zoning intended to tap the brakes.

In February 2024, the Council voted to increase the required building lot size on agricultural land from one acre to five acres – a change intended to protect large swaths of rural farmland from subdivision developments. The motion passed by a 11-1 vote. Peggy Blackburn, Dexter Golden, Sunny Rae Moorehead, Arvis Bobo, Jimmy Hammond, Shane Taylor, Bradley Dye, Gerald Burnett, Amy Cashion, John Taylor, and Douglas Carson voted in favor. Greg Guinn voted against the motion. Robert Bracewell abstained due to a "perceive conflict of interest." Marty Cashion was absent from the meeting. {To read our full coverage of that change, *click here*.}

In September 2024, the Council voted unanimously to abolish the controversial R3 zoning category for high density developments like the tiny home community currently being built along Main Street in Lynchburg. That project will bring 79 new tiny homes into Lynchburg. The move essentially prevents further expansion of that project as well as discourages similar projects from coming into the county. {To read our full coverage of that change, *click here*.}

Then in February of this year, the Council voted unanimously to place a five-year moratorium on future solar farm developments inside Moore County stating that they'd like time to determine any potential trickle-down effects from the existing Silicon Ranch Solar Farm located along Highway 55 between Moore County and Coffee County before approving additional projects. {To read our full coverage of that change, *click here* and *here*.}

Four "no" votes on Monday

Moore County has experienced much growth over the past several years. In addition to the tiny home community, the solar farm, an anaerobic digester, and several small subdivisions, there are now two additional inquiries at the Metro Planning Commission for multi-unit developments behind the Moore County Co-op located on the Fayetteville Highway and a second on farmland located behind the Metro

Moore County EMA Building located along the Winchester Highway, though according to Golden neither has officially submitted a site plan to the Metro Planning Commission for approval.
During Monday night's vote, four Metro Council members voted against the proposed changes: Gerald Burnett, Douglas Carson, Greg Guinn, and Shane Taylor. We spoke to several of them after the meeting and they collectively stated that even though they see the value in proactive, managed growth in the county, they voted "no" for a variety of reasons including the fact that the item got spontaneously added to the agenda during the meeting – allowing for no public notice to any potential landowners who might be adversely affected by the change. They also didn't feel the proposal details were clearly presented and wanted a written draft of any potential ordinance change prior to the meeting to feel comfortable voting in favor of those changes.

Peggy Sue Blackburn, Robert Bracewell, Arvis Bobo, Amy Cashion, Marty Cashion, Bradley Dye, Dexter Golden, Jimmy Hammond, Houston Lindsey, Daryl Richards, and John Taylor voted in favor of the change.

The item will appear on the agenda in May with a public hearing taking place prior to the regular meeting. The next Metro Planning Commission meeting will take place on Tuesday, May 6 at 5:30 p.m. at the County Building. The next Metro Council meeting will take place on Monday, May 19 at 6:30 p.m. at the American Legion Building.•

{The Lynchburg Times *is a non-partisan, locally owned and locally operated community newspaper in Lynchburg, Tennessee and one of the few women-owned newspapers in the state. It's owned by a native and Tulane University-educated journalist with over 20 years of experience. It's supported by both readers and community partners who believe in independent journalism for the common good. You can support us by clicking here.* }

EXHIBIT 3

MINUTES OF OCTOBER 20, 2025 METRO COUNCIL MEETING

BE IT REMEMBERED: That on October 20, 2025 the Metropolitan/ Lynchburg/ Moore County Council held a public hearing at the Lynchburg Legion Building at 6:22 pm to discuss the rezoning of: Tax Map 036 Parcel 014.01 consisting of 3.30 acres located on Ed Sander Rd and owned by Marvin and Edna Roberts as well as Tax Map 014 Parcel 006.01. Four lots consisting of 7.87 acres, Lot #1-1.13 acres, Lot #2-1.36 acres, Lot #3-1.62 acres and Lot #4-3.76. The property is located on Mount Herman Rd and owned by US Two and Him Partnership-Michael Hix, Gene Ray and Jonathan Boyce.

BE IT REMEMBERED: That on October 20, 2025 the Metropolitan Lynchburg / Moore County Council held a regularly scheduled meeting, beginning at 6:30 pm at the Lynchburg Legion Building. Mayor Sloan Stewart presided over the meeting.

(A) CALL TO ORDER	Chairperson Amy Cashion
OPENING	Albert Carpenter
PLEDGE OF ALLEGIANCE	Dexter Golden
INVOCATION	Marty Cashion

(B) ROLL CALL

The roll was called by Moore County Clerk Lacy Ivey with the following present, namely: Robert Bracewell, Sunny Rae Moorehead, Marty Cashion, Arvis Bobo, Bradley Dye, Amy Cashion, Jimmy Hammond, John Taylor, Gerald Burnett, Dexter Golden, Douglas Carson, Peggy Sue Blackburn and Greg Guinn. Shane Taylor and Houston Lindsey were not present. (13 present, 2 absent)

(C) APPROVAL of September 15, 2025 COUNCIL MEETING MINUTES

Peggy Sue Blackburn made the MOTION to approve the September 15, 2025 council meeting minutes and Robert Bracewell SECONDED. THE MOTION CARRIED BY ACCLAMATION.

(D) PUBLIC COMMENT

1) The Gateway Company – Troy Woodis

Troy Woodis introduced himself and thanked everyone for letting him come. He stated that they were based in Florence, Alabama and have been in business since 1983. We are a tax credit affordable work-force housing multi-family developers. We own approximately nine thousand doors. We have a management company that manages approximately seventeen thousand doors. We are proposing to build forty-two multi-family units on 5.81 acres directly behind the Co-op. If you look at the packets I left on the table it contains the Tax Map and Parcel so that you guys are all aware of where the property is. I would like to do a quick timeline on how Gateway got to the county and how I got to the podium. Through the Tennessee housing development agency they have a competitive process for affordable housing but then there is a cycle every year. They out a county need score, which is in your packet.

Actually, for three years in a row, Moore County was the number one county in pool three. I looked here a few years ago and took a run at a couple of pieces of property but it never did work out. I came back this year late December or early January and I contacted Mr. Fanning about the property behind the Co-op. He, in fact, said he would like to sell it and they asked if he would be willing to go through a rezoning to make sure we could use the property so that we could use the property however we wanted to. He informed me that it was already zone for multi-family.
From there, in late January, we put the property under contract. Sometime in February/ March range I contacted Christine in Planning and Zoning asking for a variance. The reason I did that is because, if you do the math, the property through the old R1 is zoned for 43.69 units but according to the setbacks and old criteria we could do sixty-four units. I contacted her for the possibility of getting a variance. From there, Dexter Golden reached out to me. We had a good conversation and he explained to me that it wouldn't be possible to get a variance. There are for certain things like we are a foot away from meeting a setback or something. He told me that would not be possible. Along that same time I contacted Ronnie about the water and sewer. I asked if water and sewer would be available for sixty-four units and he told me it would be available. I turned around and went back to him and said the variance is not possible can we do forty-four units and he said yes. If you see in the packet there, I have letters from the Moore County Utilities Electric and also a Zoning letter. After all the events I've gone through so far, I talked to Mr. Golden again about getting our zoning letter signed. I got on the agenda for the April 1st planning board meeting to do two things. One it was to introduce myself and the company like I've done here tonight and also to get our zoning letter signed. At that meeting there were normal questions that we get everywhere we go. I explained the process of how everything works with the application to THDA which was due on April 15th and this was on April 1st. The awards for our development, if we won, are usually in August or September when you find out if you win. The way this works is they fund one development from each pool and if they have any money left over, which they hardly ever do, they will start back with the highest scoring number two development until the money runs out. There is never a threat for two developments in a pool to get an award. Mr. Golden did not feel comfortable that night signing the zoning letter that I asked them to sign without an attorney reviewing it. One would assume he gave it to the attorney that night or that next day because later that following day on the 2nd the mayor sent me the sign zoning letter which was in the packet. In that zoning letter you will see where I highlighted the forty-four and also in the utility letters. I did that because I was hoping to get to do forty-four units because the way the math worked out on 5.81 acres, per the criteria for the number of units that could go under the old R1 it was 43.69 but, the planning and zoning didn't feel comfortable telling me I could step up to the forty-four units. As you can see, the way the units are stacked, we would have had an odd unit so we stepped back to forty-two. One other thing on this scoring sheet I wanted to point out is most of the time when a county gets funded they drop almost all the way if not to the bottom. The boards you see over here and the

