

AGENDA
RE-CONVENED JULY 28, 2003 REGULAR MEETING
AUGUST 4, 2003

CALL TO ORDER

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

NEW BUSINESS:

RESOLUTION NO. 2004-01 - RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF WEAKLEY COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2003 AND ENDING JUNE 30, 2004.

RESOLUTION NO. 2004-02 - RESOLUTION FIXING THE TAX LEVY FOR WEAKLEY COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2003 AND ENDING JUNE 30, 2004.

RESOLUTION NO. 2004-03 - RESOLUTION MAKING APPROPRIATIONS TO NON-PROFIT CHARITABLE ORGANIZATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2003-JUNE 30, 2004

RESOLUTION NO. 2004-05 - RESOLUTION TO IMPLEMENT CHANGES RELATIVE TO COUNTY OFFICIALS AS PROVIDED BY TITLE 5 and 8 TCA.

AMBULANCE CONTRACT

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS

ADJOURN

WEAKLEY COUNTY LEGISLATIVE BODY MEETING
RECONVENED MEETING OF THE JULY 28, 2003 REGULAR MEETING
AUGUST 4, 2003

The Weakley County Legislative Body met in reconvened session on August 4, 2003 at the Weakley County Commission Room at 6:00 p.m. County Mayor Ron Gifford called the meeting to order.

Commissioner Sinclair gave the invocation.

All members present gave the Pledge to the Flag.

County Clerk, Pat Scarbrough, called the Roll with 18 members present.

NEW BUSINESS:

RESOLUTION NO. 2004-01: Resolution Making Appropriations for the Various Funds, Departments, Institutions, Offices and Agencies of Weakley County, Tennessee, For the Fiscal Year Beginning July 1, 2003 and Ending June 30, 2004.

County Mayor Gifford called for Discussion on Resolution No. 2004-01. Commissioner Phebus commented that the Finance Ways and Means Committee had a meeting at 5:30 p.m. before the County Commission Meeting, a copy of the Budget was mailed to the Commission members and a change sheet was handed out at the July 28, 2003 recessed meeting. A question was asked about what it did to the Fund Balance and the funds that were affected. In the General Fund the net result was \$1010 decrease in Fund Balance, Highway Department \$3124 decrease, Debt Service \$717 decrease, and School Fund \$18,215 increase. Most of the increase in the School Fund was a result of additional B.E.P. money made available at the last minute.

Commissioner Phebus pointed out some other items. In the General Fund, this year's budget as presented, estimated using \$256,000 in Fund Balance. In the Highway Department, estimated using \$116,007 in the Fund Balance. Debt Service estimated \$532,000 in fund Balance and in the School Fund estimated using \$128,000 in Fund Balance. Total of Fund Balance used on these four funds is over 1.5 million dollars used in reserved funds.

The Finance Committee recommended a budget with a five-cent increase on the tax rate. Commissioner Phebus pointed out that the tax rate has not gone up but twice since 1992 and both times, the tax rate went up as a result of school building programs and was a debt service requirement.

County Mayor Gifford stated that there was a motion from Commissioner Westbrook and a second by Commissioner Phebus from the recessed meeting of July 28, 2003 to defer this motion. County Mayor Gifford called for further discussion. Commissioner Vincent questioned the increase for the Secretary to the Board under Fund 101. Commissioner Phebus clarified that the money is spent for the services of the secretary for the different committees of the Commission.

Commissioner Vincent questioned how many committees approved this Budget. Commissioner Phebus stated that the Finance Ways and Means Committee had approved the Budget and he assumed that the other committees had ample opportunities to review the Budget.

Commissioner Sinclair questioned what the whole budget would be and Commissioner Westbrook commented that it was \$42,318,704. Commissioner Sinclair talked about the ending Fund Balances and discussion followed

concerning the ending Fund Balance. Commissioner Sinclair commented that he could not vote for the five-cent increase due to the fact that \$180,000 could be found in anticipated Fund Balances that will come in during the year.

Commissioner Phebus discussed the Fund Balances and looking at the each of the funds individually, which has to be done in preparing a Budget. The only fund that could possibly be used; would be the General Fund, and they could not possibly operate with a balance less than \$100,000 in the Fund Balance. All other funds have restrictions as to what you can do in raising or lowering the revenue.

Commissioner Westbrook stated that there is a typographical error in Section 6, Line 3 and 4 and should be changed to read fiscal year of 2003-04 rather than 2000-01 in the record. Commissioner Westbrook commented the Section 2 is redundant, and needs to be left out in next years Resolution.

Commissioner Buckley called for the question. County Clerk Scarbrough called the roll with 11 ayes, 7 nays, and the motion carried.

