CITY OF SPRING HILL
BOARD OF MAYOR AND ALDERMEN
SPECIAL CALL PUBLIC HEARING MINUTES
OCTOBER 5, 2020
6:00 PM

Vice Mayor Wurth called the Special Call Public Hearing to order at 6:00 p.m.

Stipulation of Aldermen Present
John Canepari, Matt Fitterer, Kevin Gavigan, Hazel Nieves, Vincent Fuqua, Dan Allen, Jeff Graves, Amy Wurth. Absent: Mayor Graham. Also present: Victor Lay, City Administrator; Chuck Downham, Assistant City Administrator; Patrick Carter, City Attorney; April Goad, City Recorder; Tonya Travis, Finance Director.

BOMA Public Comments
Attached

1. Consider Resolution 20-148, authorizing and directing the City Attorney to file a Declaratory Judgement Action.

Adjourn
Alderman Allen made a motion to adjourn, seconded by Vice Mayor Wurth.
Motion carried, 8/0.
Meeting adjourned at 6:55 p.m.
October 5, 2020

Special Call BOMA Meetings

Public Comments Regarding Ward 4 Seat:

To BOMA,

The concern from BOMA about Hazel Nieves’ residency was brought to my attention this week. From what I could gather, Ms Nieves had a temporary living arrangement outside her ward while her house was being built within her ward & closing got delayed due to COVID. Under State law she still qualified to have residency within her ward while she temporarily resided outside of it showing there was no intention for her to leave her ward and in fact is investing more into it by building a house in her ward.

Instead of BOMA understanding the temporary living arrangement and the intentions of Ms Nieves to live in her ward once she is able to close on her home and therefore dismissing the slanderous allegations against Ms Nieves it seems as though BOMA would rather spend it bullying an elected alderman and threaten to strip her of her office. Ms Nieves was voted in by the residents of Spring Hill and represents residents of Spring Hill. This bullying against Ms Nieves is not only an attack against her integrity but also against the interests of the residents of Spring Hill. If this bullying continues against an elected alderman and an attempt to usurp the voice of Spring Hill residents is made, I will be forced to contact government agencies to do an investigation on Mayor Graham and those who enable this type of bullying within BOMA for potential public corruption. Regards, Amber Freeman

Dear valued public servants,

First, I genuinely appreciate the time and effort you give in serving our community. I’d like to share my opinion that pursuing Ms Nieves for a residency issue that has been temporary seems like a waste of time. If she’d actually moved out of SH or didn't have a contract on a home in her ward, that would be different.

I would like our BOMA to value your time more and focus on more important matters. Thank you, Amy Hudson, 2615 Matchstick Pl, Spring Hill, TN 37174

I am sending this email in support to keep Hazel Nieves on to represent ward 4. The last 6 months have been crazy because of COVID and many of us have changed our way of thinking and given exceptions to our staff because of COVID. It is my understanding that Hazel has never moved out of her ward or changed her legal residence. If COVID hadn’t hit, her new home in ward 4 would have been completed by now. I know most of you that serve on BOMA and know you are logical people and want to do the right thing. From my knowledge of what has occurred it appears the right thing to do is let Hazel serve as the representative of ward 4 and let the voters decide at the next election if they want her to represent them again. Thank you for your service to the city of Spring Hill. Sincerely,

Brian L. King

Dear Board: The "investigation" into Alderman Nieves is a total waste of resources. In the absence of any city or state law to define residence in any other way, TCA 2-2-122 is very clear in its meaning, and Alderman Nieves has made no intent to abandon residence in the ward. What's next? Any members of the Board going away for Fall Break have to vacate their seats? You have much more useful work to do. Unless the Alderman is missing meetings and failing to meet her obligations, there is nothing to be concerned about. Signed, a Ward 2 resident. Bob Moreo
Dear Spring Hill Elected Officials, I am going to be a first time voter this November and will be graduating from High School in 2021 and I have to say hearing all that is taking place about Alderman Nieves, my Grandma, abandoning her Ward, is very upsetting and extremely hurtful. I feel it is an extremely petty thing and how no one gains anything from going after a woman who has given so much to this Community and works so hard not only in making a difference in this town, but also works so hard every day for her Family. As a Christian, I have been raised to stand up for what I believe in and when something is being done to others that is not right. As you may or may not know, the Nieves family is a rather large family, we love God, our Country and each other very much. I understand all about breaking laws and rules, but in a case such as this, no law or rule has really been broken to the point where you claim she has “Abandoned Ward 4.” My Grandma has always been about bringing this community together and teaching my younger cousins and I all about doing good unto others. All of us kids helped her when she was running the Pay It Forward Festival and each year I was part of it, I always enjoyed helping her run the Kid Zone. Seeing the kids have fun and having parents come up to me, thanking me and how much they appreciated all that my Grandma does for the Community, it really made me happy knowing our family; my Grandma especially, is making a difference. When she ran for Alderman, I would go out and help put up signs and went with her to the voting polls. I look back on that as being such an amazing thing to be a part of. Not too many teenagers get to experience having their grandparents run for a public office and win like she did. Seeing my Grandma run for something that she strongly believes in and still does to this day, is something I will never forget. I have seen firsthand how bad COVID19 has hit our County, our City, my Family and even in School every day. My parents are both is Healthcare and seeing them every day on conference calls working from home since March, trying to help their hospitals track down more Ventilators, PPE supplies or helping honor those frontline heroes in their hospitals, has made me so much more aware of the seriousness of this Pandemic, probably more than most kids my age. But I also saw my own family, my Grandma, step up and be there to help out other family members who were deemed essential workers and couldn’t work from home, by taking care of my younger cousins. It made me want to go out there and make a difference in my community even more, so I got a job at a store and I was thanked every day for putting my life in jeopardy to help others. I saw the hysteria of people coming into our store each day trying to find basic essentials like toilet paper, antibacterial soap, disinfectant wipes, milk & eggs! And not a day went by where someone would stop me to thank me or tell me how much they appreciated me, even people who know my family and or my Grandma, would make comments about how impressed they were to see me working instead of being home and not being afraid to be out in public. I learned all this because of my Grandma and my family showing how important it is to give back to others. Another thing that I have learned from my Grandma is to always be truthful and never lie. It’s a very important value from her that I have learned and will always continue to follow. I feel our city really needs to stop the negativity that is being built around a situation that really doesn’t even exist. She still is living in her Ward and doing the job the People elected her to do. Stop going after a woman who has done nothing wrong; never kept any secrets from anyone and has brought so much unity within our town. No matter what happens, she will always be my Grandma and I am so proud of the woman she is, nothing or no one will ever change that. Regards, Cassidy Nieves

