

AGENDA
WEAKLEY COUNTY COMMISSION MEETING
SEPTEMBER 20, 2004

CALL TO ORDER - 6:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES OF JULY 26, 2004 MEETING

SPECIAL RECOGNITION:

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

ELECTION OF CHAIRMAN

ELECTION OF CHAIRMAN PRO TEMPORE

APPOINTMENT OF DIRECTOR OF EMERGENCY MANAGEMENT AND SAFETY DIRECTOR FOR WEAKLEY COUNTY

APPOINTMENT OF MEMBERS TO THE WEAKLEY COUNTY EMERGENCY COMMUNICATIONS BOARD OF DIRECTORS

RULES COMMITTEE REPORT - JIMMY WESTBROOK, CHAIRMAN

ELECTION OF COMMITTEES AND OFFICERS

REPORTS:

Trustee's Report

General Fund Report

Highway Dept. Report

School Dept. Report

Solid Waste Report

Annual Financial Reports of Fee Offices

Finance, Ways and Means Committee Report

Financial Management Report

Health, Education and Welfare Report

Personnel Committee Report

Public Safety Committee Report

Public Works Committee Report

Nursing Home Committee Report

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

UNFINISHED BUSINESS:

RESOLUTION NO. 2005-04 - RESOLUTION SUPPORTING THE PASSAGE OF FEDERAL LEGISLATION ALLOWING SALES TAX TO BE DEDUCTIBLE FROM THE FEDERAL INCOME TAX AND TO ALLOW FOR A BUYOUT OF TOBACCO FARMERS.

NEW BUSINESS:

RESOLUTION NO. 2005-05 - LEASE PURCHASE OF SCHOOL BUSES(FEDERAL PROJECTS)

RESOLUTION NO. 2005-06 - GENERAL PURPOSE SCHOOL RESOLUTION

RESOLUTION NO. 2005-07 - HIGHWAY DEPARTMENT LITTER GRANT RESOLUTION

RESOLUTION NO. 2005-08 - RESOLUTION APPROVING PARTICIPATION OF WEAKLEY COUNTY, TENNESSEE IN THE DOLLY PARTON'S IMAGINATION LIBRARY PROJECT.

RESOLUTION NO. 2005-09 - RESOLUTION ADOPTING THE WEAKLEY COUNTY STRATEGIC ECONOMIC DEVELOPMENT PLAN.

RESOLUTION NO. 2005-10 - RESOLUTION GOVERNING INVESTMENT OF TEMPORARILY IDLE CASH FUNDS

Miscellaneous statements and announcements

ELECTION OF NOTARIES PUBLIC

ADJOURNMENT

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

SEPTEMBER 20, 2004

The Weakley County Legislative Body met in Regular Session on September 20, 2004 at 6:00 p.m. in the County Commission Room of the Weakley County Courthouse. County Mayor Ron Gifford called the meeting to order.

Commissioner Owen 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, James Barner, was absent.

Commissioner Sinclair requested permission to address the Legislative Body. Commissioner Sinclair commented that he had a heart condition three weeks ago. He prompted people not to ignore unusual pain in their chest and arm. The excellent and prompt attention provided by the medical profession and the ambulance service by air to Nashville gave him the opportunity to share this experience with the commission tonight.

County Mayor Gifford called for any corrections or additions to the July 26, 2004 minutes. Commissioner Westbrook commented that on page three, for future reference, Commissioner Buckley or any other Commissioner presiding has a vote and can make a motion to do anything you can do otherwise as a Commissioner, from the Chair. Commissioner Jones made a motion to approve and Commissioner Hunt placed a second. The Chair called for a voice vote and the ayes carried with none opposed; the July 26, 2004 minutes was approved by the Commission.