pictures you see in your packet is a development that we just finished up in the spring over in Hohenwald in Lewis County that we got a tax credit on three years ago. As you can see they dropped to the bottom so again there is never a threat of someone coming back again the next year because they dropped to the bottom. The only way you don't drop down to far is if you are in pool one or two which is all your major metro's in Tennessee and they just cycle around one, two, three and four. They never drop. After leaving the planning a zoning we sat and wait. One other thing that was in the planning and zoning that is in your packet also, I submitted a site plan. It is not an engineered site plan. The State only requires us at application to do a schematic of what we are proposing. It can change but it can't change much. You can't change the unit count, you can't change the survey as far as the parcel of property but you can have on your schematic a retention pond over here that you move over here when you get in to engineering. I did show that at the planning and zoning meeting that night. Fast forward and wait. In early July, we started getting our questions from THDA. Our questions were all general questions. There were no phase one problems, there were no financial problems as far as the financial package that was submitted or anything else. We had seen the list of everybody that applied in the whole State and we knew that we were going to win the award for pool three. I reached out to Christine in Planning and Zoning again about what I would need to do to submit a site plan. What we could do to get ahead of the game for when the actual award came out. The awards usually come out in August and September and they in fact came out on July 30th this year and we did get the award. When I contacted her about that she proceeded to tell me that the zoning had been changed out of R1 and multi-family was no longer permitted. This was the first we had heard of it. I called the land owner and he hadn't heard anything about it. When THDA put the list out we found out that there was actually a second application in Moore County that we did not know about. That developer reached out to us and said hey they pulled our zoning. At that point, Mr. Golden and I had another conversation or two. He told me it was primarily due to water as sewer capacity that he came to this body and got the zoning pulled out and moved out in to commercial where they could regulate it better.

On August 12th I came to town. I met with the mayor and vented my frustrations with having the zoning pulled out from under me when knowing the project was out there and not knowing about the award until sometime in August or September. He suggested that I come before this body. I was supposed to be here last month but you can see why I wasn't. I also went to the Moore County Utilities board meeting that night and did the same thing I have done before. I introduced myself and told them what we do. I asked them if there was anything special I needed to know and they said no. There was no problem with us pushing forward and to work everything through Ronnie. We would build it and they would inspect it and welcome to Moore County and if there was anything they could do to help us they would. I am basically in here tonight to ask, with everything that I've said, can we continue on under the old zoning? I have a water and sewer letter. I have been to the water and sewer board meeting and they said there is no issue with utilities. This is an eight or nine million

dollar investment for us. On top of the utility type fees we will pay the permit fees. We will have to pay for the monthly utility usage. That will be a revenue stream. Right now, currently, the property taxes on that 5.1 acre piece of land is one hundred and fifty-eight dollars. We know from doing business in Tennessee in the past what property taxes are. It will be around seventy-five thousand dollars a year. That alone is a huge revenue stream for Moore County. Not to mention, having forty-two family's across the street from the only grocery store in town and in close proximity to the down town restaurants and shops.

Peggy Sue Blackburn said that you keep referring to a tax credit property. I think you should let everybody know that is a Section 8. They have changed the verbiage but it is still Section 8 and it still goes under most of the guidelines. Troy Woodis stated that we are not Section 8. Peggy Sue Blackburn said that Tax Credit is Section 8. Troy Woodis said no. Peggy Sue Blackburn said she did apartments for a long time. She managed them. Troy Woodis said there are different programs and there is a Section 8. There are Section 8 developments. Those are called project based developments. We are not a project based development. We get tax credits that are administered through the Federal Government through the states we get tax credits. We take those tax credits and buy our loan down and for doing that we commit to putting our units in the affordable program for thirty years. Every state is different. Tennessee requires you to do a Land Use Restriction Covenant that runs for thirty years. We cannot sell the property and we cannot take it out of the program. At fifteen years you can go back to the state and ask for more credits, which is also scored, to do a complete rehab on them. That is windows, roofs, new appliances, cabinets and a complete renovation of the development. This is not a project based development and there is a difference. To her point, it all does flow through the Federal Government through the tax credit money. It does but we are not a Section 8 developer and that is not what we are doing. Again, I am just here to ask. We feel like we were stiffed somewhat because I had been to Planning and Zoning and they knew about our development. They also knew that we would not get the official word until August or September. Twenty days after I was there they changed the zoning and there was no talk of it while I was there. You come in here and pull it out from under us and not only pull it out from us but the other developer too that was in A1 and I was in R1. Jimmy Hammond asked if they owned the property now. Troy Woodis stated that they do not own the property now but it is under contract. We would, at this point, be pushing towards closing had this issue not come up. In all honesty, there is not anyone sitting around this table that if you were standing here in my shoes, spent the money we've spent, came up here and did what I was supposed to do as far as going to Planning and Zoning and letting them know about the project and the development. I don't know how you can say that it is fair to pull the zoning out from under us. All I'm asking is to continue on under the old R1 and build the forty-two units. That is why I'm here.

Sunny Rae Moorehead said that you stated it is not a Section 8. Would you give us a picture or an idea of what it is going to look like once everything is built? Maybe how

much it is going to cost, how much rental fees will be? Give us the other side of the build picture. Troy Woodis asked if Sunny Rae Moorehead was asking what the rent will be. Sunny Rae Moorehead said yes and the expectations. If I was going to rent there, what would I walk in to? Troy Woodis said if you rent there you would have to pass a criminal background check and a financial background check to start with. We do that on all of our developments. We manage seventeen thousand doors so the math obviously tells you that we manage for other people that do the same thing we do. The rent will run somewhere between five hundred and ninety dollars for a one bedroom and around eight hundred and fifty dollars for a three bedroom. Two will be around seven hundred twenty-five dollars. We have to maintain the property. We have a great reputation for retaining our property even outside of the guidelines that the program requires you to do. That is why we manage for other people that do the same thing.

Douglas Carson asked how the score was determined by the state. Troy Woodis said that was way over his head. There are some many mechanisms that go in to their scoring I absolutely cannot tell you. They are the only state that does it this way I can tell you that. Other states like Georgia for instance, they have so many scoring layers. You have to be so close to the elementary, middle and high school. You have to be close to a grocery store, doctor, church, bank, rec centers. I think Tennessee takes all those things in to account to get to that number. I just know from past experience when we got the deal funded in Lewis County the very next year it was last and it has worked its way up four from the bottom now. How they come to that number I don't know.

Dexter Golden said Troy you and another developer were in the running for this. Would you say one of y'all were guaranteed to get this or would you say this is by chance? Troy Woodis stated that the only way that one of the two of us would not have gotten funded was if we had gotten kicked out for some environmental reason or something like not dotting an i or crossing a t that would have gotten us thrown out. One of the ways you win a tax credit award in Tennessee is whoever asks for the least amount of tax credits per unit. It's not that I'm asking to do forty-two units and the other guy was hypothetically asking for sixty. I don't win because I ask for forty-two and he asked for sixty. I win because I asked for this amount of tax credits per unit. When we start to get our questions we can tell by the questions if we have a phase one problem or a phase two problem. We can tell and when they asked us our questions they were general question so we knew then that we would win.