TO: Mayor Rick Graham

From: Dan Allen, Alderma1

RE: Findings and Recommendations Regarding Ward 4 Seat Discussion

Mayor Graham,

In response to concerns expressed by citizens, you recently instructed Patrick Carter, City Attorney, to investigate the validity of a claim that Alderman Hazel Nieves was no longer living in the ward that she was elected to represent. This letter represents my official opinion and serves as the basis for my vote at the October 5, 2020 Special Called meeting on this matter.
Facts for Consideration:

During the discussion of this issue, there were several important facts that need to be considered in whether Alderman Nieves vacated the Ward 4 seat.

1. Alderman Nieves entered into a contract to build a new home in Harvest Point, which is in Ward 4, with a contingency to sell her existing home. This contract was executed in February of 2020.

2. Alderman Nieves sold her existing home in Ward 4 in April of 2020. This is corroborated by City utility records, which indicate that Alderman Nieves closed her water account and the account was placed in the new owners name on April 24, 2020.

3. From April to present day, Alderman Nieves has been living temporarily with various family members, who reside in both Ward 2 and Ward 4. Alderman Nieves did, in fact, move out of her house as evidenced by real estate and utility records.

4. Due to delays caused by COVID 19, the construction of the new residence has been delayed until October 2020 as of the time of this letter.

Applicable State Law:

The City of Spring Hill operates under Mayor-Aldermanic Charter. The basic organizational provisions for this form of government are covered in Tennessee Code Annotated Title 6, Chapters 1-17. The applicable provision within the City Charter is T.C.A. 6-3-103, and it is included below for reference. Please note that sections highlighted in bold are considered applicable to the determination under discussion.

TCA 6-3-103 RESIDENCE REQUIREMENTS FOR OFFICERS

(a) No person shall be eligible for the office of mayor unless such person has resided within the municipality for at least one (1) year next preceding election.

(b) No person shall be eligible for the office of alderman unless such person has resided within the ward for at least one (1) year next preceding election.

(c) Residence within any area annexed in a year preceding an election shall be counted in meeting the residence requirement of this section.

(d) Any officer moving from such officer's ward, in the case of an alderman, or moving from the municipality, in the case of the mayor, during the term of office shall be presumed to have vacated the office, and it shall be declared vacant, and filled as provided in TCA 6-3-107.

Tennessee Code Annotated also provides guidance on determination of residency, which is applicable in this discussion. Please note that sections highlighted in bold are considered applicable to the determination under discussion.

TCA 2-2-122 PRINCIPLES FOR DETERMINATION OF RESIDENCE FACTORS INVOLVED

(a) The determination of whether a person is a resident or where the person resides or has residence for purposes of the election code shall be made in the light of the following principles:

(1) The residence of a person is that place in which the person's habitation is fixed, and to which, whenever the person is absent, the person has a definite intention to return; provided, that a person may not register to vote using a business location as the registration address when the sole basis for the person's presence at such location is based on a business or commercial use;

(2) A change of residence is generally made only by the act of removal joined with the intent to remain in another place. There can be only one (1) residence;
(3) A person does not become a resident of a place solely by intending to make it the person's residence. There must be appropriate action consistent with the intention;

(4) A person does not lose residence if, with the definite intention of returning, the person leaves home and goes to another country, state or place within this state for temporary purposes, even if of one or more years duration;

(5) The place where a married person's spouse and family have their habitation is presumed to be the person's place of residence, but a married person who takes up or continues abode with the intention of remaining at a place other than where the person's family resides is a resident where the person abides;

(6) A person may be a resident of a place regardless of the nature of the person's habitation, whether house or apartment, mobile home or public institution, owned or rented; however, a commercial address may not be used for residential purposes, unless the applicant provides evidence of such applicant's residential use of such address;

(7) A person does not gain or lose residence solely by reason of the person's presence or absence while employed in the service of the United States or of this state, or while a student at an institution of learning, or while kept in an institution at public expense, or while confined in a public prison or while living on a military reservation; and

(8) No member of the armed forces of the United States, or such member's spouse or dependent, is a resident of this state solely by reason of being stationed in this state.

