

**AGENDA**  
COUNTY COMMISSION MEETING  
MAY 20, 2002

CALL TO ORDER 7:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MARCH 18, 2002 COUNTY COMMISSION MEETING MINUTES

**SPECIAL RECOGNITION:**

**ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:**

Special election to fill the vacancy on the Commission in District 2 due to Commissioner Kevin McAlpin's moving out of the District.

Special election to fill the vacancy on the Commission in District 5 due to the death of Commissioner George Broussard.

These appointments shall be until the next General Election

Appointment of Equalization Board

**REPORTS:**

Trustee's Report

General Fund Report

Highway Dept. Report

School Dept. Report

Solid Waste Report

Rules Committee Report - Jimmy Westbrook, Chairman

Capital Projects Committee Report - Jimmy Westbrook, Chairman

Finance, Ways and Means Committee Report - Dick Phebus, Chairman

Financial Management Committee Report - Roger Stewart, Chairman

Health, Education and Welfare Committee Report - John Salmon, Chairman

Legislative Committee Report - Jack Vincent, Chairman

Personnel Committee Report - John Salmon, Chairman

Public Safety Report -

Public Works Committee Report - David Rook, Chairman

Nursing Home Committee Report - Mac Buckley, Chairman; David McBride, Administrator

Agricultural Extension Service Report - Jeff Lannom, Extension Agent

Weakley County Emergency Management & 911 Communications Report - David McAlpin, Director

Chamber of Commerce Report - Suzy German, Executive Director

Joint Economic & Community Development Board Report - Joe Brasher and Junior Moore

**OLD BUSINESS:**

**NEW BUSINESS:**

Resolution No. 2002-46 - General Fund Resolution - Autopies/Ambulance

Resolution No. 2002-47 - General Fund Resolution - Veterans Service Officer

Resolution No. 2002-48 - State Dept. of Transportation Resolution-Proposal to Weakley County State Project 92114-2206-94 Federal Project BR-STP-217(5) State Route State Route 217: Bridge & Approaches Over Mud Creek @L.M. 2.21.

Resolution No. 2002-49 - Resolution to Approve Private Chapter No. 117, House Bill No. 3244 Private Acts of 2002 Relative to increasing compensation of the County Highway Commission of Weakley County.

Resolution No. 2002-50 - Resolution To Support and Urge the State of Tennessee to Authorize, Construct and Operate a Prison in Weakley County

Authorize the Highway Department to do work for cities of Sharon and Greenfield-Jimmy Freeman

Miscellaneous announcements and statements

Election of Notaries Public

**ADJOURNMENT**

## WEAKLEY COUNTY LEGISLATIVE BODY MEETING

MAY 20, 2002

The Weakley County Legislative Body met on May 20, 2002, 7:00 p.m. in the County Commission Room at the Weakley County Courthouse.

County Executive Ron Gifford called the meeting to order.

Commissioner Verdell gave the invocation.

All members present gave the pledge to the Flag.

County Clerk Pat Scarbrough took roll call with 18 members present and two seats were vacant.

County Executive Gifford asked if there were any additions or corrections to the minutes for the March 18, 2002 regular meeting. Commissioner Buckley made a motion to approve and Commissioner Page placed a second to the motion. A voice vote was taken with the ayes carrying and the Minutes of the March 18, 2002 meeting were approved.

### SPECIAL RECOGNITION:

There was not any special recognition to go before the Commission.

### ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The first item of business was to fill the vacancy on the Commission in District 2, due to Commissioner McAlpin moving out of his district. County Executive Gifford opened the floor for nominations, Commissioner Parham nominated Jerry Simmons and Commissioner Salmon placed a second. Commissioner Phebus questioned if all requirements had been met for this special election, and the County Executive confirmed that all requirements had been met. County Executive called for any other nominations, there being none a voice vote was taken with the ayes carrying and none opposed. Mr. Simmons was appointed to the District 2 vacant seat.