Dexter Golden said again, like Jimmy Hammond asked, you did not own the property at that time when you came before us, correct? Troy Woodis said no we didn't own it then and don't own it now. Dexter Golden said we have had good conversations and you have been real good to talk to on the phone so no issues there but with you not owning the property and there being a chance that you might not have won what you were seeking for. There was nothing in the works. What we went on and what we looked at was being at eighty percent max capacity on water. Yes, that still means what I understand and anybody on the water can correct me if I am wrong, but we can

still issue but you are creeping toward that number of needing to come up with a ten year plan. You can get there faster or slower depending on how many development come in to town so this is what we had looked at here. When we had talked about this it was how quickly we were going to get here by this happening. I don't necessarily look at it as anybody pulled the rug out from anybody considering that you could have lost both parties and you did not own the property and there was not a legit site plan in the works. The pulling the rug out I struggle with that a little bit but again you've been great to talk to and good to deal with. I just want to let that be understood here. There is a chance that you might not have gotten it and we looked at being more proactive in that situation than getting behind. What would you say your reviews are with managing seventeen thousand doors? Troy Woodis stated that there are a million ways you could look at that. Dexter Golden said what about a google review. Troy Woodis said he had no idea because he worked on the management side not the development side. I can say that on the management side you don't manage seventeen thousand doors without there being issues or without there being a negative comment. With that being said, on the properties that we do not own all we can do is manage them. If the owner does not want to maintain them or do the things that we do with the properties that we own we have two options. We can either maintain that property the way that owner maintains it or tell them we don't want to manage it anymore. You can find something negative out there if you want to look. When you circle all the way back around that's probably where the underlier is going to be. Dexter Golden said that his concern with that is and I'll tell you the reviews from three weeks old to two months there are several lower income ones. Anybody is welcome to look that up. If you are a reputable business like you say it concerns me that you keep your name tied to something regardless of how somebody else wants to manage it. Troy Woodis said that is the management company and we don't always keep our name tied to it. You can't control social media and social reviews. Once somebody puts it out there it is out there and there is nothing you can do about it. Bradley Dye asked Troy Woodis how he thought this would affect the school system and asked if he had done a study on that. Troy Woodis said it is probably in the market study but I really can't answer that. On forty-two units it would not be anything drastic. There is just not enough units there for it to be a drastic impact. Peggy Sue Blackburn asked how many two bedrooms they were going to have. Troy Woodis said there would be eight one bedrooms, twenty-two two bedrooms and twelve three bedrooms. Peggy Sue Blackburn said you can figure one to two children per bedroom except for the one bedroom and by Tennessee State Law you can put people in the living room.

Jimmy Hammond asked where this was (the picture that was provided). Troy Woodis said that was in Lewis County and Jimmy Hammond asked how many units it was. Troy Woodis said he thought they did fifty-six units over there. Jimmy Hammond asked on how many acres. Troy Woodis said about seven. That is another thing. You can call and ask the mayor over there. He begged us to build more units. They can tell you how good we have been to work with. We did everything they asked us to do. All

this is at no burden to the county. They (water department) will size the water meter and we are going to pay for it. Everything is on us.
Dexter Golden said he just wants this understood here and he isn't knocking him (Troy Woodis) at all. The people in these chairs are a bit concerned. Four years ago we had a gentleman, a developer stand up here and tell us that it would be no affect to you all and no cost to you all and we are dealing with those repercussions now. Nobody looked at it here as pulling the rug out just being proactive because we have been taken around a time or two. I respect you saying that but I am a little cautious when someone stands up there and tells me that again. Sorry, that is just me. Peggy Sue Blackburn said to add to that the same developer has purchased more land. Anything we do for him we have to do for him or we are facing a lawsuit. He already owns some property. Dexter Golden apologized he said he wasn't following what Peggy was saying. Peggy Sue Blackburn said that the other developer already owns some property that he can develop. If he comes up here and asks us to do the same thing and we do it with him then we are looking at a lawsuit. Dexter Golden said that he understood what she was saying but that is a different zoning and different situation. I'm not concerned with that. In my opinion, I'm not speaking for anybody, I am bit concerned with anybody coming in to town and saying that other towns are begging for them to come back or there is no burden to you or cost to us.
Troy Woodis said there is no cost on the front end as far as the development. We take care of everything from the street back. That is what I mean by that. Dexter Golden said at the end of the day I still stand on this that you will never outweigh the cost of what it takes to build your infrastructure up. You will always have to continue to grow, yes, I am not saying everything is going to die because we aren't going to let anything happen but if we are operating at close to eighty percent and there is a ten year plan that needs to be set forth. Greg Guinn said that was a plan in place. It is going to be funded through the water board but we do have a plan in place for a sewer upgrade. As far as the water, we are at forty something percent. With the new meters we are going to get that. We don't have a water issue. Dexter Golden said that the sewer was fine he thought the water was the issue. Bradley Dye stated that we were told a few months ago that we were at eighty percent. Where are we at on water? Ronnie Cunningham (water department) stated that we are right there close at the eighty percent on water but we can still get the apartments on there. Jack Daniels doesn't tell us when they grow. Dexter Golden asked when we are having to upgrade what is the cost. What do people's water bills go to? Greg Guinn told Dexter Golden that he could come to the water board meetings any time and he (Ronnie Cunningham) will get you that information. Troy Woodis asked Ronnie Cunningham asked if their development would make them have to do any kind of upgrades to tie on forty-two units. Ronnie Cunningham said no. Troy Woodis said there would be no burden at this point. I can't speak for the next person that would come in and tie in to it. I get it. I'm on the utility board where I live but our development will not cause them to have to do anything different.

Glen Thomas said he would like to say something. He stated that nobody from the planning commission has ever come to the water department or meetings and asked about our problem. Yes, we have a little bit of a problem but that plant will produce thirty-four million gallons a month. We are averaging twenty-four million gallons. That is ten million gallons. Our biggest user is Jack Daniels with six million gallons a month just for the production side of it. You know as well as I do about this but Jack Daniels in not looking like a great opportunity right now and we have lived off of them always. If we don't get customers, yes, our water bills are going to go up. Yes, we are talking about and looking at expanding because of the future not just right now and we aren't going to do it tomorrow it will be later on down the road. An average family uses four thousand gallons a month. You can figure one bedroom is not going to use that it will probably be less than a thousand gallons a month. That is one hundred sixty thousand gallons a month. It will not cost us anything but we would gain all the revenue because we aren't going to have anything on it. All we are going to do is put a meter in and they are going to pay for the meter. We read the meter and take the money and we have to have customers like that.

Bradley Dye asked how much water we buy outside of the county. Ronnie Cunningham said that it all depends on the usage in Tullahoma and on both sides. It is not a whole lot. We get it at bulk rate. Douglas Carson asked if we are not able to supply all of our residents with water or why are we buying water from Tullahoma? One tank on Griffin feeds everybody on the lower end of the county. Bradley Dye asked if the future plans were to buy the lines from Tullahoma. Ronnie Cunningham said that it costs more to do all of that. Glen Thomas asked Bradley what he said. Bradley repeated his question. Glen Thomas said we tried to son but you were the one that helped stop that. We had it bought about six years ago.

Amy Cashion said she wanted to go back to where we are right now. We do have a zone for multifamily units. It might not be what your land is zoned at today but we do have a zone that is zoned for multifamily units. Troy Woodis said that it also got moved to C1 and there is a limit of twenty-five units. We cannot change the scope of the project. Also, because we got this tax credit award, if we turn it back in then we get in the penalty box in Tennessee for two or three years. We cannot change the scope of the project. We have to do forty-two units on the 5.1 acres. There are little things we can change such as parking, layout, flood retention and things like that but we cannot change the scope of the project. That will not work to be limited to twenty-five units. Amy Cashion asked if you had to build forty-two units and it is restricted to that number of acres or you can you expand. The schematic that we turned in, even though an engineer did do it but it wasn't an engineered stamped site plan, was turned in on the 5.1 acres and we also had to turn in the tax parcel information, survey all the things that 5.1 acres would do.

