



TENNESSEE HISTORICAL COMMISSION

Special Meeting

Discussion of Whether to Reconsider in Elizabeth Coker v. City of Franklin, APD Docket Number 04.48-191924J & Discussion of Whether to Reconsider in Elizabeth Coker v. City of Franklin, APD Docket Number 04.47-201126J

Via Teleconference

November 6, 2020

Minutes

MEMBERS PRESENT:

Madam Chair, Derita Coleman Williams; Middle Tennessee Vice Chair Beth A. Campbell; Dr. Douglas W. Cupples; Dr. Kent T. Dollar; Sam D. Elliott; Jeremy Harrell; Loni Harris; Cato Johnson; Lucy W. Lee; Dr. William Lyons; Linda Moss Mines; Joanne Cullom Moore; Beverly C. Robertson; Don Roe; Ray Smith; Gerald Parish, Commissioner Salyers' Representative; Phil Hodge, State Archaeologist; Chuck Sherrill, State Librarian and Archivist

MEMBERS ABSENT:

East Tennessee Vice Chair, Allen F. Carter; Ernie Bacon; Toye Heape; Mrs. Robert L. "Tiny" Jones; Doris McMillan; Dr. Keith Norman; Joseph Swann; Judge David W. Tipton; Kelly Wolfe; Don R. Johnson, Governor Lee's Representative; Dr. Carroll Van West, State Historian

GUEST:

Joseph Sanders, TDEC Senior Legal Advisor, Counsel for the THC

STAFF PRESENT:

E. Patrick McIntyre, Jr, Executive Director of Tennessee Historical Commission; Susan McClamroch, Historic Preservation Specialist, Tennessee Heritage Protection Act and Outreach; Ashlee Pierce, Administrative Secretary

A. ANNOUNCEMENTS:

Madam Chair Williams called the meeting to order at 2:00 P.M. C.S.T.. The meeting was convened by internet and telephone, in compliance with Governor Lee's Executive Order No. 16 regarding electronic meetings. She informed that all votes would be conducted by roll call and emphasized to members that they say their name prior to speaking, while otherwise remaining muted. Ms. Pierce conducted the roll call. A quorum was met with 18 members of the required 15 members present.

B. DISCUSSION - APD DOCKET NUMBER 04.48-191924J:

Madam Chair Williams asked for any discussion or motions on whether to reconsider the case of Elizabeth Coker v. City of Franklin, APD Docket Number 04.48-191924J.

Motion

Mr. Elliott motioned relative to APD Docket Number 04.48-191924J to substantially reconsider the issue of whether to review the decision of the Administrative Law Judge in that matter. Dr. Dollar seconded.

A roll call vote was conducted, and the vote was unanimously in favor. Motion carried.

Prior to the roll call vote, Madam Chair Williams asked if there was any discussion of the matter on the floor. Mrs. McMillan asked why a reconsideration was being made. To properly answer, Madam Chair Williams called upon Mr. Joseph Sanders, a Tennessee Department of Environment and Conservation senior legal advisor and counsel for the Tennessee Historical Commission. Mr. Sanders explained the issue at hand in connection to the Open Meetings Act.

C. DISCUSSION - APD DOCKET NUMBER 04.47-201126J:

Motion

Mr. Elliott motioned to set a hearing to substantially reconsider the issue of whether to review the Administrative Law Judge's decision in the matter of APD Docket Number 04.48-191924J. Dr. Dollar seconded.

Madam Chair Williams offered time for a discussion on the motion presented. A roll call vote was conducted, and the vote was unanimously in favor. Motion carried.

Mr. Sanders requested to set a date and time for a special meeting to continue with the two motions just made. Discussion regarding date and time for the special meeting.

Motion

Mr. Elliott motioned to set the special meeting date to December 4, 2020 at 1 P.M. C.S.T.. Commissioner Harris seconded. Dr. Dollar stated he would be unable to attend due to his teaching schedule. Mr. Elliott amended his motion to change the time from 1 P.M. to 2 P.M. to accommodate Dr. Dollar. Mrs. Robertson seconded.

A roll call vote was conducted, and the vote was unanimously in favor. Motion carried.

D. ADJOURNMENT

Madam Chair Williams adjourned the meeting at 2:28 P.M. C.S.T..



E. Patrick McIntyre, Jr.
Executive Director



Derita Coleman Williams
Chair