

RESOLUTION NO. 1973-22

A RESOLUTION TO ESTABLISH A WEAKLEY COUNTY RURAL ROAD PLAN FOR ROAD MAINTENANCE ONLY.

WHEREAS, it appearing that Weakley County does not have a Rural Road Plan to specify the responsibilities of the Weakley County Highway Department in its road maintenance activities, and

WHEREAS, the Weakley County Quarterly Court, in regular session on the 9th day of July, 1973, recognized the need for a Weakley County Rural Road Plan and appointed a seven-man committee from the Court to study, develop and report back, with a recommended, to this term of the Weakley County Quarterly Court, and

WHEREAS, this Committee working with the Weakley County Road Commissioners have developed the criteria and recommended Rural Road Plan, for maintenance only, for Weakley County, Tennessee.

BE IT RESOLVED by the Weakley County Quarterly Court, in regular Session on the 8th day of October, 1973, that the Weakley County Rural Road Plan for maintenance only, will consist of rural roads which fall into one (1) or more of the following classifications:

1. Roads where person or persons actually live.
2. Roads used by the U. S. Mail Service.
3. Roads used by Weakley County Public School Buses.
4. Roads used as traversible connecting roads.

BE IT FURTHER RESOLVED that the Weakley County Rural Road Plan, for maintenance only, will consist of the Rural Roads as show the attached map. (Annex 1 to resolution #1973-22), see October Term, Quarterly Court Folder for annex.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon its adoption, the Public Welfare requiring it.

Motion was made by Esq. Dayle Windsor and seconded by Esq. John Harris to adopt the foregoing resolution.

After much discussion by members of the Court, Esq. James Porter moved that the foregoing Resolution be tabled for further discussion and investigation. Motion was seconded by Esq. George Hearn. Upon being put to a roll call vote:

Aye 7 Nay 14 TABLE MOTION FAILED.

Upon being put to a roll call vote:

Aye 16 Nay 5 Absent 0

ORIGINAL RESOLUTION MOTION CARRIED

RESOLUTION NO. 1973-23

PROPOSAL OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE TO THE COUNTY OF WEAKLEY, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter called "DEPARTMENT", proposes to construct a project designated as NO: F-005-3(21) (92003-2217-14) - (SR 43 (By-Pass) from 1.6 miles South of Martin South City Limits, to 1.8 miles North of Martin North City Limits) - in the County of Weakley, and in the City of Martin, provided the COUNTY AND CITY will cooperate with the DEPARTMENT as set forth in the respective proposal to each, so that the general highway program be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in cross-eminent domain or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing, the DEPARTMENT'S Attorney, whose address is 812 State Highway Building, Department of Transportation, Nashville, Tennessee, 37219, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and
2. To close or otherwise modify any of its roads, or other public ways as may be indicated on the plans, as provided by law; and
3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and
4. To effect the removal, relocation, or adjustment of the facilities of any utility, public and private, without cost to the DEPARTMENT, which are located within the right-of-way of any road, or other public way owned by it, as may be necessary to construct the project; and
5. That after the project is completed and open to traffic, such parts of any present highway as are not removed, but are replaced by the project, all as shown on the attached map, will be accepted by it for future maintenance; and

PROPOSAL (CONTINUED)

6. Not to pass any Resolutions which would be in conflict with any of the above prescribed provisions; then

Following the acceptance of this proposal, the DEPARTMENT will acquire the rights-of-way and easements as necessary to construct the project in accordance with the plans and any amendments thereto; thereafter accomplish the construction, and defend any cross-claim or damage civil actions of which it has received the notices provided for herein.

The project plans hereinbefore identified by number and description are incorporated by reference thereto and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished to the COUNTY.

The acceptance of this proposal shall be evidenced by the passage of a proper Resolution which shall incorporate the same verbatim, or by reference thereto, at the next regularly scheduled meeting of the County Court.

IN WITNESS WHEREOF, the DEPARTMENT has caused this instrument to be executed by its duly authorized officials on this the 17th day of September, 1973.

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

By: Robert F. Smith  
Commissioner

APPROVED:

/s/ Henry Burkett Jr.  
Department Attorney

RESOLUTION

BE IT RESOLVED BY THE WEAKLEY COUNTY QUARTERLY COURT OF WEAKLEY COUNTY, TENNESSEE, assembled in Regular Session on this the 8th day of October, 1973. WHEREAS, it appearing that the State of Tennessee, Department of Transportation, has issued a certain proposal dated September 17, 1973, to Weakley County, Tennessee, a copy is attached hereto, and

WHEREAS, it further appears that such proposal shall constitute a contract between the State of Tennessee, Department of Transportation and Weakley County, Tennessee, when accepted by the Weakley County Quarterly Court, and WHEREAS, said proposal has been duly considered and Weakley County, Tennessee, does agree to be bound and incorporate herein by reference that part of the proposal which is embraced in Paragraphs 1, 2, 3, 4, and 6.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon its adoption, the Public Welfare requiring it.

Pursuant to rules of this Court, this Resolution is sponsored by the following members of the Court.

/s/ John E. Harris, Jr.

/s/ Tom H. Farmer, III

/s/ V. P. Beard

Motion was made by Esq. Tom Farmer and seconded by Esq. John Harris that the foregoing resolution be adopted by the Court. Upon being put to a voice vote motion carried unanimously.

WEAKLEY COUNTY QUARTERLY COURT STANDING COMMITTEES

Hon. E. W. Wheeling, Judge of the Weakley County Court, recommended to the Quarterly Court that the following standing committee members be appointed:

BUDGET  
Joe Hunt  
Joe White  
Viron Beard  
Dayle Windsor  
Denton Bell

WEAKLEY COUNTY NURSING HOME

George Hearn  
Wesley Perkins  
Tom Copeland

Tom Farmer  
James Porter  
E. L. Lemonds  
Jerry Simmons  
Wayne Perkins

HEALTH, EDUCATION & WELFARE

Tom Copeland  
John Harris  
E. L. Lemonds  
R. A. Bell  
Dayle Windsor

GOVERNMENTAL RELATIONS

Clyde B. Miles  
Johnny Tharp  
S. T. Bowlin  
John Harris  
James H. Bell