Dexter Golden asked if he would automatically get ahead if he purchased ground that connected to this since you are already in the system. Are you automatically going to get another contract ten years from now if you want to expand since you have one now? Troy Woodis said no. every year it is competitive and you start back at ground

zero. I obviously can't speak for THDA but looking at the way things have happened in the past with Lewis County if we wanted to go back to Lewis County we couldn't. The other guy couldn't come back because it is not going to score. Moore County will be close to the bottom so he would never win. I'm saying those things to say there isn't going to be somebody next year.
Douglas Carson stated that he would like to make a point of order that the gentleman has exceeded his five minutes by a long time here.
Amy Cashion told Troy Woodis that we have heard his information and she appreciated his input but she would like to know what our options are. We have to determine what if anything are our options, what are our options? He has brought us all this information so now we have to determine if there are options, what are they and do we want any of those options? Obviously, we as a board made changes to the zones for reasons for our community. As a board we heard the proposals of why we might or might not change them or what we would change them to and it was decided as a board what those rules would be. Now, we have to figure out what the options would be if any and how to go forward. Troy Woodis said that he understood and he is simply asking is there a mechanism for this body to let us go forward under the old R1 with forty-two units.
Robert Bracewell stated that even if we wanted to we would have to go through two readings of changing the ordinance back, assuming we wanted to keep the same information, change it back again. Amy Cashion stated that whatever we do you are at least two months out because if we change the ruling back that is two months or if the property has to be rezoned that is two months so you are at least two months away from any change happening. Troy Woodis said okay. Amy Cashion said she was open to hear what this body had in mind. Bradley Dye asked if it is not on the agenda can we vote on it or do we just add it to the agenda to vote on it? Amy Cashion said we aren't taking action right now on anything and Bradley Dye said he meant overall for anything. Amy Cashion said no, we have a section on here for council member questions or comments. This board to make a motion or not but it is a two month process whatever the option is. Peggy Sue Blackburn said maybe we just need to decide tonight if we want to send it back to codes and see what they come up with. I don't know what else to do. We are treading on thin ice here because we have not just him but the other developer that we have to think about. Maybe it is zoned different but we have to really be careful with what we do. Amy Cashion said like Mr. Golden was saying we were trying to be proactive about what would be good for our community. This has nothing to do with you (Troy Woodis) but there have been several things in the community as of late that people are not happy with so instead of us taking action we need to think about what we want our community to look like, what will it do for our infrastructure and all things considered. It has nothing to do with you or your company or any of that.
-Peggy Sue Blackburn made the MOTION to send this back to the zoning and planning board.

Jimmy Hammond stated that we have a volunteer fire department and we also don't have codes. What codes are you going to build these things to? Does the state dictate that? Troy Woodis said yes. Anytime we build where there is not a city or county fire department we fall under the State Fire Marshall and they do all the inspections and everything. They tell us where to put fore plugs on the site or not on the site or whatever. Then as far as building codes, we would fall under whatever Tennessee uses which is more than likely the International Building Code. I can't say for sure though. Whatever it is we fall under those codes. We recently did a development in Andalusia, Alabama in the county but on the city limit line. We actually paid the city building inspector to come do inspections for us. We want it right. We have to live with it and also the people that are living in it. Jimmy Hammond asked if they were going to have a building inspector come and sign off on this project. We will go by the International Building Code by the State and also the project engineers do monthly inspections also. The architect and the engineers both do inspections and reports.

Gerald Burnett said he was curious about this need score and what it really means. Is it a need for the citizens of Moore County and what they really need or is it something else. Troy Woodis said he did not know how they come up with that but he will tell you that they did a market study at application and these things are about a hundred pages long. In that study, in Moore County there is a need for six hundred and ninety-nine one bedroom, six hundred and seventy-six two bedrooms and three hundred and twenty-eight three bedroom rental units. That can be a one bedroom house it doesn't have to be an apartment. Robert Bracewell said that is a quarter of our population. That is the thing, you are saying need, but need is a necessity. Do you know what the turnover rates are? Peggy Sue Blackburn said it depends on if they pay their rent and Troy Woodis said that's right and they do have to pay their rent because there is no monthly subsidy. Robert Bracewell asked since HUD started offering subsidized housing do you know if the average age of the American purchasing homes has gone up or down. If the age of people buying their first homes has gone up then homeownership has gone down. These programs are not going to keep people out of poverty. It is not a net positive for our community. You are concentrating families, hopefully families but probably not, into this area and dumping them in to our school systems. Doing the math a minute ago that is about five percent of our population. I'm not sure how you got to the seventy thousand in property taxes but even if that is accurate those would be better served in single family homes. Everybody knows where I am on taxes but the county is going to get more from a single family home than they are a three bedroom apartment. Every constituent that I have talked to is opposed to apartments in general not just subsidized housing. It seems to me that your business model is risk mitigation. You didn't purchase the property. You left it out there until you got the okay to get the government funds and you are taking those funds from us to pay for it and then in fifteen years you are going to make more money on it all the while we are paying more in property taxes to subsidize the people that live here. Troy Woodis said he

hears what you are saying but we didn't take any money from Moore County. That money is from the Federal Section IRS 42 code. The council members stated that they paid that and that is where that came from.
Amy Cashion stated that there is a motion on the floor for this to go back to Planning and Zoning. Do we have a second for that motion? There was no second made.

(E) ELECTIONS AND APPOINTMENTS

1) Eugene Cartwright – Notary Public
Peggy Sue Blackburn made the MOTION to group both notaries together and approve them and Marty Cashion SECONDED. THE MOTION CARRIED BY ACCLAMATION.

2) Paige P. Gunn – Notary Public
Peggy Sue Blackburn made the MOTION to group both notaries together and approve them and Marty Cashion SECONDED. THE MOTION CARRIED BY ACCLAMATION.

3) Council Committees
Peggy Sue Blackburn made the MOTION to approve the list of committees and Dexter Golden SECONDED. THE MOTION CARRIED BY ACCLAMATION.

(F) NEW BUSINESS

1) Budget Amendment for Health Department Employees
Bradley Dye made the MOTION to approve the budget amendment for Health Department Employees and Jimmy Hammond SECONDED.
A **roll call vote** revealed the motion carried as follows: All present members voted yes.

2) Comptroller Letters for Budget, TRAN and Textbooks (Info Only)

3) Approval for Report on Debt Obligation (TRAN)
Bradley Dye made the MOTION to approve the Report on Debt Obligation (TRAN) and Marty Cashion SECONDED.
A **roll call vote** revealed the motion carried as follows: Sunny Rae Moorehead, Marty Cashion, Arvis Bobo, Bradley Dye, Amy Cashion, Jimmy Hammond, John Taylor, Gerald Burnett, Dexter Golden, Douglas Carson and Greg Guinn voted yes. Robert Bracewell and Peggy Sue Blackburn voted no. (11 yes, 2 no)

4) Budget Amendments for TCRS
Gerald Burnett made the MOTION to approve the Budget Amendments for TCRS and Marty Cashion SECONDED.
Douglas Carson made a statement before he voted. Because I am employed with the Moore County Sheriff's Department I have a conflict of interest. With respect to the

matter, we represent appropriation for the Sheriff's Office which is in the proposal about to be voted on. However, I declare that my argument and my vote answer only to my conscience in my obligation to my constituents and the citizens this body represents. Accordingly, I abstain from voting on the appropriation for the Sheriff's Department in this resolution and vote in favor of the resolution and with respect to all other appropriations.