SPECIAL RECOGNITION:

County Mayor Gifford called for any special recognition, there being none, the County Mayor moved to the next item on the Agenda.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The first item of which is the election of Chairman of the Weakley County Commission. At this time, County Mayor Gifford turned the chair over to the Chairman Pro Tempore, Commissioner Buckley. Chairman Pro Tempore Buckley called for nominations for Chairman of the Weakley County Legislative Body. The floor remained open for nominations and County Attorney Neese commented that it was not proper for the Commission not to nominate and elect a Chairman. Commissioner Buckley again called for nominations for Chairman. Commissioner Owen nominated Commissioner Dick Phebus. Commissioner Buckley called for any other nominations and Commissioner Rook nominated County Mayor Ron Gifford. Commissioner Baltz made a motion to cease nominations and Commissioner Hunt placed a second. Chairman Buckley called for the vote in reverse order of the nominations. County Clerk Scarbrough called the roll for County Mayor Gifford as Chairman with a vote of two ayes, 14 nays, one absent and one pass. The nomination was not confirmed. Commissioner Buckley called for a roll call vote for Commissioner Phebus as Chairman. County Clerk Scarbrough called the roll with 16 ayes, one pass and one absent. The nomination for Commissioner Phebus as Chairman was confirmed by a majority vote.

County Mayor Gifford commented that he had enjoyed the opportunity to serve as Chairman of the Weakley County Legislative Body this past ten years, and

that he knew Commissioner Phebus would do an excellent job. County Mayor Gifford made comment as a point of reminder, in regards to the law, when the County Mayor serves as Chairman he has the right to break a tie vote. When the Commission chooses not to elect the County Mayor as Chairman, then he has veto power over the legislation by this body and the veto may be re-voted upon at the next regular meeting.

Commissioner Phebus assumed the Chair and thanked the Commission for the privilege and confidence placed in him. He commented that in absence of an oath of office he did solemnly swear that he would serve and exercise the duties of the Chairman of Weakley County Legislative Body to the best of his ability.

The next item on the agenda was the election of Chairman Pro Tempore. Chairman Phebus called for nominations for Chairman Pro Tempore. Commissioner Westbrook noted that the Rules Committee had met and recommended the nomination of Commissioner Mac Buckley as Chairman Pro Tempore and Commissioner Westbrook so moved for the nomination of Commissioner Buckley. Commissioner Hunt placed a second. Chairman Phebus called for any other nominations, Commissioner Owen made a motion to cease nominations, and Commissioner Sinclair placed a second. A voice vote was taken and the ayes carried with none opposed the nomination for Chairman Pro Tempore was confirmed for Commissioner Buckley. Commissioner Buckley thanked the Commission for the confidence placed in him and commented that he appreciated it very much.

The next item on the Agenda was the Appointment of Director of Emergency Management and Safety Director for Weakley County. County Mayor Gifford recommended and nominated Bob Johnson for the position of Director of Emergency Management and Safety Director for Weakley County. A Roll Call vote was taken by County Clerk Pat Scarbrough with 17 ayes, none opposed and one absent. Bob Johnson was appointed to the position of Director of Emergency Management and Safety Directory for Weakley County.

The next item on the Agenda was the appointment of members to the Weakley County Emergency Communications Board of Directors. County Mayor Gifford nominated Dr. David Long to take the place of Don Teal. County Clerk Scarbrough called the roll with 5 ayes, 10 nays, two passes and one absent. Dr. David Long was not confirmed.

County Mayor Gifford nominated Phillip Johnson to take the place of Commissioner Dick Phebus. Chairman Phebus called for any discussion or comments. County Clerk Scarbrough called the roll with 1 aye, 15 nays, one pass and one absent. The nomination was not confirmed.

County Mayor Gifford nominated Kayla Anderson to take the place of John Salmon. Discussion or comments were called for by Chairman Phebus, there being none the County Clerk called the roll with one aye, 14 nays, two passes and one absent. The appointment was not confirmed.