The next item of business was to fill the vacancy on the Commission in District 5, due to the death of Commissioner Broussard. County Executive Gifford called for a nomination and Commissioner Jones nominated Bob Gardner and Commissioner Farmer placed the second. There being no other nominations, a voice vote was taken with the ayes carrying and none was opposed. Mr. Gardner was appointed to the District 5 vacant seat.

County Executive Gifford called for Commissioner Simmons and Commissioner Gardner to come forward and County Clerk Scarbrough gave the Oath of Office to the new Commissioners.

The next item on the agenda was the appointment of the Equalization Board. The Commissioners had before them a letter recommending Wayne Stoker of Gleason, Dee Killingsworth of Palmersville, Van Waddell of Greenfield, Beckie Jolley of Dresden and Bobbi Nethery of Martin. A motion was made by Commissioner Parham to confirm this appointment and Commissioner Stewart placed a second. A voice vote was taken and the ayes carried with none opposed, the appointments were confirmed.

## REPORTS:

The Trustee's Report, General Fund Report, Highway Department Report, School Department and the Solid Waste Report were included in the packet distributed to each of the Commissioners. The County Executive called for any questions on these Reports. Commissioner Page questioned on the Trustee's Report the amount of money in the checking account and why this balance of money is left in this account and if this is the best place for this sum of money. Commissioner Phebus stated that they had questioned the Trustee on numerous occasions and that this amount needed to be in the account to cover outstanding warrants. There were not any other questions or concerns on these Reports to come before the Commission and the County Executive called for any standing committee reports.

Commissioner Westbrook stated the Rules Committee had met and made the following recommendations: On the Public Works Committee and the Legislative Committee Commissioner Simmons, and on the Nursing Home Committee and the Public Safety Committee Commissioner Gardner. Commissioner Jones and Commissioner Owens fill the Beer Board seats that are vacant. Commissioner Westbrook made the motion for these appointments and Commissioner Stewart placed the second. Discussion was called and there being none a voice vote was taken with the ayes carrying and none was opposed, the appointments were confirmed.

County Executive Gifford called for any standing Committee Reports. Commissioner Westbrook, Chairman of Capital Projects, reported on the completion of the Courthouse Project. The Project came in under budget and Commissioner Westbrook stated that there was several thousand dollars that they would discuss at the next Capital Project Meeting be transferred to the Debt Service Fund.

The next item on the agenda was the Nursing Home Report. Commissioner Buckley commented that Mr. McBride was present and would answer any questions the Commission might have.

The Agricultural Extension Report was mailed to each of the member of the Commission. Mr. Lannom was not present for the meeting to answer any questions.

The Weakley County Emergency Management and 911 Communications Report was included in the packets and Mr. McAlpin was available for any questions.

Suzy German, Executive Director, gave the Chamber of Commerce Report. Mrs. German gave a brief report on the number of members; the re-certification to a Three Star Certification and the award will be received at the Governor's Conference September 12 and 13 of this year. New maps were passed around to the commission and request for any errors that the commission might see in any of the areas. Mrs. German touched on the membership directory, the Business Exposition in March, Chamber Gift Certificate Program, and the Industry Appreciation Golf Tournament. Also mentioned was a new event, the President's Banquet in May. The Leadership Weakley County Graduation was held that night along with the Community First Youth Graduation. Three awards were made to David McCall of Greenfield for the Youth Achievement Award, the Weakley County Person of the Year Award went to Junior Moore, and the Business of the Year went to B and R Machine and Gear in Sharon.