(b) (1) The following factors, among other relevant matters, may be considered in the determination of where a person is a resident:

(A) The person's possession, acquisition or surrender of inhabitable property;
(B) Location of the person's occupation;
(C) Place of licensing or registration of the person's personal property;
(D) Place of payment of taxes which are governed by residence;
(E) Purpose of the person's presence in a particular place; and
(F) Place of the person's licensing for activities such as driving.

Findings and Recommendations:

1. Should the City have investigated a concern expressed by a citizen regarding an Alderman's residency?

The identity, intent, or character of the person or persons reporting the concern to the Mayor is not germane to the facts in this issue. A concern expressed with very specific knowledge regarding a situation warrants a specific response. The City should continue to practice the policy of thoroughly addressing citizen concerns, especially when expressed with specific knowledge. Simply overlooking or dismissing this type of concern is not acceptable and would create a far more egregious disenfranchisement of a concerned citizen or citizens.

I find that the Mayor acted appropriately in referring the matter to the City Attorney, and the City Attorney acted appropriately in referring the issue to the BOMA.

2. Should the City of Spring Hill refer this matter to the Court?

As referenced previously in this letter, there are two primary areas within Tennessee Code Annotated that should be taken into account. In discussion with both the City Attorney and MTAS, the City Charter provisions do not appear to have any additional standing, privilege, or preference over the principles of residence factors. As such, if the matter were referred to the court, it would be reasonable to expect that a judge would take into consideration both sections working in tandem. It is highly unlikely that the City should expect a ruling that only takes into account the provisions within the City Charter with the exclusion of discussion on residency requirements.
As a matter of record, I inquired of MTAS as to whether or not there are any reported cases or Attorney General opinions on this issue. MTAS researched and determined that there are not any cases that examine residency requirements in the context of whether a vacancy has been established, nor are there any Attorney General opinions on the issue.

With the information available at the time of writing, Alderman Nieves has demonstrated appropriate action consistent with the intention to remain a resident of Ward 4. While I am not an attorney and nobody can fully predict how a judge may rule, it is highly probable that a judge would come to this conclusion based on the facts and applicable state law.

Taking all of this into account, it is my recommendation that the City dismiss the matter in order to avoid further legal expense to the citizens of Spring Hill.

3. Did Alderman Nieves do anything wrong?

Throughout this discussion, it is clear that there was a failure to communicate. As elected officials, we have many resources available to us. We have administrators, attorneys, and the free service of MTAS. Alderman Nieves did not communicate or consult with any of these resources until the City Attorney contacted her to discuss the matter.

While this is not an issue for which an elected official should be unseated, it should be noted that transparency and public disclosure are important in matters such as this. The citizens of Spring Hill have every right to expect that their representatives are following applicable state law and representing them accordingly.

Alderman Nieves could have easily avoided creating a perception of impropriety by disclosing to the City Attorney that she had entered into a contract to build a new home in February. The City Attorney would have advised making a public declaration regarding intent during a BOMA meeting, and the matter would have been resolved openly. In the future, the expectation is that any elected official should consult with the City Attorney when a decision is made that will cause a change in residence. Whether it is buying a new home, building a new home, or listing a current home for sale, these matters need to be discussed and disclosures of intent made as a matter of respect, transparency, and integrity to our citizens.

It is my sincere hope that this letter will bring a swift conclusion to this matter and allow the BOMA to refocus on the many pressing challenges that our City faces. I appreciate all of the efforts of both yourself and Alderman Nieves in fulfilling your duties as elected officials. While we may not always agree, I believe every member of the BOMA does their very best to serve Spring Hill. This current BOMA only has a few meetings left together before the next election cycle.

It is my genuine hope that we make them count, and that we make them great.

Respectfully entered into the public record on October 2nd, 2020, Daniel Allen Alderman, Ward 3

To Whom It May Concern:

This email serves to support my good friend, Hazel Nieves, Alderman of Ward 4 in Spring Hill, who has come under fire because of living in temporary housing for a short time while her new home was under construction. (Note: Her home was not ready in time because of the Covid-19 restrictions.) During this time, she continued her faithful work as Alderman of Ward 4, attending meetings, working for the people who voted her into office, and voting at the BOMA meetings. If she was not attending meetings, I could understand the concern. If she was not in attendance to vote, I could understand. If she was not available and working for those who voted for her in Ward 4, I could understand. But this is not the case. I have known Hazel Nieves and her wonderful family for 11 years. She is a highly intelligent godly woman of high integrity and honesty. She is one of the kindest and most caring people I know. She loves Spring Hill and has been a part of contributing and donating her time and energy into many programs in the Spring Hill area. Everything she does is done from the goodness of her heart. Ask anyone in
Spring Hill and surrounding areas about the great success of the Pay It Forward Festival that she headed up for several years. She is hard working and her main objective is to make life better for every person around her. I hope you will seriously reconsider your intention to unseat her for this false accusation against her of “moving out of her Ward.” It is obvious that she did not “move” out of the Ward. If you move forward on this action, it will be a great injustice and could prove to be a permanent stain on the BOMA. Very Sincerely, Debby Brown

