

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

NOVEMBER 21, 2005

The Weakley County Legislative Body met in Regular Session on November 21, 2005 at 5:30 p.m. in the County Commission Room at the Weakley County Courthouse. Chairman Dick Phebus called the meeting to order.

Commissioner Sinclair 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 member Kevin McAlpin was absent.

Chairman Phebus called for a motion to approve the minutes for the September 19, 2005 meeting. Commissioner Buckley made the motion to approve and Commissioner Jones placed a second to the motion. A voice vote was taken, and the ayes carried, with none opposed. The minutes of the September 19, 2005 meeting were approved.

SPECIAL RECOGNITION:

There was not any special recognition to be brought before the November 21, 2005 meeting.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The election of Notaries Public was the only item under this part of the agenda, Commissioner Wright made a motion to approve, and Commissioner Page placed a second to the motion. Discussion was called, a voice vote was taken, and the ayes carried with none opposed. The List of Notaries Public was approved.

REPORTS:

The Trustee's Report, General Fund Report, Highway Department Report, School Department Report, Solid Waste Report, and General Debt Service Report were included in the packets. Chairman Phebus called for a motion to accept these reports as filed. Commissioner Vincent made the motion and Commissioner Salmon placed the second. A voice vote was taken and the ayes carried with none opposed. The Reports were accepted as filed.

Chairman Phebus called for any other Committee Reports.

Jeff Lannom, Extension Agent and Leader mailed the Agricultural Extension Service Report to the Commission members.

UNFINISHED BUSINESS:

Chairman Phebus noted that there was one item, Resolution 2006-14 under unfinished business. This Resolution can be found as the last attachment to the minutes of September 19, 2005. This Resolution is to correct a scrivener's errors in Resolution No. 2005-53. The first reading was approved at the September 19, 2005 meeting and this Resolution requires a second reading and approval at the November 21, 2005 meeting. Commissioner Jones made a motion to approve the second reading and Commissioner Owens placed a second to the motion. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The Resolution No. 2006-14 was adopted on the second reading.

Chairman Phebus made mention that the County Attorney, Bill Neese was not present due to illness.

NEW BUSINESS:

RESOLUTION NO. 2006-15: General Purpose School Resolution.

Chairman Phebus called for a Committee Report from Commissioner Westbrook, Chairman of the Health, Education and Economic Development committee. Commissioner Westbrook commented that this Resolution passed his committee 6 to zero. Chairman Phebus commented that it also passed the Finance Ways and Means Committee unanimously. Commissioner Owen made a motion to place the Resolution on the Floor and Commissioner Wright placed a second to the Motion. Discussion was called and the question. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The motion carried.

RESOLUTION NO. 2006-16: Federal Projects Resolution.

Commissioner Westbrook gave the Health, Education and Economic Development Committee Report and the Resolution passed his committee 6 to zero. Chairman Phebus gave the Finance Ways and Means Report and this Resolution passed his committee unanimously. Commissioner Rich made a motion and Commissioner Stewart placed a second. Discussion and the question were called. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-17: Resolution Honoring National Guard Members.

Chairman Phebus directed the Clerk, Pat Scarbrough, to send certified copies of this Resolution to State Senator Roy Herron and State Representative Mark Maddox upon the passage of this Resolution. Commissioner Salmon gave the Personnel, Legislative and Intergovernmental Affairs Committee Report and this Resolution passed his committee unanimously. Commissioner Buckley made a motion to place the Resolution on the floor and Commissioner Wright placed a second to the Motion. Discussion and the question were called. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The motion carried.

RESOLUTION NO. 2006-18: Resolution To Urge The General Assembly To Consider Legislation Relative To Eminent Domain.

Commissioner Salmon gave the Committee Report from the Personnel, Legislative and Intergovernmental Affairs Committee. This Resolution passed his committee unanimously. Commissioner Salmon made the motion to place the Resolution on the Floor and Commissioner Baltz placed a second to the motion. Discussion was called and the question. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-19: Resolution To Oppose Senate Joint Resolution 1 Relative to Property Tax Relief.

Commissioner Salmon gave the Personnel, Legislative and Intergovernmental Affairs Committee Report. This passed his committee unanimously. Commissioner Sinclair made a motion to place the Resolution on the Floor and Commissioner Rich placed a second to the motion. Discussion was called and the Question. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-20: Highway Department Budget Amendment Resolution.

Commissioner Rook gave the Committee Report from the Public Works Committee. This passed his committee 6 to zero. Chairman Phebus commented that it passed Finance Ways and Means Committee 5 to 1. Commissioner Rook made a motion to place the Resolution on the Floor and Commissioner Hunt placed a second to the motion. Discussion was called and Commissioner Page asked for an explanation on 51-a, Highway Equipment. Road Supervisor Hopper was asked for an explanation for this item and he commented that this was for a truck that had been wrecked. Funds would be used to replace this truck from miscellaneous refunds from deposits from the sale of damaged vehicles and insurance monies that had been paid for these damaged trucks. Question was called and the County Clerk called the Roll with 17 ayes and one absent. The motion carried.

RESOLUTION NO. 2006-21: Highway Department County Road List.

