

AGENDA
WEAKLEY COUNTY LEGISLATIVE BODY
REGULAR MEETING - SEPTEMBER 17, 2001

CALL TO ORDER - 7:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES OF JULY 31, 2001 AND RE-CONVENED AUGUST 9, 2001 MEETINGS

ELECTION OF CHAIRMAN

ELECTION OF CHAIRMAN PRO TEMPORE

RULES COMMITTEE REPORT - JIMMY WESTBROOK, CHAIRMAN

ELECTION OF COMMITTEES AND OFFICERS

CONSIDERATION OF REAPPORTIONMENT OF THE WEAKLEY COUNTY LEGISLATIVE BODY (COUNTY COMMISSION)
AND WEAKLEY COUNTY SCHOOL BOARD AND WEAKLEY COUNTY ROAD BOARD

SPECIAL RECOGNITION:

REPORTS:

Trustee's Report

General Fund Report

Highway Dept. Report

School Dept. Report

Solid Waste Report

Annual Financial Reports - Fee Offices

Capital Projects Committee Report - Jimmy Westbrook, Chairman

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

Financial Management Committee Report - Roger Stewart, Chairman

HEW Committee Report - John Salmon, Chairman

Legislative Committee Report - Jack Vincent, Chairman

Personnel Committee Report - John Salmon, Chairman

Public Safety Committee Report - Kevin McAlpin, Chairman

Public Works Committee Report - George Broussard, Chairman

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

Veterans Service Officer's Report - David Bradley

Emergency Management Report - David McAlpin, Director

Agricultural Extension Service Report - Jeff Lannom, Extension Agent & Leader

UNFINISHED BUSINESS:

NEW BUSINESS:

Election of Road Board member to fill the vacancy in District 5 due to the death of Leon Robert

Resolution No. 2002-06 - Highway Dept. Resolution to Amend a Private Act

Resolution No. 2002-07 - Resolution Authorizing and Supporting the Study and Exploration
of the Feasibility, Benefits and Costs of a Prison in Weakley County.

Resolution No. 2002-08 - Highway Dept. Resolution - Road Addition - Watershed Lane

Resolution No. 2002-09 - Highway Dept. Resolution - Road Addition - Bates Road

Resolution No. 2002-10 - Highway Dept. Resolution - Road Addition - Belew Road

Resolution No. 2002-11 - Highway Dept. Resolution - Road Addition - Amber Road

Resolution No. 2002-12 - A Resolution of the Board of Commissioners of Weakley County
Opposing Unfunded State Mandates.

Miscellaneous announcements and statements

Election of Notaries Public

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

SEPTEMBER 17, 2001

The Weakley County Legislative Body met on September 17, 2001, 7:00 p.m. in the County Commission Room at the Weakley County Courthouse.

County Executive Ron Gifford called the meeting to order.

Commissioner Tommy Hunt gave the invocation.

All members present gave the pledge to the Flag.

County Clerk Pat Scarbrough took roll call with 19 members present and one member, Dick Phebus, was absent. Later in the meeting, Dick Phebus answered roll call.

County Executive Gifford asked if there were any additions or corrections to the July 31, 2001 regular meeting minutes and the reconvened session of August 9, 2001 minutes. Commissioner Westbrook stated that there had not been a Trustee's Report included in the minutes, County Executive Gifford stated that the copy of the Trustee's report would be supplied to the Clerk to include with the minutes of each meeting. Commissioner Buckley made a motion and Commissioner Farmer placed a second. A voice vote was taken with the ayes carrying and none opposed. The July 31, 2001 Regular Meeting and the Reconvened Session of August 9, 2001 Meeting were approved.

The Chairman moved to the next item on the Agenda.

ELECTION OF THE CHAIRMAN, CHAIRMAN PRO TEMPORE, COMMITTEES AND OFFICERS:

Commissioner Westbrook gave the Rules Committee Report and recommended with a vote of 9 ayes, none opposed and one absent, the re-election of Ron Gifford as Chairman, Commissioner Buckley as Chairman Pro Tempore and the Committee assignments the same as in the previous year. Commissioner Westbrook made a motion to approve these appointments and Commissioner Stewart placed a second. There being no other nominations the question was called. A voice vote was taken with the ayes carrying and none was opposed. The appointments were confirmed.

Commissioner Buckley was recognized and requested a 15 minute recess to look over the maps and number of zones for the re-districting plan. Commissioner Buckley made a motion and Commissioner Sinclair placed a second. Motion is non-debatable and a voice vote was taken with the ayes carrying and none opposed. The Chair called for a fifteen-minute recess.

Commissioner Westbrook moved to return to session and the commission was in agreement. The Chair reconvened the meeting. Commissioner Westbrook made a motion to consider the 8-district reapportionment plan for consideration as recommended by the Rules Committee with a vote of five ayes, four opposed and one absent. Commissioner Owen placed a second. Discussion was called and the question. A voice vote was taken and the nays carried. The motion failed.