The recent controversy concerning residence appears to be a unprofessional and complete waste of time, disrespectful to her and to the voters of this city. The apparent due diligence and lack of resultant merit in the accusation must be considered to be embarrassing to the local community and indicative of ill-considered action on the part of our elected leaders. As this has been a public accusation common courtesy requires at the very least public apology. I have reviewed the arguments and posturing in the news reporting of the meeting, and sincerely hope that it does not require the cost and time involved in obtaining a legal opinion where the intent and spirit of the residency problem is evident even to the board members involved. I mean, are we not represented by at least marginally intelligent and empathetic people? As a decades long resident of Spring Hill, I have no dog in this fight other than to expect our representatives to do what is right in this matter. Dave Horton

To whom it may concern,

For those of you that don’t know me, my name is Dwayne Nieves. I’m Alderman Nieves’ oldest son. I’m writing this letter in hopes that Mayor Graham and our BOMA will be re-focused on the Real issues that Spring Hill has and addressing them after this meeting on Monday. I’m a proud citizen of Spring Hill and have given countless hours to my community as well. I’m very puzzled as to why this is such a BIG issue. I will spare everyone the history of who are family is in this community, as I know my wife has that part covered in her letter. I would like to point out some key indicators though as it pertains to Alderman Nieves’ character. My hope is that this will paint a better picture of who Alderman Nieves is as a person and the things she has done and is doing for our community. My mom has always had a passion for helping others, especially small businesses and their communities. Back in 2008 this took shape in the form of consulting for my mom and I along with building and developing websites for small businesses. My mom loves this community so much that she totally pivoted her business offering the form of www.springhillfresh.com. Here is the missions statement written by Alderman Nieves. “Our focus is to help strengthen our community by helping them stay informed with current, up-to-date local and organic information to enhance their community livability experience!

Providing a platform where our citizens can engage in grassroots initiatives that help cultivate opportunities for our residents & business communities to build stronger relationships and inspire a fresh desire for local pride and leadership. We believe our fun and relevant approach encourages our community to consistently be motivated to support all things local, requires us all to realize the exceptional benefits of building a caring community, taking personal responsibility for our own well-being as a community and...by getting involved in what’s going on in our city!” As you listen and hear this mission statement, you clearly realize that Alderman Nieves is “all-in” for this community, it’s citizens, it’s business, and its leadership. Additionally, my mom, along with our entire family’s help, took over managing the annual Pay It Forward festival and grew that festival to one of the largest festival’s (In 2016 – Over 16 thousand attendees) that the city has ever seen over a 10-year span. Please take some time by looking at all the memories that were created over the 10 years by searching for “Spring Hill Pay It Forward Festival” on Facebook. The focus of this festival was to unite the city. The citizens, businesses, city officials and it’s employee’s came together to enjoy fun activities, while enjoying food and entertainment. This charity event was strictly put in place to raising money for local charities, mainly, The Tennessee Children’s Home and The Well Outreach Program. The festival partnered and received sponsorship from companies and businesses such as General Motors, UAW, Parks GMC, Lucas Chevrolet, Lyons, Chevrolet, John Maher Builders, Inc., Kroger Marketplace, Maury Regional, etc. In 2016, the final year of the festival, Alderman Nieves raised $21k for the Tennessee Children’s Home, $3k for Maury County Boys and Girls Club and $1k for The Well Outreach Program. I
remember that Mayor Graham showed support by attending the ribbon cutting for many years and dubbed it a city event after becoming mayor. It was great because we also had the support of local law enforcement and fire departments. There is much more that I can speak to in terms of what she has brought to this community but the point I’m trying to make is that why would someone work this hard in their community and be so dedicated just to abandon her post now? It is clear to me and many others on this board and in our city via social channels, know Alderman Nieves has served our community for many years and has stated that she intends to continue to do so in last Monday’s BOMA meeting. Why is the Mayor and others spending so much time on this when it should be a non-issue? Additionally, for those that have brought this to attention, why wouldn’t you have a conversation with Alderman Nieves letting he know that this situation could potentially cause an issue? To me it seems that someone or some people are determined to remove Alderman Nieves from her seat so that it suits their agenda. In last week’s BOMA meeting, Alderman Nieves clearly stated her intent for residency. As a reminder, these are the Tennessee’s two guidelines that pertain to her situation.

1. The residence of a person is the place where the person’s habitation is fixed and is where, during periods of absence, the person definitely intends to return.
2. A change of residence is made not only by relocation, but also by intent to remain in the new location permanently, and by demonstrating actions consistent with that intention.