A **roll call vote** revealed the motion carried as follows: Greg Guinn, Douglas Carson, Dexter Golden, Gerald Burnett, John Taylor, Jimmy Hammond, Amy Cashion, Bradley Dye, Arvis Bobo, Marty Cashion and Sunny Rae Moorehead voted yes. Peggy Sue Blackburn and Robert Bracewell voted no. (11 yes, 2 no)

5) Rezone Map 046 Parcel 025.00 from A-1 to R2 – 1st Reading
Douglas Carson made the MOTION to approve rezoning Map 046 Parcel 025.00 from A-1 to R2 – 1st Reading and Dexter Golden SECONDED. THE MOTION CARIED BY ACCLAMATION.

6) Rezone Map 043 Parcel 022.03 from A-1 to R2 – 1st Reading
Dexter Golden made the MOTION to approve rezoning Map 043 Parcel 022.03 from A-1 to R2 – 1st Reading and Jimmy SECONDED. THE MOTION CARRIED BY ACCLAMATION.

(G) OLD BUSINESS

1) Rezoning Map 036 Parcel 014.01 from A01 to R-2 – 2nd Reading
John Taylor made the MOTION to approve rezoning Map 036 Parcel 014.01 from A01 to R-2 – 2nd Reading and Douglas Carson SECONDED. THE MOTION CARRIED BY ACCLAMATION.
2) Rezoning Map 014 Parcel 006.01 from A-1 to R-2 – 2nd Reading
Dexter Golden made the MOTION to approve rezoning Map 014 Parcel 006.01 from A-1 to R-2 – 2nd Reading and Douglas Carson SECONDED. THE MOTION CARRIED BY ACCLAMATION.

(H) OTHER COMMITTEE REPORTS

1) Building Permit Report (Info Only)

2) Church Building Permit (Discussion)
Dexter Golden stated that we had a church come in looking to expand and they fell under the church permit fee cost. I had brought it up to the board and talked about lowering it as long as they fell under the 501-C3 requirements for the tax exemptions that they get. We thought we could lower it or do away with it altogether. I wanted to

know your thoughts on it so we would know what we needed to do as a board. I guess there could be some conflict there if everyone turned in to the 501-C3. We need to be weary of that. Robert Bracewell said his question would be what he had brought up before. What is the purpose of the building permits? Are they to generate revenue or defray cost? If it is to defray cost then I would be for them paying the same as everyone else. If they are making the county work on their behalf then they should pay. If it is to generate revenue we should do away with it or at least reduce it. Dexter Golden said if there is no real direction on that or no feelings toward it then we will keep it like it is. It is already in the book and they will continue to pay the permit fee. Thank you Robert. Bradley Dye said he thought that we should do away with it. Gerald Burnett said he thinks they should be subject to the same restrictions though. Dexter Golden agreed. This is just strictly what their cost would be in the office. Bradley Dye stated that the churches give back to the community a lot. How many churches have we had put in a building permit? We can go back and look at that over the last ten years. Dexter Golden said he could get that information if he wanted it. This was more or less to get you to think about it and we can discuss it again next month, no problem. I wanted that to be on everybody's mind.

(I) COUNCIL MEMBERS QUESTIONS OR COMMENTS

Dexter Golden – Solar Farm Update

Dexter Golden said we do have Solar Farm updates and if you want any of that you can contact myself or Tony Grow. He was doing water testing as of Friday. Some of the creeks were looking a little murky. We had several people contact us about the smoke. The board called and Tony called and everyone has done their homework. To our understanding from the State they are in compliance and they are not doing anything out of the norm with the burning. Douglas Carson asked if they were required to have a burn permit. Dexter Golden stated that he was told with how much land they have with barren land that is questionable. What I am being told is that they do not have to have a permit because of how much barren land they have. They are going forth and getting those permits if they have to have them. Tony Grow is out there on the regular. If you want any updates from him I am welcome to share any of the emails and findings. I just wanted to let you know that is where we were at.

(J) ANNOUNCEMENTS

(K) Adjourn

Sunny Rae Moorehead made the MOTION to adjourn and Peggy Sue Blackburn SECONDED. THE MOTION CARRIED BY ACCLAMATION. The meeting adjourned at 7:39 pm.

EXHIBIT 4

MINUTES OF MAY 19, 2025
METRO COUNCIL MEETING

BE IT REMEMBERED: That on May 19, 2025 the Metropolitan Lynchburg / Moore County Council held a Public Hearing at the Lynchburg Legion Building at 6:20 pm to discuss moving apartments from Commercial to Residential, changing lot sizes from a quarter on a acre in Residential to half an acre, and increasing the lot size for apartments in both Residential and Commercial from what we have now to doubling it as well as adding a cap of twenty-five units per development / parcel. There was no public discussion and the public hearing closed at 6:22 pm.

BE IT REMEMBERED: That on May 19, 2025 the Metropolitan Lynchburg / Moore County Council held a regularly scheduled meeting, beginning at 6:30 pm at the Lynchburg Legion Building. Mayor Sloan Stewart presided over the meeting.

(A) CALL TO ORDER	Chairperson Amy Cashion
OPENING	Sheriff Tyler Hatfield
PLEDGE OF ALLEGIANCE	Jimmy Hammond
INVOCATION	Gerald Burnett

(B) ROLL CALL
The roll was called by Moore County Clerk Lacy Ivey with the following present, namely: Robert Bracewell, Darrel Richards, Marty Cashion, Arvis Bobo, Bradley Dye, Shane Taylor, Amy Cashion, Jimmy Hammond, John Taylor, Gerald Burnett, Dexter Golden, Douglas Carson, Houston Lindsey, Peggy Sue Blackburn, Greg Guinn. (15 present)

(C) APPROVAL of April 21, 2025 COUNCIL MEETING MINUTES
Shane Taylor made the MOTION to approve the April 21, 2025 council meeting minutes and Jimmy Hammond SECONDED. THE MOTION CARRIED BY ACCLAMATION.

At this time Amy Cashion stated that there were a couple of additions to the agenda. It will be under Elections and Appointments number 5) Sandy Lewis – Notary Bond and number 6) Marsha Manley Hale – Notary Public.
Peggy Sue Blackburn made the MOTION to add Sandy Lewis – Notary Bond and Marsha Manley Hale – Notary Public to the agenda and Marty Cashion SECONDED. THE MOTION CARRIED BY ACCLAMATION.

(D) PUBLIC COMMENT
No public comment.

(E) ELECTIONS AND APPOINTMENTS
1) Terry D. Gregory – Notary Public
2) Cody Gass – Notary Public
3) Approve Library Board
4) Brittany Burton – Notary Public

how much the Hustler was and Gerald Burnett said that they were both about fifteen thousand dollars each and that they were within one hundred dollars of each other. One has a setup fee but they will try to get the best deal for us. Peggy Sue Blackburn asked where we were going to get the money to pay for them. Gerald Burnett said it would be from Capital Projects and the money is already there. Peggy Sue Blackburn said she hasn't heard good things about Hustler and that they don't last as long as the Torro. Shane Taylor stated that it is widely used in commercial mowing and that it is one that Jack Daniel's uses. They are comparable to each other.

A **roll call vote** revealed the motion carried as follows: Robert Bracewell, Marty Cashion, Arvis Bobo, Bradley Dye, Shane Taylor, Amy Cashion, Jimmy Hammond, John Taylor, Gerald Burnett, Dexter Golden, Douglas Carson, Houston Lindsey and Greg Guinn voted yes. Darrel Richards and Peggy Sue Blackburn voted no. (13 yes, 2 no)

2) Surplus 2 Cardiac Monitors (EMS)
Douglas Carson made the MOTION to approve the 2 cardiac monitors (EMS) as surplus and John Taylor SECONDED. THE MOTION CARRIED BY ACCLAMATION.