Commissioner Westbrook made a motion for further consideration on reapportionment to be moved to the heel of the agenda, (after the election of Notary Public), and Commissioner Overton placed a second. Discussion and

question was called and a voice vote was taken with the ayes carrying and none opposed. This item was moved to the end of the Agenda.

SPECIAL RECOGNITION:

There was not any special recognition to come before this commission.

REPORTS:

The Trustee's Report, General Fund Report, Highway Department Report, School Department Report, the Solid Waste Report and the Annual Financial Reports from the fee offices were included in the packets mailed to each of the commissioners. The County Executive asked if there was any discussion on these reports. Commissioner Vincent had questions on the Trustee's Report and asked for explanation on the cash on hand and the banks involved. A request was made for the Trustee, Donald Doster, to be present at the commission meetings, Commissioner Vincent made a motion and Commissioner McAlpin placed a second. The County Executive asked for any standing committee members that wished to give a report from their committees.

Commissioner Stewart announced that Mrs. Bettye Tidwell, Finance Director, will be retiring on September 28, 2001 and a Reception will be held Thursday, September 27, 2001 from 2:00 p.m. to 4:00 p.m. at the Education Building in the Conference Room in her honor.

There being no other standing committee reports the next report on the agenda was from Veteran's Officer Dave Bradley, he gave a short report and said he would be happy to answer any questions. The next report on the agenda was the 911 Emergency Management Report. Mr. McAlpin was not present due to a required meeting of F.E.M.A. in Gatlinburg, TN.; a written report was included in the packets. The next report on the agenda was the Agricultural Extension Service Report from Jeff Lannom, Extension Agent and Leader. Mr. Lannom gave a short report concerning cuts in the West Tennessee area. Weakley County was not affected by these cuts, but Bob Shumate had some changes in his responsibilities with fifty- percent 4-H agriculture and fifty- percent adult agriculture.

The County Executive called for a motion to approve the reports. Commissioner Westbrook made a motion to acknowledge receipt of the reports and that they be filed with the County Clerk. Commissioner Broussard placed a second to the motion. Question was called and the County Clerk called the roll with 19 ayes and one absent. The reports carried.

UNFINISHED BUSINESS:

Commissioner Vincent questioned if the Election Commission Offices were being maintained properly. County Executive Gifford stated that the checklist had seemed to take care of the problems that the Election Commission had been experiencing.

NEW BUSINESS:

The Election of a Road Board member to fill the position in District 4 and 5, due to the death of Mr. Leon Roberts. Commissioner Broussard nominated Mr. Bobby Robinson and Commissioner Jones placed a second. Commissioner Stewart stated that District 4 was in agreement for this nomination. There being no other nominations a motion was made for the nominations to cease. A voice vote was taken with the ayes carrying and none was opposed. Mr. Bobby Robinson was elected to fill the unexpired term of Mr. Leon Roberts. Mr. Robinson came forward and the County Clerk gave him the oath of office.

RESOLUTION 2002-06:

Highway Department Resolution to Amend a Private Act. Commissioner Broussard gave the Committee Report from Public Works. Commissioner Broussard stated that his committee did approve this resolution with a vote of five to none. Commissioner Westbrook stated that this resolution did not go through the Finance Ways and Means Committee and he made a motion to table this resolution for further consideration, he further stated that this private act does not go into effect until September 1, 2002. Commissioner Stewart placed a second to the motion. A voice vote was taken with the ayes carrying and one was opposed. The Resolution No 2002-06 was tabled.

RESOLUTION 2002-07:

Authorizing and Supporting the Study and Exploration of the Feasibility, Benefits and Costs of a Prison in Weakley County. Commissioner Vincent, Legislative Committee Chairman, gave a Committee Report and this resolution was passed unanimously. Motion was made by Commissioner Vincent and a second by Commissioner Salmon to place on the floor for discussion. Commissioner McAlpin questioned if there would be cost involved in this study. There was not any other discussion and the question was called. The County Clerk called the roll with 19 ayes and one absent, the motion carried.

RESOLUTION NO 2002-08:

Highway Department Resolution for a road addition of Watershed Lane. Commission Broussard, Public Works stated this passed his committee. Commissioner Farmer made a motion and Commissioner Sinclair placed a second. Discussion was called. Commissioner Broussard stated that he would abstain from voting on this resolution. Commissioner Broussard retains the easements to this property and had dedicated it for public use. Commissioner Salmon was concerned that the Commissioners had not seen this resolution before this meeting. Commissioner Castleman stated that these roads meet the specifications by the Road Board, he felt that the commission should vote on and pass these additions. Commissioner Farmer requested the Road Supervisor, Jimmy Freeman to clarify these additions. Mr. Freeman, Road Supervisor stated that they did meet all specifications and were all in good shape and that they should not need any maintenance for several years. No other discussion was had and the question was called. The County Clerk called the roll with 14 ayes, three nays, one passed and two absent. The motion carried.

RESOLUTION NO. 2002-09:

Highway Department Resolution for a road addition of Bates Road. Commissioner Broussard, Public Works stated that this passed his committee. A motion was made by Commissioner Farmer to place the resolution on the floor and Commissioner Rook placed a second. Discussion was called and Commissioner Wright questioned the width of the road. Road Supervisor Freeman stated that the width was within specifications. Question was called and the County Clerk called the roll with 15 ayes, four nays, and one absent. The motion carried.

