

TRANSPORTATION LICENSING COMMISSION

Minutes

September 18, 2018

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met in special session on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chair Sal Hernandez, Vice Chair Tom Turner, Commissioners Mona Lisa Warren and Sarah Lingo. (4) Present was Metro Legal Advisers Tara Ladd and Theresa Costonis and TLC staff members Lisa Steelman and Billy Fields.

The Chair called the meeting to order at 2:05 p.m. then led the Pledge of Allegiance followed by a reading of the Notice of Appeal Statement which outlined the right of appeal of TLC decisions.

The Chair explained that this was a "called" meeting of the TLC for the purposes of hearing complaints which were not heard at the regular meeting in August.

Legal Adviser Costonis shared with the results of a court case involving an appeal by Sugar Creek Carriages/Owner Johnny Smith against the TLC. She reported that TLC actions were upheld and confirmed. She also shared that a footnote from the case described that TLC hearing witnesses were not sworn in and that it would be best to do so in the future.

Before calling the first complaint, the Chair asked all those giving testimony rise to take the oath.

Disciplinary/Complaint Issues

Russell Bassett filed six complaints. Three were directed at Sugar Creek Carriages. After some discussion, Commissioner Lingo with a second from Vice Chair Turner moved to allow Mr. Bassett 30 days to refile the complaints due to the manner in which they were filed.

ACTION: Approved 3-0

Mr. Bassett also filed complaints against Robert Leavell and Debra Cox, however, he voluntarily ask to have them dismissed.

Debra Cox filed five complaints. Two were directed toward Southern Comfort. However, only one was within the TLC jurisdiction. After some discussion, Commissioner Lingo with a second from Vice Chair Turner moved to allow Mr. Cox 30 days to refile the complaints due to the manner in which they were filed.

ACTION: Approved 3-0

She filed a complaint that Kenny Hale violated 12.54.200 A11. After a hearing, Vice Chair Turner with a second from Commissioner Warren moved to find there was a violation and place Mr. Hale on 90 days probation.

ACTION: Approved 3-0

Ms. Cox filed a complaint against Jessie Monville, however, Ms. Monville was not present. Vice Chair Turner with a second from Commissioner Warren moved to defer the hearing until October.

ACTION: Approved 3-0

Ms. Cox filed a complaint filed a complaint against Jessie Bennett alleging a violation of 12.54.200 A11. After a hearing, Commissioner Warren with a second from Commissioner Lingo moved to find there was a violation and place Ms. Bennett on 90 days probation.

ACTION: Approved 3-0

Robert Leavell filed complaints against Southern Comfort Carriages, but asked to voluntarily withdraw it after the Chair explained the violations were not within the jurisdiction of the TLC.

Tina Doherty filed eight complaints.

Ms. Doherty filed a complaint against Kenny Hale for a violation of 12.54.200. After a hearing, Commissioner Warren with a second from Vice Chair Turner moved to find there was a violation and place Mr. Hale on 90 days probation to run concurrently with previous probation.

ACTION: Approved 3-0

Ms. Doherty filed a complaint against Russell Bassett for a violation of 12.54.200 A1 and A11. After a hearing, Commissioner Warren with a second from Vice Chair Turner moved to find there was a violation and place Mr. Bassett on 90 days probation.

ACTION: Approved 3-0

Ms. Doherty filed a charge against Charlotte Clawson for violation of 12.54.200 A12. After a hearing, Commissioner Lingo with a second from Commission Warren moved to find there was no violation.

ACTION: Approved 3-0

Ms. Doherty filed a charge against Charlotte Clawson for violation of 12.54.200 A5. After a hearing, Commissioner Warren with a second from Commission Lingo moved to find there was no violation.

ACTION: Approved 3-0

Kam Warren-Zuniga filed several complaints.

Ms. Warren Zuniga filed a complaint against Kenny Hale for a violation of 12.54.200 A11. After a hearing, Vice Chair Turner with a second from Commissioner Warren moved to find no violation.

ACTION: Approved 3-0

Ms. Warren Zuniga filed another complaint against Kenny Hale for a violation of 12.54.200 A5. After a hearing, Vice Chair Turner with a second from Commissioner Warren moved to find there was a violation and place Mr. Hale on 90 days probation to run consecutively with previous probations. (Totaling 150 days)

ACTION: Approved 3-0

The Chair announced that the remaining complaints would need to be heard at the October meeting of the TLC. Ed Highland, representing American Melody Carriages, had previously requested that complaints against his client be deferred until the next meeting because of a court hearing which he needed to attend outside the county. Commissioner Warren with a second Commissioner Powell moved to place the remaining complaints which needed action on the October TLC agenda.

ACTION: Approved 3-0

Other Business

With no further business, the meeting was adjourned at 5:28 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

Date