3) Surplus Equipment for MCFD
Houston Lindsey made the MOTION to approve the equipment for MCFD as surplus and Shane Taylor SECONDED. THE MOTION CARRIED BY ACCLAMATION.

4) Surplus 2007 Kenworth Garbage Truck
John Taylor made the MOTION to approve the 2007 Kenworth Garbage Truck as surplus and Peggy Sue Blackburn SECONDED. THE MOTION CARRIED BY ACCLAMATION.

5) Frontier Days – Closures
Peggy Sue Blackburn made the MOTION to approve the partial closure of the square on June 27th at 4:00 pm and full closure of the square June 28th at 4:00 pm for Frontier Days and Shane Taylor SECONDED. THE MOTION CARRIED BY ACCLAMATION.

6) Jail Inspection – Sheriff Hatfield
Sheriff Tyler Hatfield stated that he brought up a few months ago some things that we are facing at the jail. Since then we have been re-inspected by our governing body and because of the hood vent that is over the stove, that has been inoperable for a long time, they did fail us on that inspection. We are in talks with OLG and working with them on getting some drawings and things done. I told you about some leaks we had in the roof. We bid that. We put it out in that paper and did not receive a bid for that repair. Our plan is to wrap everything in to one package if we proceed to go through

just the inmates just for Moore County. Darrel Richards asked how many county inmates they had. Tyler Hatfield said they had about twelve as of right now. It could be somewhere around eighteen at times. We have a dorm full of pre-trial misdemeanors right now. We are doing our best and working with the DA's office to get those in but several have been put off until next month to two months which increases the date they will get sentenced and make us have to keep them longer. We are kind of at the mercy of the court in a lot of ways.

7) 1ST Reading of 2025-2026 Budget
Gerald Burnett stated that in the packet you received there was a proposed budget of $1.8239 for County and $1.8317 for Urban Service rates. Since that time the school Superintendent has come in with a new proposal.

Gerald Burnett made the MOTION to approve the first reading of the 2025-2026 budget with a tax levy of 1.872 and Houston Lindsey SECONDED.

Robert Bracewell stated that we are looking at a thirty-four percent budget increase for the school. I have a few questions for the Superintendent. The tuition 43511 regular days that is out of county students that are attending our schools, correct? School Superintendent Chad Moorehead said yes. Robert Bracewell said the school board just upped the tuition to four hundred dollars. Chad Moorehead said that is maintaining not increasing. Robert Bracewell said in doing the math the county is paying three thousand seven hundred sixty-one dollars so thirty-eight hundred dollars per student and four hundred per student for them to come from out of county. Are there additional funds being given from the State to the county to make up for that or are we having to eat that? School Superintendent Chad Moorehead stated that the way that is set up is when a non-resident person applies to our schools they look at class sizes first. They look at their discipline, attendance rate and their grades to make sure we are getting good students but if we don't have room in that class that they would be coming in to then we turn them away. The way you look at it is we have a classroom set up for twenty students. Twenty textbooks and chromebooks and all the things for twenty students but with our resident students we only have enough for fifteen kids. We have five empty seats that we have already paid for. So every one of those non-resident students that come in we charge them a little bit so that it offsets printing, copying and things like that but they are coming in to a seat that we have already paid for the teacher and all the materials. The State dollars that come with that student like right now, I can't quote the number of non-resident students, but I know that we looked at it when the board was going through and looking at the tuition for next year. It would cost us in State dollars over four hundred thousand close to half a million in State dollars if we were to turn those students away. It's set up in a way that it doesn't really cost us more because we aren't going to accept students that we aren't already prepared for. I know people look at it like a strain on our resources but it's actually a revenue stream. A lot of school districts across the

a million dollars. That's the problem I have. Not the teacher increase. To me this budget isn't about teacher increases it is about everything after that that has been asked for. Chad Moorehead stated that we are not adding too. We are not adding too because we have used our fund balance to provide these raises of the last couple of years. We usually survive on growth on the penny and we are conservative on our spending. When I put this budget together to present to the board. I am under estimating revenues and over estimating expenditures so that in the end we come out in the positive. I can go back and look at the fund balance from when I started. We have seventeen years of data and eleven of the years we were able to add funds to our fund balance and six years we took funds out. In those six years we took funds out though we fixed a condemned football stadium, put up lights at the baseball and softball fields, put up ballistic film on all first level windows at both schools and we have managed and taken care of and tried to work within our tax rates. Darrel Richards said he wanted to simplify this by saying, take this out, everything else aside but the teacher mandate, it's nobody's fault in this county. It is your representatives that did that. Not us, not you. The State did that and now they are wanting to renig on it. I have an email from Representative Morris saying that last week he approached the State Head of the Department of Education and asked him to get personally involved with this. That is saying there is something amiss here. Chad Moorehead stated that he did that on our behalf earlier, he and Shane Reeves. They put me on the phone with the Chairman of the Finance Committee of both houses. The document that I shared with this body during the whole TISA deal, every person that they put me on the phone with and I asked them if they read what I sent out, they said I'm looking at it right now and based on what you have written here that doesn't seem right. Then, when I get on the phone with someone at the State Department they explain it away.

The other part of this budget that you are concerned about is this. When we go back over the last seven years we have had twenty-nine students score over a thirty on the ACT, eleven students that have had perfect scores in at least one sub-part but most of them multiple sub-parts on the ACT. The ACT starts in kindergarten. There isn't anything new in the rest of the budget beside textbooks, school bus and raises. Chad Moorehead said he was just saying that it is just maintaining the momentum that we have in the school system and the academic performance that we are achieving now. Last school year, Marshall County does a really great job of putting all the number together of test scores, other than Manchester because they do not have a high school, our school district ranked top in our region. Think about the school districts around us and we ranked top. I can reproduce that. I can bring you a copy of what Marshall County printed out that shows that. This budget is simply trying to maintain what we have been able to accomplish the last several years. The twenty-nine students that have scored above thirty on the ACT in the last seven years, I'm not saying that there haven't been some to do that but you would have to go back and use a longer stretch of time to find twenty-nine students that scored that high. Our teachers and administrators are really knocking it out of the park right now and we only want to

Robert Bracewell asked if we could see that data from two decades ago. What we had then versus student population versus administrators now. Chad Moorehead said he didn't think that the State website goes back twenty years. Robert Bracewell asked if we had any of that information saved locally. Chad Moorehead said he had been here nineteen years so he might could find something. Robert Bracewell stated that would be the best comparison for someone saying we have too many administrators now where we didn't use to. Chad Moorehead stated that education is vastly different now than it was even ten years ago. Robert Bracewell said with new mandates and new personnel that has been brought in, yes, but that could be accounted for as well as to when they were hired. Chad Moorehead said it would be hard to go back twenty years and have any good information on it.

Peggy Sue Blackburn asked if the assistant principals still taught a class because when she was in school the assistant principal took over when the principal was out and they taught a class of their own. Chad Moorehead said no they do not. Peggy Sue Blackburn asked if that would be something that would help if you went back to something like that. Chad Moorehead said he could assure you that our administrators have their hands full without having a class. Peggy Sue Blackburn jokingly, asked if the kids were that bad. Chad Moorehead said that it is a lot different from when you and I were in school. Teachers were now evaluated every teacher every year and all the documentation that has to go with that. There are so many things that are different now. You have to have hands to do it and people to oversee those things. Peggy Sue Blackburn said she knew when she was going to school and teachers got tenure it was like a bonus and they didn't have to do anything anymore. Chad Moorehead said that tenure is a little different now too in that it is based off of test data and even after you gain tenure you can lose it, now, if your test data goes backwards two years in a row. Peggy Sue Blackburn said that was a good thing and that was a positive note.

