

**AGENDA**  
**REGULAR MEETING OF WEAKLEY COUNTY LEGISLATIVE BODY**  
**JANUARY 28, 2008**

Call to Order at 5:30 p.m.  
Invocation  
Pledge to the Flag  
Roll Call  
Approval of Minutes of November 19, 2007 meeting

**ELECTIONS, APPOINTMENTS & CONFIRMATIONS:**

Re-appointment of Jeff Washburn to serve as the County Attorney for Weakley County.

Appointment of \_\_\_\_\_ to fill unexpired term of Commissioner James Barner of District 7.

Re-appointment of Jack Vincent with term ending December 31, 2011 to the Weakley County Agricultural Extension Committee.

Appointment of Wendell Alexander with term ending June 30, 2011 on the Weakley County Economic Development Board.

Appointment of Emergency Management Officer

Election of Notaries Public

**REPORTS**

Financial Reports  
Veterans Service Report  
Committee Reports

**OLD BUSINESS:**

Weakley County Election Commission Building Project

**NEW BUSINESS:**

RESOLUTION No. 2008-18	Resolution to Request Unclaimed Balance of Accounts Remitted to State Treasurer Under Unclaimed Property Act.
RESOLUTION No. 2008-19	Resolution Authorizing Budget Amendments to the School Federal Projects Fund for the Fiscal Year Ending June 30, 2008.
RESOLUTION No. 2008-20	Resolution Authorizing Budget Amendments to the General Purpose School Fund for the Fiscal Year Ending June 30, 2008.
RESOLUTION No. 2008-21	Resolution Authorizing County Road List for 2008.
RESOLUTION No. 2008-22	Resolution to Establish a "Victim's Assistance Assessment" of \$45.00 to Fund a Program Which Provides Assistance to Victims of Crime.
RESOLUTION No. 2008-23	Resolution Authorizing Budget Amendments to the General Fund for the Fiscal Year Ending June 30, 2008.

RESOLUTION No. 2008-24

Resolution Authorizing the Submittal of an Application to the TN Dept of Economic & Community Development for TN Industrial Infrastructure Funds.

Miscellaneous Statements and Announcements

NEXT REGULAR MEETING

March 24, 2008 at 5:30 p.m. at the Weakley County Courthouse

Weakley County Legislative Breakfast

February 15, 2007 at 7:30 a.m. at the University of Tennessee at Martin

ADJOURNMENT

## WEAKLEY COUNTY LEGISLATIVE BODY MEETING

JANUARY 28, 2008

The Weakley County Legislative Body met in Regular Session on January 28, 2008, at 5:30 p.m. in the County Commission Room at the Weakley County Courthouse. Chairman Dick Phebus called the meeting to order.

Chairman Phebus gave the invocation.

All members present gave the Pledge of Allegiance to the Flag.

County Clerk, Pat Scarbrough, called the Roll with 17 members present and one seat, in District 7 vacant.

The next item on the Agenda was the approval of the November 19, 2007 Regular Meeting minutes. Commissioner Rook made the Motion and Commissioner Jones placed a second to the Motion. There was not any discussion and a voice vote was taken, the ayes carried with none opposed. The Minutes from the November 19, 2007 Regular Meeting was approved.

### **ELECTIONS, APPOINTMENTS & CONFIRMATIONS:**

The first item on the Agenda was the re-appointment of Jeff Washburn to serve as the County Attorney for Weakley County. A motion was made by Commissioner Stewart to re-appoint Attorney Jeff Washburn and Commissioner Westbrook placed a second to the Motion. Discussion was called, and none followed. The County Clerk, Pat Scarbrough called the Roll with 17 ayes and one seat vacant. The re-appointment was confirmed for a term of one year.

The next item under appointments was to fill the unexpired term of Commissioner James Barner of District 7. Commissioner Buckley nominated and made a Motion to appoint Beth VanCleave to fill the unexpired term for District 7. Commissioner Farmer placed a second to the Motion. There was not any discussion to follow and the County Clerk Pat Scarbrough called the Roll with 17 ayes and one seat vacant. The appointment of Beth VanCleave to fill the unexpired term in District 7 was confirmed. County Clerk Pat Scarbrough gave the Oath of Office to Beth VanCleave.

The next item was the Re-appointment of Jack Vincent to the Weakley County Agricultural Extension Committee with his term ending December 31, 2011. Commissioner Wright made the Motion and Commissioner Jones placed a second to the Motion. A Roll Call vote was taken with 18 ayes and none opposed.

The Re-appointment of Jack Vincent to the Weakley County Agricultural Extension Committee was confirmed for a term ending December 31, 2011.

The next item under this heading was the Appointment of Wendell Alexander to the Weakley County Economic Development Board with his term expiring June 30, 2011. Commissioner Westbrook made the Motion and Commissioner Jones placed a second to the Motion. There was not any Discussion to follow and County Clerk Scarbrough took a Roll Call vote with 18 ayes and none opposed. The Appointment of Wendell Alexander to the Weakley County Economic Development Board with the term ending June 30, 2011 was confirmed.