Alderman Nieves, is having a new home built in Ward 4 and can provide ample proof that this started pre-COVID. The BOMA and the Mayor are well aware that this pandemic has hurt our economy, supply chain, and building efforts. I respectfully ask the Mayor and BOMA to not pursue any further action on this matter. As Tennessee Residency law clearly shows that Alderman Nieves’ intentions have always been to move from her previous home that resided in ward 4 to her new home that is currently being built within ward 4. Thank you for your consideration. Dwayne Nieves, Senior Manager, Web Systems & CRM Development HealthTrust

I have had prompt response from Hazel Nieves when I had a concern. I support her continued representation during this unprecedented time of changes due to Covid. Let's get busy working for Spring Hill. I love my new community. Eleanor Dyer

City of Spring Hill Leaders,

My name is Emmanuel Nieves, resident of Spring Hill since 2010. I am writing to express my personal concerns of countinuous practices and of the recent events that have led to the call of the October 5th Special Meeting. I find the sequence of events that has led to this event to be a gross waste of resources and time and find the backdoor process that has led to this to be nothing short of being properly labeled as a scandal. Spring Hill seemingly continues to have these "scandals" arise under this core leadership over the years and they are all well documented and frankly an embarrassing reflection of the dysfunctional practices that are continually in place. It is apparent that the focus to internally work against each other versus supporting each other is a common practice. Regardless of where you stand on city issues you all embody the overall government that represents this city and should spend more time and resources on truly working together versus playing dirty politics with the backbiting, alliances, personal agendas and unacceptable entrapment practices that curb the overall productivity that you all promised to deliver to the citizens of the city that you represent! Onto the current matter, Alderwoman Hazel Nieves is my mother and has stayed partially at my residence over the last 5 months (not nearly a year as previously reported). I find the manner of how this situation has been pursued to unveil the true nature of dysfunction which I intend to highlight. To begin, let me point out that there has been commentary that has indicated a breach of procedure by Hazel in how her resident transition has been reported and handled. To that point I ask the following questions: What procedure? Where is it? What is the outline? I will save you the time by stating that there isn’t one, so how could there be a breach? A subjective opinion on how this was handled is not law! Furthermore, I find it to be completely
hypocritical of Mayor Graham to have drilled Alderwoman Hazel on this topic while the very week he questioned her about her transition he himself had listed his own residence for sale and has not notified this leadership group or public as a whole? So I ask again, what procedure and what are HIS INTENTIONS WITH RESIDENCY?

Speaking of that drilling session and the entrapment practices. Mayor Graham, who was texting you questions to ask Alderwoman Hazel during that BOMA "discussion"? It's on video, that type of practice with communications among the board or with outside sources during meetings are recorded, we the citizens can see it plainly. What am I referencing with the entrapment claim? Well the facts are that Alderwoman Hazel has documents that show that she had in fact reported her residency change intention to city officials and even stating that she would be temporarily staying among her kids respective homes until completion of her permanent residence. Additionally, she has correspondence with multiple members of this group conveying as such months PRIOR to this situation. Members that have much more tenure and experience with these dealings, that instead of practicing the values that I spoke about at the beginning of this letter and partnering with Alderwoman Hazel about any concerns, instead chose to remain silent. Some of those members are moving against her now, as if they were not aware. Their votes on this matter will reference their position publically to the citizens as to what the true nature of being in government means to them. Legally, Alderwoman Hazel has not broken residency laws, which it has been questioned what is "temporary residence" well the law defines it, up to one year; again she is at 5 months. The charter is subjective and references "moving out of a ward" when in fact Alderwoman Hazel is moving WITHIN her ward! The Webster's Dictionary defines "Move" as changing one's residence which again according to Federal and State Residency Laws Alderwoman Hazel has not legally moved outside her ward. Further evidence of this is the fact that she is still listed to vote in November within her ward! The multiple sources of misreporting of the facts and the steps that have been taken to move against Alderwoman Hazel; such as contacting MTAS prior to speaking with her and then presenting her with an ultimatum limiting her to a decision, without providing proper facts and opportunity to explore the matter fully. Additionally, the spying on my residence and taking pictures is an apparent example of dirty politics and an attempt to remove a public official voted in by the CITIZENS! Why has she been singled out in this situation? Why has common sense not prevailed? Why was due diligence and benefit of the doubt not applied by all until AFTER the backlash of public opinion? Dysfunction! This city has MAJOR issues that need the time and attention of the leaders to address now! This topic amid the unprecedented COVID PANDEMIC is another embarrassing scandal for Spring Hill. I appreciate the leaders and the citizens who share these concerns and views on the dealings of this matter. I also appreciate the great sacrifices and service Alderwoman Hazel has made for the true intention of representing the citizens of Spring Hill! I implore you all to restore the citizens faith in your ability to be effective leaders and denounce this situation and begin to WORK TOGETHER! You are not enemies just because you don't agree! You are on the same team! Demonstrate a better example of leadership! Thank you. Very Concerned Citizen, Emmanuel Nieves 3204 Appian Way Spring Hill, TN 37174

I have read and listened to the topic of Alderman Nieves. I find this a waste of Spring Hill residents' money and time. Sounds like she is in the process of buying and selling a home within her own ward, during a pandemic no less. It's very disheartening to think that the people running our city have nothing better to do and have little compassion for our community and the residents that live here.