Commissioner Westbrook made an observation that at least two of the Commissioners that voted no for this budget voted for the SRO officers. This is why Commissioner Westbrook voted against the SRO officer, since he did not want to process another ten-cents on the budget.

RESOLUTION NO. 2004-02: Resolution Fixing the Tax Levy For Weakley County, Tennessee for the Fiscal Year Beginning July 1, 2003 and Ending June 30, 2004.

County Mayor Gifford called for the Committee Report from the Finance Ways and Means Committee. Commissioner Phebus commented that the Finance Ways and Means committee recommends a tax rate of \$2.16 and Commissioner Phebus made a motion to adopt this resolution. Commissioner Stewart placed the second. Discussion was called and the question. County Clerk Scarbrough called the roll with 12 ayes and 6 nays. The motion carried.

RESOLUTION NO. 2004-03: Resolution Making Appropriations to Non-Profit Charitable Organizations for the fiscal Year Beginning July 1, 2003- June 30, 2004.

County Mayor Gifford called for the Committee Report from the Finance Ways and Means Committee. Commissioner Phebus stated that it passed this committee unanimously. Commissioner Phebus made a motion to place this resolution on the floor and Commissioner Jones placed the second. Discussion was called and the Question. County Clerk Scarbrough called the roll with 18 ayes and none was opposed. The motion carried.

RESOLUTION NO. 2004-05: Resolution to Implement Changes Relative to County Officials as Provided by Title 5 and 8 TCA.

Commissioner Westbrook moved to defer Resolution No. 2004-05 to the September 2003 Meeting. Commissioner Owen placed the second. A voice vote was taken with the ayes carrying and none was opposed. Resolution No. 2004-05 was deferred until the September 2003 meeting.

AMBULANCE CONTRACT:

County Mayor Gifford stated that there was a copy of the Ambulance Contract before each of the commissioners as well as the Resolution 1995-16 that has a schedule of charges, which are currently in affect. County Mayor Gifford called for a motion to extend the Ambulance Contract for another five years. Commissioner McAlpin placed the motion and Commissioner Hunt placed the

second. Discussion was called and the Question. County Clerk Scarbrough called the roll with 18 ayes and none opposed. The motion carried.

County Mayor Gifford stated that the Commissioners should have before them a letter from Paul Tinkle requesting that the Weakley County Board of Education Office as well as the Finance Office Building be named the Ned McWherter Building. Also Mr. Tinkle requested that Highway 22 four lane from Greenfield to Sharon, Sharon to Martin, and Dresden to Gleason be named the Ned McWherter Highway. County Mayor Gifford commented that this letter was for informational purposes and should go before the appropriate committees and a Resolution be drawn up if this is the will of the commission.

Commissioner Westbrook commented that Mr. Tinkle has been discussing this for the last three years. Commissioner Westbrook has discussed this with Governor McWherter on more than one occasion, and he has advised Commissioner Westbrook that he was not interested in this recognition and Commissioner Westbrook has advised Mr. Tinkle of Governor McWherter's wishes.

Director of Schools, Richard Barber, was recognized and he echoed what Commissioner Westbrook had stated. Director Barber commented that Governor McWherter had not donated the building for the Superintendent's Office and the Finance Office for the glory, and Director Barber also wants to honor Governor McWherter's request.

County Mayor Gifford stated that two years ago the Commission voted on a Resolution to name a bridge, crossing the Middle Fork of the Obion River between Sharon and Greenfield after Commissioner George Brouard. The Legislature has dealt with this Resolution and the county will be required to pay for the sign. The signs are being made and plans for the unveiling will be made for the George Brouard Bridge.

County Mayor Gifford commented that there has been a development in the Allegheny lawsuit and that he would turn the floor over to County Attorney, Bill Neese, for information on this lawsuit. County Attorney Neese stated that there is litigation against Allegheny and against the County Industrial Development Board, the individual members of the Board and the County Mayor individually. County Attorney Neese stated that they had been successful in getting this dismissed as to the County and the County Mayor and the members of the Industrial Development Board and any monetary claims against the Industrial Development Board. The County is out of the lawsuit.

Allegheny has funded the cost of the litigation at no cost to the County. The terms of the Contract required Allegheny to indemnify and provide the legal defense for the County.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:

County Mayor Gifford called for a motion to adjourn and Commissioner Stewart made the motion and Commissioner Rook placed the second. A voice vote was taken and the ayes carried. The Weakley County Legislative Body in Reconvened Session adjourned at 6:40 p.m.

ATTEST:

Pat Scarbrough, County Clerk