RESOLUTION NO. 2002-10:

Highway Department Resolution for a road addition of Belew Road. Public Works Chairman, Commission Broussard, stated that this passed his committee. Motion was made by Commissioner Rook to place on the floor and Commissioner Jones placed the second. Discussion was called and Commissioner Vincent questioned if there were property owners on this road and it was clarified that there are houses on this road. Question was called and the

County Clerk called the roll with 15 ayes, four nays, and one absent. The motion carried.

RESOLUTION NO. 2002-11:

Highway Department Resolution for a road addition of Amber Road. This was approved in the Public Works Committee and Commissioner Rook made a motion to place on the floor and Commissioner Farmer placed a second. Discussion was called and the question. The County Clerk called the roll with 13 ayes, six nays, and one absent. The motion carried.

RESOLUTION NO. 2002-12:

A Resolution of the Board of Commissioners of Weakley County Opposing Unfunded State Mandates. Commissioner Vincent, Legislative Chairman gave his report and stated that this passed his committee. Henry County sent this Commission a copy of a resolution that they had passed and requested Weakley County in turn pass a resolution opposing unfunded state mandates. Commissioner Farmer made a motion and Commissioner Broussard placed a second. Discussion was called and the question. The County Clerk called the roll with 19 ayes and one absent. The motion carried.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:

County Executive Gifford called attention to Focus, a newsletter for the arts and humanity council for Weakley County. Also, County Executive Gifford announced that there would be a Free Will Benefit Breakfast, on Saturday, September 22, 2001 from 6:30 a.m. until 11:00 a.m. at Bob Peeler's cabin. A free will offering will be taken for the emergency service personnel and families in Washington and New York City.

NOTARY PUBLIC:

Commissioner Rook made a motion and a second was placed by Commissioner Buckley to approve the notary public list. A voice vote was taken with the ayes carrying and none opposed. The Notary Public List was approved.

CONSIDERATION OF REAPPORTIONMENT OF WEAKLEY COUNTY:

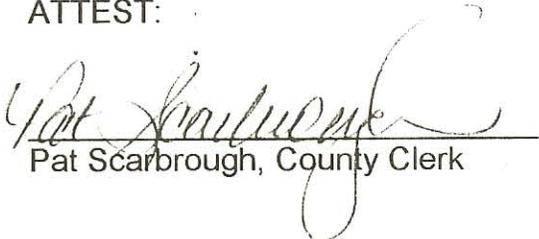
Commissioner Westbrook moved to have a 15 minutes recess. Chairman Gifford called for a recess until the Call of the Chair.

The meeting reconvened and was called back to order by the Chair. The Roll call now reflects twenty members present with Commissioner Dick Phebus answering roll call. County Executive Gifford recognized Commissioner Westbrook. The Legislative Body has looked at the maps, numbered 1, 2, 2A and 3. Commissioner Westbrook made a motion to establish the will of the body in relation to Plan 2A with 10 districts. Commission Page placed a second. Discussion was called and Commissioner Castleman was recognized. Commissioner Castleman wanted to hear the pros and cons for a 10-district plan and a 8-district plan and which would be best for the County. Commissioner Buckley felt that 10 districts would be best and would not disturb as many lines as other numbers might reflect. The County has operated with 10 districts for ten years and possibly for 20 years. Commissioner Verdell felt that 8 districts were the fairest with lines drawn for representation with 8 districts. Commissioner Rook felt that 20 commissioner was adequate and if the number was dropped, that the people might not have fair representation. Commissioner Salmon stated that there would be less representation with 8 districts. Commissioner Owens stated that lines should not be drawn according to the area where the Commissioner lives. This is not in the best interest of the County. Some areas

in the county are growing, some are not changing and others are losing. Eventually, lines will have to be redrawn and consolidate some of the districts. Commissioner Castleman stated that people do not like having to drive 15 to 20 miles to vote. His concern is for the people and what their likes and dislikes are concerning what would be best for the County. Commissioner Westbrook stated that Commissioner Castleman was on target, but that the majority feel that 10 districts is best and that this is the best that can be done for right now. Commissioner Castleman said that Commissioner Westbrook has done an outstanding job of putting together the maps and that he felt that the Commission should put the people first in Weakley County. Further discussion on legal descriptions by district and maps were discussed. Also the news media and people would need to be informed. Commissioner Phebus stated that he felt that the commission would be voting on instructing someone to draw up legal descriptions and plans for 2A. Question was called and the County Clerk called the roll with 16 ayes, three nays and one pass. The motion carried. Legal descriptions will be drawn and maps. A special meeting will be called to deal specifically with this issue when the details are completed.

A motion was made by Commissioner Sinclair to adjourn and Commissioner Broussard placed a second. A voice vote was taken with the ayes carrying and the meeting was adjourned at 8:30 p.m.

ATTEST:


Pat Scarbrough, County Clerk