The next appointment was for the Emergency Management Officer. County Mayor, Houston Patrick, made a recommendation to appoint Jamison Peevyhouse for a temporary term ending June 30, 2008. Commissioner Owen made the Motion and Commissioner Stewart placed a second to the Motion. County Clerk Scarbrough took a Roll Call vote with 18 ayes and none opposed. The Temporary Appointment of Jamison Peevyhouse as Emergency Management Officer with a term ending June 30, 2008 was confirmed.

The last item under elections, appointment, and confirmations was the Election of Notaries Public. Commissioner Medling made the Motion and Commissioner Farmer placed a second to the Motion. Discussion was called and a voice vote was taken with the ayes carrying and none opposed. The Election of Notaries Public was approved.

### **REPORTS:**

The Financial Reports were included in the packets, along with the Veterans Service Report and the Agricultural Extension Report. Chairman Phebus called for any other Committee Reports and Commissioner Westbrook, Chairman of the Rules Committee, (at the request of the Weakley County Chamber of Commerce and in compliance with the instructions of the State Department of Economic Community Development) recommended the approval to establish a nine-member committee (one from each district) of land and property owners to meet and make recommendation to the commission. This committee is to help meet requirements of the new revised Three Star Program particularly in regard to land use planning in the county. The Rules Committee met prior to this meeting and made the following recommendations for this Advisory Committee. District 1- John Salmon, District 2 - Eric Owen, District 3 - Mark Huffstetler, District 4 - R.D. Robinson, District 5 - Richard Shadden, District 6 - Earl Wright, District 7 - Mac Buckley, District 8 - Jack Vincent and District 9 - Wendell Alexander. Commissioner Westbrook made the Motion and Commissioner Stewart place a Second. Chairman Phebus commented that the Commission would be voting on the acceptance of the Financial Reports, Veterans Service Report, as well as the recommendation for the Advisory Committee for Land Use Planning. A Roll Call Vote

was taken with 18 ayes and none opposed. The Reports were accepted as filed, as well as the Advisory Committee for Land Use Planning was approved.

**OLD BUSINESS:**

Chairman Phebus commented that information had been mailed out concerning the Weakley County Election Commission Building Project. Chairman Phebus called for any questions or comments concerning this information. There was discussion concerning the two rooms dedicated to the Courthouse for storage and Commissioner Medling commented that in Committee these two rooms had been given back to the Election Commission, Commissioner Westbrook commented that the Committee did not have authority to do this without approval of the full Commission. The committee recommended that the Election commission be given these two rooms since the new Election Commission Chairman, Kerry Killebrew, commented that there was not ample room for the tech room and voting machine room in the new building and that these two rooms were needed for the technicians to set up and work on these machines. It was also noted that the Courthouse would be provided with storage rooms, possibly in the old Dresden Elementary Building or there was storage available at the Center for Adult and Continuing Education. Commissioner Westbrook made a Motion that the committee recommended that this space be used for the Election Commission. Commissioner Buckley placed a second to the Motion. There was not any other discussion and the question was called with a voice vote being taken, the ayes carried with none opposed.

**NEW BUSINESS:**

**RESOLUTION NO 2008-18:** Resolution to Request Unclaimed Balance of Accounts Remitted to State Treasurer Under Unclaimed Property Act.

Chairman Phebus called for a motion to place the Resolution on the Floor for Discussion. Commissioner Taylor made the Motion and Commissioner Jones placed a second to the Motion. Discussion was called and the question. County Clerk Scarbrough called the Roll with 18 ayes and none opposed. The Motion carried.

**RESOLUTION NO. 2008-19:** Resolution Authorizing Budget Amendments to the School Federal Projects Fund for the Fiscal Year Ending June 30, 2008.

**RESOLUTION NO. 2008-20:** Resolution Authorizing Budget Amendments to the General Purpose School Fund for the Fiscal Year Ending June 30, 2008.

**RESOLUTION NO. 2008-23:** Resolution Authorizing Budget Amendments to the General Fund for the Fiscal Year Ending June 30, 2008.

Chairman Phebus, without objection, called for a Motion to combine Resolution No. 19, 20, and 23. Commissioner Owen made the Motion and Commissioner Stewart placed a

second to the Motion. Chairman Phebus called for the Committee Reports and Commissioner Westbrook commented that these passed the H.E.E.D Committee 6 to 0. Chairman Phebus commented that they also passed the Finance Ways and Means Committee 6 to 0. Discussion was called. Commissioner Vincent was recognized and questioned which committee that Resolution No. 2008-23 had been before. Chairman Phebus commented that it had been before Finance Ways and Means. Commissioner McAlpin made a Motion to table Resolution No. 2008-23. Motion failed for lack of approval by voice vote. Question was called and the County Clerk, Pat Scarbrough called the Roll with 17 ayes and one nay. Resolution No. 2008-19, 2008-20, and 2008-23 carried.