Erin Paredes (a Spring Hill resident since 2010)

I'm Jay Billman a local resident and business owner, I have known Hazel Nieves since she came to our community. She started her business and has always put our residents and local businesses together to support our local economy. She contributes to the success of our community by giving back she spent many years with the pay it forward program that helped many people here. She's been involved with getting our ball fields with Score boards for our kids to have a nice place to play ball. She all about doing the right thing for our City of Spring Hill. She gives her true opinion on problems that the city has, she don't sugar coat it. As far as someone saying she was living out of the ward, She gave you her explanation about helping family. I trust Hazel Nieves 100% what she
says she don’t lie she’s a true friend of mine and the City of Spring Hill. I think you need to reconsider your facts before trying to remove Hazel from the Ward4. Jay Billman

To whom it may concern,

I am sending this email to the board regarding my mother, Alderman Hazel Nieves. My mother is known for her commitment to the citizens of Spring Hill by the many endeavors and projects she has been responsible for benefiting our city and local businesses. I find the city’s actions against my mother to be extremely petty and disrespectful to someone who is regarded with such high respect from the many citizens in our community. This whole thing that my mother has vacated her Ward is absolutely ridiculous and shows very poor judgment for those who are pursuing this. Where is the proof you have that she has in fact “Moved from her Ward”. I am her daughter, (I live in Ward 4) that she has stayed with for a temporary time until her home is finished. I have proof of that, so where is the boards proof otherwise? And mind you this is all happening right in the middle of COVID-19. It seems to me that the action the city is taking on this is very suspect and personal especially to the fact that the TN State Residential Law is very black and white when it comes to defining a person’s residency intentions. I urge the board to follow our TN State Laws and rethink their position on this before it becomes any more embarrassing for our city. Naomi Capehart, 1015 Violet St, Spring Hill TN 37174

To whom it may concern,

I would like to use this email to communicate my highest regard for Alderman Hazel Nieves. I have had the privilege of being her pastor for the last 3 years now. She has done nothing but operate with the highest integrity in all matters and has been a public servant in so many ways. The latest allegations concerning her place of residency seems to have been generated from some technicality and appears a bit petty. I’m certain that the truth on this matter will prevail and that energy can return to more important matters in our city.

Respectfully, Jeromy Kanaday, Lead Pastor Christ Chapel

Dear Board,

I do not know Spring Hill Alderman Hazel Nieves, but I find it odd that you all are focusing so much on this residency issue. I get that rules are rules, but this clearly appears to be just a temporary issue with no actual change of residency taking place. I sincerely wish you would switch your efforts to the traffic disaster that is the Port Royal/Buckner Lane traffic light, which causes insane backups going northbound during rush hour. I know you all are studying traffic light timing, but the key issue is the left turn arrow. As soon as that arrow goes away, traffic comes to a screeching halt because 50% of drivers go left. I have spent many an hour staring at a green light that I can't go through because the car in front of me wants to turn left. It's high time to buy the empty property on the southwest part of that intersection and expand the road to build a dedicated left-turn lane so that the people who want to go straight from Port Royal onto Buckner can do so. Thank you for your consideration. Best Regards, John Nally

Dear BOMA Members:

Regarding the question of whether or not Alderman Nieves’ seat should be considered “vacated” because she may have temporarily stayed outside of the Ward 4 jurisdiction, I strongly say NO! I’m not in Ward 4, but really she represents me on an “at-large” basis anyway. The “Wards” truly serve only for “election purposes, not representation purposes.” Her permanent residency (Ward) never truly changed (and obviously her “intent” was/is not to change it if she is building a new home in it). I believe it would be a clear case of “over reach” by BOMA to
pursue this issue any further. I don’t know Alderman Nieves, but I feel no action should be taken on claims she vacated her seat. -James (jamesnb@aol.com)

Mayor & Alderman:

Please do not vote to sue Alderman Nieves regarding her temporary displacement due to her efforts to purchase a new home during the Covid-19 pandemic. Reason 1: Proverbs 11:1 says "A false balance is abomination to the LORD: but a just weight is his delight." I am appalled by the "false balance," also known as a "double standard" being shown to Alderman Nieves. I. The mayor used a previous alderman, Chad Whittenburg, as an example of an alderman that handled a move outside his ward correctly. However, please see attached public documentation, signed by that alderman and his wife, that shows that he moved outside his ward months before resigning from BOMA. Reason 2: Don't waste taxpayer money! This would be a frivolous lawsuit that, according to the city attorney, will last 6-8 months. Alderman Nieves will be moved into her new home in her elected ward by the time a decision would be reached by the court! The city is certain to lose, so please don't waste that money! Alderman Nieves, thank you for consistently championing the citizens of Spring Hill as you represent us on the BOMA and Town Center Task Force. Sincerely, Liz Droke

We are AGAINST the use of our tax payer funds to seek legal advice as whether Alderman Nieves broke the law/covenant regarding her residency.

This is a ridiculous waste of time, money and resources. There is proof she has a new home under construction in her specific ward. It's unfortunate there have been multiple delays due to COVID. Haven't we all experienced delays/changes due to this pandemic. Where is the grace you so quickly give to others? Where is the understanding you would want/expect if you were in her shoes? Do the right thing and allow Ms Nieves to complete the term!! She was voted into this position and deserves the respect!! Sincerely, Marlene and Chuck Smith

Please figure out a way to retain this good public servant. I support her and wish I had more confidence in the BOMA and its proceedings in this City. Shelley Stedman

The purpose of this email message is to express our support for Spring Hill Alderman Hazel Nieves. We have reviewed public information and assess that the Alderman did not violate or have the intent to violate the City Charter. As defined by state residency laws, her residency did not change from Ward 4. It is not her fault that construction on the new house in Ward 4 on which she had a valid contract was not finished because of Coronavirus delays. 2020 has been an unusual year in many ways, and this seems to be another example. Alderman Nieves should not be held responsible for conditions beyond her control. We ask that you end this ridiculous waste of taxpayer funds. Sincerely, Mickey and Bridget Ward