Commissioner Rook gave the Public Works Committee Report and this Resolution passed his committee 6 to zero. Commissioner Rook made a motion to place the Resolution on the Floor and Commissioner Jones placed a second to the Motion. Discussion was called and Commissioner Stewart and Commissioner Vincent made comments concerning hot mix, tar and chip and gravel on this list and the average length of a road in Weakley County. Question was called. County Clerk Scarbrough called the Roll was 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-22: Resolution To Amend Weakley County's Drug-Free Workplace And Substance Abuse Policy.

Commissioner Westbrook gave the Health, Education and Economic Development Committee Report. This Resolution passed his committee 6 to 0. Commissioner Westbrook made a motion to place the Resolution on the Floor and Commissioner Page placed a second to the motion. Discussion and the question were called. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-23: Resolution Approving Contract With Barker Brothers Waste, Inc. To Provide Countywide Solid Waste Collection and Disposal For Weakley County.

The Committee Report from the Public Works Chairman, Commissioner Rook was given with 5 ayes and one absent. Commissioner Rook made a motion to place the Resolution on the Floor and Commissioner Hunt placed a second to the motion. Discussion was called and the question. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-24: Resolution To Authorize The Collection of Fees, Fines, County Costs And Other Charges By Debit And Credit Cards In Weakley County, TN.

Commissioner Phebus gave the Committee Report from the Finance Ways and Means Committee. This Resolution passed this committee 6 to zero. Commissioner Westbrook made a motion to place the Resolution on the Floor and Commissioner Vincent placed a second to the Motion. Discussion was called and Chairman Phebus commented that there would be four machines purchased. Question was called and the County Clerk called the Roll with 17 ayes and one absent. The Motion carried.

RESOLUTION NO. 2006-25: Resolution To Authorize The Collection Of Fees, Fines, Court Costs, And Other Charges By Debit And Credit Cards By Other County Officials In Weakley County, TN.

Chairman Phebus gave the Finance Ways and Means Committee Report and this passed his committee unanimously. Commissioner Westbrook made a motion to place the Resolution on the Floor and Commissioner Stewart placed a second to the motion. Discussion was called and Commissioner Vincent questioned why there were two separate Resolutions on the same authorization to use credit and debit cards in the County. Chairman Phebus commented that Resolution No. 2006-24 deals only with fee offices that are allowed to charge an additional five-percent fee on these transactions. This Resolution deals with the offices that are not fees offices and that are not allowed to charge an additional five percent charge for use of debit or credit cards. However, they are allowed to charge a processing fee in an amount that is equal to the amount paid to the third party processor for processing the payment. This amount is not to exceed five percent of the amount of the fee, court costs or other charge being paid. Commissioner Westbrook commented that the First Resolution applied to the Clerks of Court. The Second Resolution applies to the Sheriff, Trustee and Register of Deeds. Question was called and the County Clerk called the Roll with 17 ayes and one absent. The Motion carried.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENT:

Chairman Phebus called for the next County Commission Meeting to be held on Tuesday, January 17th, 2006, due to the Holiday on the 3rd Monday, January 16, 2006.

Commissioner Sinclair commented that Mr. Barker was present with Barker Brothers Waste, and Commissioner Sinclair asked Mr. Barker to stand, so that the Commission would identify whom they are dealing with. Mr. Barker thanked the people of Weakley County for their support in the past and for the future. He anticipates continuing to do a good job for the County and commented that he appreciated the business of Weakley County.

Commissioner Baltz was recognized and addressed the issue concerning the Weakley County Municipal Electric Service and their property situation that has been on going concerning eminent domain. Chairman Phebus commented on this situation, and that this Commission has very little to do with this issue. The County Commission does appoint Board Members to the Weakley County Municipal Electric Board. Chairman Phebus commented that it was his understanding they have proposed to purchase land and it is still in negotiations. It was Chairman Phebus' understanding that this site was selected because it was the most favorable. Chairman Phebus felt he did not have all the facts or details concerning this situation. Since he was not sure about the details concerning this situation, he felt that he did not need to comment or discuss this any further until he had the correct information from the proper sources. Commissioner Stewart made a motion to request the WCMES Director, to be present at the next meeting to give an update and year-end financial statement. Commissioner Baltz placed a second to the motion. A voice vote was taken and the ayes carried with none opposed. Chairman Phebus will contact by mail or telephone the WCMES Director and express the wishes of the County Commission for him to be present at the January 17, 2006 meeting.

Chairman Phebus called for any other announcements for this meeting. Property Assessor David Tuck was recognized. The County Attorney was not present, but Property Assessor Tuck, along with the Trustee, Donald Doster and the Clerk and Master, Pat Taylor had met with the County Attorney and Mr. Tuck had comments concerning 2002 taxes. There are still approximately \$1400 or \$1500 still left on the books, which is less than one-half of a percent not collected. In

2003, there is about \$8000, and this is the only thing that is actually out there right now. There should be a sale in May to take care of these. The County Attorney does have a whole lot more detailed information concerning these taxes, but maybe this will help to clarify a little of the concern from the previous meeting.

Chairman Phebus called for any other announcements, and since there was not any, the Chair entertained a motion by Commissioner Wright to adjourn and Commissioner Rook placed a second to the motion. A voice vote was taken and the Weakley County Legislative Body adjourned at 6:04 p.m.

ATTEST:

Pat Scarbrough, County Clerk