**RESOLUTION NO. 2008-21:** Resolution Authorizing County Road List for 2008.

Chairman Phebus called for a Motion to place the Resolution on the Floor. Commissioner Taylor made the Motion and Commissioner Farmer placed a second to the Motion. Chairman Phebus called for the Public Works Committee Report. Commissioner Rook commented that it passed his Committee with a vote of 6 ayes and none opposed. Discussion was called, and there was comments concerning the amount of gravel roads still in the County. Road Supervisor Hopper commented that there is approximately 12.6 miles of gravel roads in Weakley County. The Question was called and the County Clerk, Pat Scarbrough called the Roll with 18 ayes and none opposed. The Motion carried.

**RESOLUTION NO. 2008-22:** Resolution to Establish a Victim's Assistance Assessment" of \$45.00 to Fund a Program Which Provides Assistance to Victims of Crime.

Commissioner Vincent made the Motion to place the Resolution on the Floor and Commissioner Taylor placed a second to the Motion. Discussion was called. Judge Moore was called upon to comment on the \$45.00 fee that would be charged on Class A and B misdemeanors. Judge Moore commented that the money would benefit needed and progressive programs, but couldn't see how a person who writes a \$5.00 bad check should have to pay the \$45.00 fine in addition to other fines and court costs. Commissioner McAlpin commented that under the terms of the Resolution, the fee would not be collected from anyone who commits a crime for which the law imposes as a maximum possible punishment a fine of less than \$500.00. Discussion continued with comments from Commissioner Westbrook and Commissioner Vincent. Commissioner Vincent made a Motion to table this resolution and refer back to the Public Safety Committee. Commissioner Westbrook placed a second to the Motion to Table. Discussion was called and a voice vote was taken, the ayes carried with none opposed. The Motion to Table this Resolution and refer back to the committee carried.

**RESOLUTION NO. 2008-24:** Authorizing the Submittal of an Application to the Tennessee Department of Economic and Community Development for Tennessee Industrial Infrastructure Funds.

Chairman Phebus commented that this Resolution has been presented and has not been before any Committees. Commissioner Westbrook made a Motion to suspend the Rules and consider this Resolution for consideration. Commissioner Jones placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed, the Motion to suspend the Rules and consider this Resolution carried. Commissioner Westbrook made a Motion to place the Resolution on the Floor for Discussion and Commissioner Jones placed a second to the Motion. Discussion was called. Chairman Phebus commented that this Resolution calls for applying for a \$750,000 grant for improvement to Dresden's Industrial Park. This money is to be repaid by the City of Dresden's Industrial Board. Commissioner Westbrook made a Motion to amend the first therefore be it resolved, and at that time Commissioner Owen made a motion to refer this Resolution back to the proper committees, (H.E.E.D. and Finance Committees). Commissioner Stewart seconded the motion. Discussion was called. A voice vote was taken and the ayes carried with some opposed. Resolution No. 2008-24 was referred back to Committee.

**MISCELLANEOUS STATEMENTS AND ANNOUNCEMENTS:**

Commissioner Owen recognized Commissioner Julia Rich, Director of the Center for Adult and Continuing Education. Commissioner Rich was recently named the most outstanding administrator by T.E.A. & the State of Tennessee.

County Mayor, Houston Patrick made comments concerning the Emergency Management Agency. He commented that he wished to speak with each and every commissioner prior to June 30, 2008 when the temporary appoint for Emergency Management Director will need to be made.

Commissioner Westbrook commented that each Commissioner had in their packet a letter concerning the Legislative Breakfast being held at the University of Tennessee on February 15, 2008 at 7:30 a.m. Commissioner Westbrook urged everyone to attend.

Chairman Phebus announced that the next Regular Meeting of the Weakley County Legislative Committee would be held on March 24, 2008 at 5:30 p.m.

Chairman Phebus questioned if everyone had turned in their Conflict of Interest forms with the State. The deadline of January 31, 2008 for this forms has been extended to February 15, 2008, also they have waived the form having to be processed on line.

Chairman Phebus called for any other announcements that needed to be made.

At this time Chairman Phebus called for the Meeting to go into Executive Session. County Attorney Washburn needed to discuss legal issues concerning the County and Chairman Phebus requested everyone leave the Meeting, with the exception of the County Commission Members, the Finance Director, the School Superintendent, and the Chairman of the School Board.

At the conclusion of the Executive Session, Commissioner Owen made a Motion to adjourn and Commissioner Sinclair placed a second. The Weakley County Legislative Body stood adjourned at 7:30 p.m.

ATTEST:

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Pat Scarbrough, County Clerk