To whom it may concern:

From the information I have seen, Alderman Nieves intent has been and is to remain in her ward. I think we all have had inconveniences in regard to the pandemic that must be taken into account. I doubt if any of us have had such circumstances in our lifetime. Therefore I feel she should remain in her position until such time as the voters decide. Mike Yulhas

To whom it may concern, I am writing in regards to the recent and continuing controversy regarding Alderman Hazel Nieves. My first reaction is to ask who, at City Hall, desires for her to be unseated. This seems to be a
political witch hunt, using a best, a wooden interpretation of guidelines for Council members. Because of factors beyond her control she has stayed with her children awaiting the construction of her new home, having no intention to persist in residing outside her ward. Her service to our city, for almost two decades, both before and after becoming an Alderman, has been notorious for its unyielding excellence and commitment to promote the best for Spring Hill. Apparently someone resents her willingness to serve with excellence. This entire fiasco would be silly except for the fact of its evil intentions. The desire to eradicate the choice of a majority of voters in her Ward by removing a dedicated person, such as Hazel Nieves, is a slap in the face of all those who supported her, all those who appreciate her dedication and leadership, and a surrender to those who oppose her and her views. One can only wonder what the vendetta is that drives this. Common sense, which apparently isn’t so common, tells any reasonable person that there has been NO intention to deceive or defraud on the part of Alderman Nieves. None! I plead with the Council to drop this terrible charade and virtue signaling, and move on to the important business of making Spring Hill a better place for our families, businesses, and all others who have chosen Spring Hill as their place of residence. sincerely, Perry C. Coghlan, Spring Hill, TN

To Whom It May Concern,

I am writing in regards to the claims about Alderman Hazel Nieves temporarily residing outside of her ward. I have had the pleasure of serving as member of the Spring Hill Town Center Task Force with Hazel for the past year. In that time I have seen nothing but her love for Spring Hill and desire to support the people, businesses, and future of our city. Hazel is a woman of outstanding character and integrity. I do not believe she had done anything wrong, and has accrued in accordance with the state residency law, and clearly plans to reside in her ward as soon as she is able. I think we have all seen how COVID-19 has impacted all areas of our lives, including the construction delays that are outside of Alderman Nieves’ control. I support Hazel, and would never question her commitment as a civil servant to the City of Spring Hill and its residents. thank you, Rachel Bshero

To the City of Spring Hill BOMA:

We are flabbergasted to learn of an apparent attempt to remove Alderman Hazel Nieves from her elected position: A spurious charge of residency outside of Ward 4. As it has been already thoroughly reviewed, Alderman Nieves sold one home in Ward 4 to purchase a new home in Ward 4. If the new house had already been completed on the original schedule, she would be living there now and we would be having no discussion. To assert that Alderman Nieves is not residing in Ward 4 because she sometimes has stayed with family members in another part of our city -- and sometimes with family members within Ward 4 -- while the construction of the new house has been delayed, is preposterous. If an Alderman’s house has to be fumigated for termites and the Alderman stays a few nights in a hotel outside of their own Ward, have they vacated their residence? If an Alderman has had too much to drink and they spend the night at a friend’s house, have they vacated their residence? According to the laws of the State of Tennessee, Alderman Nieves is still a resident of Ward 4, which leads us to conclude that these ridiculous proceedings are a matter of lawlessness and an abuse of taxpayer resources. Hazel Nieves’ exemplary history of commitment to the citizens of Spring Hill through the Pay It For Festival, Spring Hill Fresh, Boys and Girls Clubs and more is undeniable. We shudder to think that someone in our fine city has wicked ambitions that are threatened by Alderman Nieves, but this petty and baseless charge demonstrates the absence of “dirt” that can be hurled toward her impeccable service. Local government is the government which most affects each citizen, so its public perception is paramount. We are dismayed that this frivolous and ill-considered allegation has been even entertained, let alone carried this far. Please do not consider any more action on this matter, lest you further undermine our confidence in the City of Spring Hill. Sincerely, Randall & Stacy Harp, 1706 Carlyon Court, Spring Hill, TN
Honorable Mayor Rick Graham, Aldermen & Women, and other Elected Spring Hill Officials, I own a home in Spring Hill and have lived in this community for twelve years. My husband and I moved from California to Spring Hill/Thompsons Station because we loved the warm welcome we received when we visited in the earlier 2000's and loved how family oriented this city is. We thought what a great place it would be to raise our Children and get involved in the community. We have three children who have all at one time or another Cheered, played Football, Basketball, Baseball & Softball here and have also been fortunate to volunteer our time in Coaching many Children in this community. We have gotten to know many citizens in this town and it has made me so proud to call Spring Hill/Thompsons Station my City. One of the first things family and friends of mine have said when they visit, is how family oriented it feels in our little town. It brings me great joy to see the wonderful gestures that people are doing in giving back to others less fortunate, gathering meals for families who may have lost loved ones unexpectedly, subdivisions supporting local law enforcement tragically killed by tying blue ribbons on mailboxes, and helping a neighbor/friend out just because they care. Recently there were some accusations brought agains: Alderman Nieves in Ward 4 about her temporarily residing outside of her Ward, as she is in the process of having a new home built, in Ward 4. Never once has she abandoned her Ward, in fact she has continued to bring awareness of what is happening not only in her own Ward, but in our entire City on a daily basis, from News, Politics & various other Community Events. As you all know when COVID-19 hit, it hit hard and affected a lot of people not just in our City, but across the United States and the World. A lot of people in our family alone were affected or deemed essential workers. The fact that there has been so much unnecessary press and special BOMA meetings in regards to this topic of Alderman Nieves “Abandoning Ward 4” has honestly been so disappointing. The fact that this has become a top concern of our Elected City Officials, considering all that is going on in improving our Cities infrastructure or even during these said times of COVID-19, somewhere along the way, focus of being a family oriented community and helping a fellow neighbor out when in need, has been pushed to the side. We are in a different day and age since the COVID Pandemic hit and rules or Bylaws that were originally put into place, may have been appropriate at that specific time, but many Corporate Companies, HOA’s and yes, Government Officials, are having to rewrite and re-adjust what was originally ruled upon as law, to accommodate what is taken place for millions of Americans since the Pandemic hit. There are so many things occurring in our economy, that no one really has control of, especially when having a new home built. Rather than waste our taxpayers dollars and proceed any further with this accusation, I ask that you please take into consideration this letter along with the countless others that support Alderman Nieves, my Mother in law. Look at all the good she has done for this city and the positiveness that she has brought into bringing this Community together. Thank you for your time.