The next item on the agenda was the Joint Economic and Community Development Report by Mr. Joe Brasher and Mr. Junior Moore. Mr. Brasher gave out a handout to the Commissioners. The Joint Economic Community Board was created about one year ago by a state legislated mandate. There is a

great need in Weakley County and the Board has had a very active year. The County has made an investment in the Joint Economic Community Board along with the incorporated cities. The handout included the membership board, the number of times they have met, etc. Mr. Junior Moore was elected as the Executive Director. He has volunteered his time without compensation and has been very involved with the Board. The Board also contracted with the Chamber to provide the administrative support necessary for the operation of the Board. The handout touched on organization, location of the State Prison, Location and construction of a new trucking terminal, county wide water system, feasibility of a County Industrial Park, designation of a portion of Hwy 22 as a spur to I-69, location of Wal-Mart Super Center etc. There were four key objectives, to expand existing industries, to call on existing businesses to inquire on plans about expansion and their needs, develop a process to make available incentives to the county and cities to assist expansion. The objective is to target those businesses and industries that would be most likely to locate in the Weakley County Area. To develop and conduct a marketing program that targets these businesses and industries in conjunction with the Chamber, develop closer relationships with State Regional Industrial recruiters, develop a professional web site and secure the resources necessary to develop an Industrial Park and to identify potential suppliers for existing businesses.

County Executive Gifford called for any questions. There being none, a motion was made by Commissioner Page to accept the reports and Commissioner Farmer placed a second. A voice vote was taken with the ayes carrying and none was opposed. The Reports were accepted.

#### OLD BUSINESS:

County Executive Gifford called for any Old Business to come before the Commission, there being none, the County Executive moved to the next item on the Agenda.

#### NEW BUSINESS:

##### RESOLUTION NO. 2002-46: General Fund Resolution – Autopsies/Ambulance.

Commissioner Salmon gave the Health Education and Welfare Report and stated this resolution passed his Committee unanimously. Commissioner Phebus, Finance Ways and Means Chairman stated that they did not recommend to advance the fees, but this is a necessary service that has to be performed and they did pass the resolution unanimously. Motion was made by Commissioner Wright to place this Resolution on the Floor and Commissioner Simmons placed a second. Discussion was called and Commissioner Westbrook commented that the District Attorney, the Medical Examiner, or the County Coroner were the only ones that can order an autopsy aside from the Court. Commissioner Westbrook requested that the County communicate to the State that we would not be responsible for any autopsies performed that had not been ordered by the aforementioned. Commissioner Salmon was of the opinion that the Sheriff and the Police Chief could order an autopsy. Commissioner Owens stated the cost was up three times, the state will reimburse if an action is brought by the Circuit Court and a conviction is made. Question was called and the County Clerk called the roll with 20 ayes and none was opposed the motion carried.

##### RESOLUTION NO. 2002-47: General Fund Resolution – Veterans Service Officer.

Commissioner Salmon stated this passed his Personnel Committee unanimously and this also passed Commissioner Phebus, Finance Ways and Means Committee, unanimously. Motion was made by Commissioner Parham to place the Resolution on the floor and was seconded by Commissioner Jones.

Discussion was called and the question. County Clerk Scarbrough called the roll with 20 ayes and none was opposed, the motion carried.

RESOLUTION NO. 2002-48: State Department of Transportation Resolution-Proposal to Weakley County State Project 92114-2206-94 Federal Project BrSTP-217 (5) State Route 217: Bridge and Approached Over Mud Creed @ L.M. 2.21.

This Resolution did not go before the Public Works Committee. The County Executive called for a motion to place this resolution on the Floor. There was not a motion forthcoming and the Resolution failed for lack of motion.

RESOLUTION NO. 2002-49: Resolution to Approve Private Chapter No. 117, House Bill No. 3244 Private Acts of 2002 Relative to increasing compensation of the County Highway Commission of Weakley County.

Commissioner Vincent gave the Legislative Committee Report and this passed his Committee unanimously. Commissioner Westbrook gave the Rules Committee Report and it passed his Committee. Motion was made by Commissioner Owen to place on the floor and Commissioner Rook placed the second. Discussion was called and the question. County Clerk Scarbrough called the roll with 19 ayes and 1 opposed. The Motion carried.

RESOLUTION NO. 2002-50: Resolution to Support and Urge the State of Tennessee to Authorize, Construct and Operate a Prison in Weakley County.