Dexter Golden asked if we had more students now than we did twenty years ago. Chad Moorehead said yes but not a huge number. Dexter Golden said but there are more. There was an increase so more positions are there to help that. It does take a village. I've been in there multiple times and the assistant principal could be helping out in any aspect no different than the principal. I understand there is going to be two of them but I don't know if they could necessarily go out and teach a class and try to run that school with more things going on with State requirements. I could be wrong on that. The books that are needed in this, if that is what helps them teach what they need to know, the kids are the future. That is one of the biggest reasons we sit here. I understand we need to take a motion out of it but I think every one of those teachers sitting here tonight are here for those kids not just themselves. Books alone, I get it. Its seventy-five thousand dollars in books but what if they don't have those and the test scores reflect on that? What does that do to us down the road? If we don't look at buying a bus you may be stuck buying two buses when you do need them. I know there is more in that you are talking about other than salaries.

Peggy Sue Blackburn said she would like to make a general statement. I think we need teachers and I think that everybody can tighten their belt and we can get this

additional six hundred forty-five dollars (645.00) that goes on that. Year six there is another addition and also on year eleven. I can't tell you off the top of my head. For an advanced degree, like a Master's, there is a minimum of a base salary there which takes the base with zero and adds several thousand dollars on top for an advanced degree with a six and eleven year mark on that. It is a little more complicated than just saying forty-seven or fifty thousand. There are other layers in there. Douglas Carson said maybe let him rephrase what he was asking. He understands there is a pay increase with years of service. How many teachers right now fall under that fifty thousand no matter what step they are in? Chad Moorehead said this is a ballpark estimate but probably fifteen teachers.

Shane Taylor asked Darrel Richards if it seemed like Senator Marsh was trying to work on this issue at all. Darrel Richards said it seemed like he was through the emails. Shane Taylor said there were two options given to the budget committee and he has received a lot of phone calls with a lot of concerns and everyone was respectful and he appreciated that but it is a hard decision that we all have to make. There are other options we could look at I think what Douglas was trying to touch on was the minimum of forty-seven this year which is changed in the salary there then next year the whole gusto which is why I believe the director put forth two budgets. Chad Moorehead said that he put forth two in the hopes that he wouldn't be standing here next year. I don't enjoy this. Shane Taylor said nor does he or anybody at this table. A lot of the phone calls he is getting now is the potential for money coming back in and we do all of it this year. I've had several people reach out to me on that. Maybe we have to go up two years in a row. We may have to anyway but try to soften the blow each way instead of doing it all at once. Chad Moorehead said that the second one he presented was forty seven thousand two hundred and fifty dollars (47,250.00) just because it is halfway. The State Law doesn't go to halfway when you have two years to get there. The difference for that two hundred fifty dollars (250.00) in that budget would have cost about eighteen thousand dollars (18,000). What I would say to that is I've had Senator Reeves and Marsh on that for a while and when you get to the State Department it is a brick wall. It is a brick wall and I know those people up there they are good people but this is how it was set up. Even if the State did, that is still only one time money that would go in to our fund balance. It will not be reoccurring. It will be a check for this amount of money once. Darrel Richards said that in the email it did say that you (Chad Moorehead) worked diligently trying to get that money with them and did a good job doing that. I also feel that if the State set that up to where there were three counties that didn't get the money I'm not against getting an attorney and suing them saying they can't mandate us for the same reason they can't give us the money. It doesn't make sense on that end but as I've said he really stressed how hard you have worked. It's just a bad deal.

Gerald Burnett said that spreading that over two years means about two pennies less this year. It's not a huge increase. It wasn't that much difference.

John Taylor asked Chad Moorehead if this didn't pass how many teachers would have to be cut. Chad Moorehead said that their budget is eighty-three percent

Shane Taylor asked Gerald Burnett what the difference in the two proposals was. Gerald Burnett said it was about two cents so not much difference. A penny on the property tax is fifty-one thousand four hundred nineteen dollars (51,419.00) so it is about two cents difference.

Amy Cashion called for a roll call vote. She reminded everyone that this is the first reading of the 25-26 budget where the tax levy is $1.7812. Darrel Richards asked how many cents increase that was and Gerald Burnett said twenty-two cents.

Gerald Burnett made the MOTION to approve the first reading of the 2025-2026 budget with a tax levy of $1.872 and Houston Lindsey SECONDED.
A **roll call vote** revealed the motion **does not pass** as follows: Houston Lindsey, Dexter Golden, Gerald Burnett, John Taylor, Amy Cashion, Shane Taylor, Bradley Dye, Arvis Bobo and Marty Cashion voted yes. Greg Guinn, Peggy Sue Blackburn, Douglas Carson, Jimmy Hammond, Darrel Richards, and Robert Bracewell voted no. (9 yes, 6 no)

Bradley Dye asked those who voted no what their direct proposal was. Robert Bracewell said to find a way. We have four plus buses that weren't being used and the proposed salary increase brings the annualized equivalent to sixty-two thousand five hundred dollars (62,500.00) which is well over fifty percent average median income in this county. This is what happens in a bureaucracy when all of your employees are funded by the government. They are all getting paid more. They are working two hundred days a year. The average person works two hundred fifty days a year. I understand that is their field and that is what they chose to do but when you annualize that it is way more than the average citizen makes. All that's going to do is squeeze the citizens for more money. It is a three percent raise, seemingly every year, that the people that are paying them don't get. It is unfortunate. No one is saying that they are doing a bad job or that they don't deserve more money. It comes at the expense of everyone else.
Amy Cashion said she wanted to stay on topic of what we propose as a solution for the budget. If anybody has any suggestions of what we can do in this particular moment to take action in this board for this budget we would be interested in hearing it otherwise, we are going to move on.
Douglas Carson said the requirement we have to be at is forty-seven thousand this year. The governor signed it as a bill and twenty-two cents is a lot for the county. I do not disagree that they don't do their due diligence teaching our next generation. They do a great job. It is hard for some of the citizens in the county. I don't know why we can't step the tax increase up instead of trying to get it all at once. Amy Cashion asked Douglas if that was a suggestion. Douglas Carson said it is. Amy Cashion asked if we could hear what his motion might be. Douglas Carson said it was more of a suggestion that a motion. Amy Cashion said we can make a motion and take suggestions. Douglas Carson said he didn't think they didn't do a good job. Bradley

Darrel Richards stated that we are seeming to focus on the schools only here. I think all the departments need to go back to all the raises there. I think there are several that are over three percent. Gerald Burnett said there were no raises that he knows of that were over three percent. Amy Cashion said except for elected officials and they are mandated the State. If we missed one point it out. Gerald Burnett said when you are looking at that you may be looking at actuals for this year versus next year. Is that right? It is an hourly rate increase not a total dollar increase. If they don't work the full forty hours a week then the actual cost for their salary may be less for this year. Darrel Richards said I don't really want to call anybody out here or cause any problems so I'll put this in a question. Jail foreman is (47500) forty-seven thousand dollars up to sixty-three thousand dollars on page ten. I am asking what that is. Sheriff Tyler Hatfield stated that what you are asking about is what to I spoke to you about before I hired her who is Sandy Metcalf and she is our new jail administrator. We went from a jail administrator with a few years' experience to one with twenty-five years' experience. That's what that is. Darrel Richards asked if that was a sixteen thousand dollar (16,000.00) increase. Sheriff Tyler Hatfield said yes and we are getting someone that knows what they are doing so that is the cost of it. Darrel Richards said okay. Amy Cashion said that isn't necessarily a raise for a person that is a new hire. Tyler Hatfield said that was correct. He stated that there was an opening in August of last year and she came around in September. She left Lincoln County to come to us.
Amy Cashion asked if Darrel Richards wanted to make an amended motion to the tax levy.