Sincerely, Shawna Nieves

As a resident of Spring Hill, I’m appalled at the latest story regarding Nieves’ residency. She is having a home built in her current ward and has never left that ward. She has done NOTHING wrong. STOP wasting taxpayers’ money on such a silly notion! It’s obvious this is about something else. Perhaps a disagreement on something else...? The public sees right through this. She has broken no laws. I’ll be watching to see how this is handled and will be happy to vote those directly involved out of office.

Brian & Stephanie Roberts

Good afternoon, As a resident of Ward 4 living on Golf View Way in the Golf View Estates subdivision, I have no concerns about the temporary out-of-ward residency of Alderman Nieves. Her intent does not seem to have been to deceive and her actions clearly indicate that she intends to continue having her permanent residence in Ward 4. I urge the BOMA to focus its energies on matters of greater importance and to drop this issue. J. Sterling Crawford

To all, My name is Tobias Perez I am a longtime resident of middle Tn / Williamson Co , I have known Ms Nieves for several years and have seen first hand what she has done for the city and all members of the community, including and not limited to any cause, especially the countless fundraisers for different organizations, and how you ask I know? It’s because I to have helped her cause before . The reason I’m speaking out today is I feel her integrity and moral standards as a human being and an Alderman at Large are being questioned, and I for one
know she would never do such a thing as to “ABANDON” anything, I also am saddened to hear as adults we have
decided that instead of discussing such allegations to each other we have now come to social media plots to accuse
individuals as such!!!! I am also saddened to see first hand how politics have been played in our cities/communities
and ultimately this country!!!! STOP political agendas now and let’s get back to serving others and not our
political parties, I for one am tired of it, Owner Tobias Perez, Higher Calling Electric Corp

As a 14 year resident and friend to Hazel Nieves, I find myself in dismay at the treatment she is currently receiving
due to a supposed BOMA infraction. I understand rules and regulations, but based on Hazel’s integrity, I firmly
doubt that she has intentionally done anything to justify her removal as a ward 4 Alderman. Whenever time and
money are wasted trying to discredit a dedicated public figure (especially on an issue as trivial as this one is) I tend
to suspect nefarious motives. The attempt to discredit Mrs Nieves is quite obvious... my question is WHY? Thank
you for your consideration. Sincerely, Wendy Sherman

Mr. Mayor and the entire BOMA,
I promise to be respectful of your time and to be concise with this message. Keeping it simple 'I submit a few
bulleted points illustrating my concerns with tonight's special voting session:
Alderman Hazel Nieves' actions are supported by Tennessee State Law with regards to remaining a resident of
Ward 4. Alderman Nieves never intended to vacate her residency within Ward 4. Several documents and actions
prove this. Alderman Nieves has demonstrated and will continue to fulfill her duties to the best of her abilities
representing the citizens of Ward 4 and all residents of Spring Hill. It is my understanding that one of tonight's
options is to vote for legal proceedings. This option is a significant waste of taxpayer dollars and time. I am
stunned that this legislative body of the city government cannot figure out this clearly insignificant "situation"
internally and founded on facts leading to the immediate dismissal of all claims. I am confident you can work
together and internally - correct?? I am a long-standing proud citizen of Spring Hill and know many of you; and
also have thought very highly of you . . . .
I am disappointed you all have voted to take such an aggressive stance this evening with city time and finances at
risk on such a baseless allegation. My trust in this BOMA is now suspect and will only be repaired with a simple
action; full dismissal of this baseless claim that Alderman Nieves has vacated her seat for Ward 4.
I look forward to you performing prioritized functions commencing with our roadway projects and enhanced public
safety departments to name a few.
Making Spring Hill GREAT includes a seat filled by Hazel Nieves. Sincerely, Barry Weinstein