Commissioner Vincent gave the Legislative Committee Report and this resolution passed his Committee unanimously. A motion was made by Commissioner Farmer to place the Resolution on the floor and Commissioner Page placed a second. Discussion was called and the question. County Clerk Scarbrough called the roll with 19 ayes and one opposed. The Motion carried. The Clerk was directed to mail certified copies to the Commissioner of Correction, The Governor's Office, and our local Representatives.

The next item on the Agenda was Road Supervisor Freeman addressing work for cities of Sharon and Greenfield. Both cities have requested the County to do some repairs, and each city respectively will bear the cost of the project. Road Supervisor Freeman requested authorization from the Commission to complete these repairs. Commissioner Westbrook made a motion to authorize this repair for Sharon and Greenfield and Commissioner Rook places the second. Discussion was called and the question. A voice vote was taken and the ayes carried with none opposed. Authorization was granted for the above work to be performed by the Weakly County Road Supervisor.

County Executive called for any other New Business to come before the Commission, and there was a request by some private citizens to address the Commission.

Mr. and Mrs. Davis of Jewel Store Road in Dresden requested permission to speak to the Commission requesting that the County Commission pass a Ordinance in the County to clean up unsightly areas in their neighborhood, Mrs. Woodard spoke on the same behalf. They stated that there were junkyards located on this road that progressively had become worse. They urged the Commission to pass regulations in the County to clean up places such as this.

Mr. Larry and Pat Woodard of Cypress Lane in Dresden addressed the problem of flash floods from Mud Creek that had recently threatened their property. Weakley County currently does not have flood insurance and they too urged the Commission to look into this problem and pass legislation for the County to be

protected by flood insurance. They also addressed the County Road Supervisor on what might be done to correct this problem.

County Executive Gifford addressed the D.U.I. incarceration funds the county has been withholding from the cities. Circuit Clerk Pam Belew stated that the auditors do not recommend the proposal of withholding these funds as recommended in a previous Commission Meeting. Discussion followed with comments from County Attorney, Bill Neese. The County requested a follow-up on the Attorney General's Opinion and the hold up on this opinion. The law states the cities should reimburse the County at a rate of \$35.00 per day. Commissioner Phebus felt that this issue needed to be resolved. County Executive Gifford stated an option would be to file motion for a Declaratory Judgment in Chancery Court for these funds. A request was made that Representative Maddox and Senator Herron be contacted to inquiry about the Attorney General's Opinion. A motion was made by Commissioner Verdell to file for the funds legally and Commissioner Farmer placed a second. A voice vote was taken with the ayes carrying, three were opposed and one member absent. The motion carried.

#### MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:

Commissioner Phebus addressed the City of Dresden requesting the County Clerk to collect the city stickers for Dresden. Commissioner Phebus placed a motion to draft a Resolution for the June 2002 meeting and Commissioner Sinclair placed a second. Discussion was called and a voice vote was taken with the ayes carrying and none opposed. The motion carried.

Commissioner Vincent commented that the Health Education and Welfare Committee brought a budget transfer for the Health Department on water damage to carpet. He asked why the Insurance Company refused to cover this damage and Commissioner Vincent requested that Dresden Insurance reassess this situation and that a representative of this agency be present at the next meeting.

Commissioner Sinclair requested a disposition on the Citizens that spoke to the Commission and it was recommended the Legislative Committee look into the situation and consider the pros and cons of a Zoning and Regulatory Board. County Attorney Neese stated that the Legislature had recently passed an Act for Counties to deal with this type of situation. He stated he would get a copy of this Act and review the contents to see if it would apply to this situation.

#### ELECTION OF NOTARIES PUBLIC:

A motion was placed by Commissioner Buckley to approve the notaries public and Commissioner Farmer placed a second. A voice vote was taken with the ayes carrying and none opposed.

Motion to adjourn was placed by Commissioner Sinclair and Commissioner Simmons placed a second. A voice vote was taken with ayes carrying and none was opposed. The meeting adjourned at 8:05 p.m.

ATTEST:

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Pat Scarbrough, County Clerk