Amy Cashion stated that right now the motion is $1.7412 as the tax levy. That is removing the bus and the textbooks from the school budget and leaving the fifty thousand dollar ($50,000.00) minimum salary. That is four cents which is around two hundred thousand (200,000.00).
Greg Guinn asked how much they were going up. How much are they asking for the tax increase? Amy Cashion said we were at twenty-two and now we are at eighteen. Peggy Sue Blackburn said if you did steps it would be the increase on the salary. Amy Cashion said it would be two cents. Peggy Sue Blackburn said that's another two cents that would be sixteen. Amy Cashion said that is not what we have on the table right now. Peggy Sue Blackburn said she just asked a question and Amy Cashion said she wasn't trying to be smart. Peggy Sue Blackburn said she was just saying because you asked for suggestions. We can't pass this tonight.

Amy Cashion stated that as public information, we do not decide how the school spends their money because their board approved a line item for the bus and textbooks. It would have to go back to them to be approved. We are just saying we are going to remove two hundred thousand dollars (200,000.00), however it is, so the new tax levy that we have on the floor now is $1.7412 just so we are clear. We are

9) Approve Government Capital Funding for Installation of Water Meters at $1,489,240.50 for 10 Years

Bradley Dye made the MOTION to approve Government Capital Funding for Installation of Water Meters at $1,489,240.50 for 10 years and Greg Guinn SECONDED.

Robert Bracewell asked if we had an exact amount. Sloan Stewart stated that it was 1.4 million and this is approved by the Water Department. The County is just the co-signer for this. It will be paid for out of rates. They just have to get the approval that we (county) are the backup plan for the Water Department. Kind of like a car loan when you were a child.

Greg Guinn said to tell you a little bit about it, the Water Department has been anywhere from sixty percent to fifty percent in water loss. This month we were at about forty percent water loss. The meters that were purchased some time ago are losing. We checked it a pencil and the meter never turns. With the water loss versus the new meters we should make money to pay for them plus because of the water loss we are currently losing. The old meters, I don't know if they are any good or not, we may have to take them to the dump. We really did our homework on the different types of meters and they are made to catch the low flow even the drop. The money is going to basically get back the water we are making and not getting paid for. Darrel Richards stated they have been proving that in surrounding areas. Greg Guinn stated that they studied a lot of other counties. Another thing that the Water Board did was vote to decrease the water rates. We realize things are a strain and we are trying to get better systems in place to capture what we are treating and not getting money for. A lot of municipalities were borderline bankrupt and went through this program and the data came back good on these particular meters.

Robert Bracewell asked if they went back and looked at the original purchase of the other meters to see if we had any recourse against that manufacturer. Greg Guinn said no, it was kind of a raw deal. I'm not saying anything or throwing rocks but it was basically here they are we have no recourse it is what it is. Amy Cashion asked if it would be 1.4 or 1.1. Greg Guinn said it was around 1.4.

Bradley Dye made the MOTION to approve Government Capital Funding for Installation of Water Meters at $1,489,240.50 for 10 years and Greg Guinn SECONDED.

A **roll call vote** revealed the motion carried as follows: all members voted yes. (15 yes votes)

10) TCRS for Elected Officials

Houston Lindsey made the MOTION to approve TCRS for Elected Officials and Douglas Carson SECONDED. THE MOTION CARRIED BY ACCLAMATION.

(G) OLD BUSINESS

Arvis Bobo made the MOTION to approve the apartment size to double and the number of units to be capped at 25 units – 2nd Reading and Peggy Sue Blackburn SECONDED.

A **roll call vote** revealed the motion carried as follows: Robert Bracewell, Marty Cashion, Arvis Bobo, Bradley Dye, Amy Cashion, Jimmy Hammond, John Taylor, Dexter Golden, Houston Lindsey, and Peggy Sue Blackburn voted yes. Darrel Richards, Shane Taylor, Gerald Burnett, Douglas Carson and Greg Guinn voted no. (10 yes, 5 no)

(H) OTHER COMMITTEE REPORTS

1) Building Permits for April (Info Only)

2) Public Guidance – Ready Removable and Non – Traditional Homes (Discussion)
Dexter Golden said that we have a lot of people call wanting to purchase a permit for ready-removable. A ready-removable would be like the Amish built houses, mini barns and storage units. State fire code does not allow them. Mrs. Christine gets a lot of phone calls and she is having a hard time figuring out what to tell people because we don't necessarily have anything that can stop them from doing it other than the State saying they are illegal. Amy Cashion asked if he said people are living in them and Dexter Golden said yes to live in. I'm not trying to get deep on that subject tonight but we don't have any codes per say to help us follow to help us push that agenda. The board wants some guidance from this body, something to tell the people when they call. We of course try to direct them by saying they are illegal by the State. People still call for them because they are struggling. We have hardships but I don't think we should be issuing permits for someone needing to live in an Amish built house out of the liability on the county if something were to happen. Peggy Sue Blackburn asked if the Amish don't build to codes. Dexter Golden said it would be any ready-removable. The Amish is just what comes to mind. The Amish down 129 they build them, Lowes builds them. Jimmy Hammond said to their knowledge they don't even get an inspection. Dexter Golden said that the State deems those not-livable. Peggy Sue Blackburn said they do build some that are for residents and they are for built for inspections and things. They fall under modular homes. Dexter Golden said if it falls under a modular home it is State certified but this is like a mini barn. The board and Mrs. Christine just wanted to come to us and ask our opinion as a board on what they can tell people when they come to get a permit. The direction we are going is it is not deemed livable. Peggy Sue Blackburn said but if it was passed under modular home then they would be okay. Dexter Golden said we don't have codes here but if it was a modular home that was built to code that would be a different scenario. We don't have anything here to check to make sure it is done correctly.
Gerald Burnett said he had a question about that. We don't have any way to enforce it, right? If someone wants to live in their barn, what are you going to do about it? Dexter Golden said we have ordinances that we do try to follow.

Christine Pyrdom stated that when someone comes in to get a permit they bring me a sketch of what they are about to build. I don't go out and inspect that. All I have to do is take their word for what they are doing. That's why I am saying we need to have something in place that is going to be some type of requirement for us because it makes it hard if something goes through and it wasn't really allowed. Robert Bracewell asked if weren't taking citizens at their word. Gerald Burnett said nobody would lie Robert! Robert Bracewell said there was only one world view where that makes sense.

John Taylor said he would make the recommendation that they bring minimal codes. The planning commission may need to revisit that and bring it to us again. That would address that right?

Amy Cashion told everyone to remember this meeting when we are talking about needing a codes enforcer and adopting these minimum codes. Just remember this meeting!

Robert Bracewell said build whatever you want it is yours but when the government distrusts the citizens...

Amy Cashion said she isn't saying anything about that. She is just saying when they come back in front of this body with wanting these minimum codes and when we need a codes enforcer and everyone asks why we need a codes enforcer I want ya'll to remember this meeting! Gerald Burnett said we will never forget this meeting!

(I) COUNCIL MEMBERS QUESTIONS OR COMMENTS

Peggy Sue Blackburn said she had a question really quick. She asked if a bed and breakfast needed to fall under a business license. Dexter Golden said they did not discuss that. He would be happy to discuss that with the board and bring that to the next meeting if you want. Peggy Sue Blackburn said she has have several people, more than one and less than one hundred, that are concerned with bed and breakfasts not having a business license and not paying the right amount of taxes. It's just a concern.

(J) ANNOUNCEMENTS

1) Debt Obligation for Garbage Truck and School Financing (Info Only)

(K) ADJOURN

Houston Lindsey made the MOTION to adjourn and Shane Taylor SECONDED. THE MOTION CARRIED BY ACCLAMATION. The meeting adjourned at 8:22 pm.