The next item on the Agenda was the Rules Committee Report. Commissioner Westbrook commented that there were two or three minor adjustments to the rules and this was the unanimous recommendation of the Rules Committee. On Page Two, the Rules Committee proposes the meeting time be changed from 6:00 p.m. to 5:30 p.m. On Page Three, Election of Notaries Public be moved from last on the Agenda to be included in the election, appointments and confirmations, the purpose of this is to make sure that the Notaries be approved prior to recess. On Page 8, the Rules Committee proposes to change the name of the Public Health, Education and Welfare Committee to the Public Health, Education and Economic Development Committee. The state required the County to take action to change this Committee to be more accurate in reflecting

the mission of this Committee. Motion to approve the changes was made by Commissioner Westbrook and a second was placed by Commissioner Owen. Discussion was called. A voice vote was taken and the ayes carried, none was opposed. The changes to the Rules Committee were approved.

Commissioner Westbrook made a motion to amend the Rules on Page Six Rule 7B, to strike last sentence and add "In the event nominations are submitted for more than one position on the same board or committee where the incumbent board or committee members serve until their successor is appointed and confirmed, the appointing authority shall designate the name of each nominee separately and shall indicate which incumbent he/she will be replacing or shall otherwise clearly indicate which specific opening on the board or committee the person is being nominated for." Commissioner Buckley placed the second. A voice vote was taken with the ayes carrying and none was opposed. The amendment was approved.

Chairman Phebus called for a motion to approve the Rules as amended, Commissioner Buckley made the motion, and Commissioner McAlpin placed a second. The County Clerk called the roll with 17 ayes and one absent. The Rules were adopted as amended.

The next item on the Agenda was the Election of Committees and Officers. Commissioner Westbrook commented that the recommendations of the Rules Committee was before each of the Commissioners, there was not any changes from the prior year with the exception of Safety Director. Bob Johnson's name needs to be inserted as Safety Director. Commissioner Westbrook made a motion to approve and Commissioner Jones placed a second. Discussion was called, there being none the County Clerk; Pat Scarbrough called the roll with 17 ayes and one absent. The Election of Committees and Officers were approved.

REPORTS:

Each of the Commission members received in their packets the Trustee's Report, General Fund Report, the Highway Department Report, the School Department Report, and the Solid Waste Report. The Chairman called for any questions on these reports. Commissioner Westbrook commented that he had a letter from Henson Construction Services, the H.E.W Committee requested Mr. Henson, the Construction Manager, to have the Election Commission Office inspected and report what needs to be corrected, improved, and list items that are wrong with this building. There was not a recommendation by the Committee; this is for information purposes. The list was quite extensive and expensive. Commissioner Stewart in discussion moved to have the County Mayor go over this data and report to the Committee with his findings. Commissioner Stewart made the motion to refer to County Mayor Gifford and Commissioner Vincent placed a second. Discussion or comments were called and Commissioner Owen questioned the notations on the new roof, and that there had all ready been a new roof put on the building. Commissioner Stewart called for the question, County Clerk Scarbrough called the roll with 17 ayes, and one absent, motion to refer list to County Mayor Gifford on the Election Commission Building was approved. Chairman Phebus called for a motion to accept the Reports, Commissioner Westbrook made the motion, and Commissioner Jones placed a second. The County Clerk called the roll with 17 ayes and one absent. The Reports were accepted.

UNFINISHED BUSINESS:

RESOLUTION NO. 2005-04: Resolution Supporting the Passage of Federal Legislation Allowing Sales Tax to be Deductible from the Federal Income Tax and To Allow for a Buyout of Tobacco Farmers.

Committee Report was called for from Health Education and Welfare and Commissioner Westbrook commented that it passed his committee with 4 ayes and two absent. Motion to approve by Commissioner Owen and a second was placed by Commissioner Page. Discussion was called and County Mayor Gifford was recognized. County Mayor Gifford commented on this resolution and the benefits for Weakley County and Tennessee. Question was called and the County Clerk called the roll with 17 ayes and one absent. The motion passed.

There was not any other unfinished business, and the Chairman moved to the next item on the Agenda.

NEW BUSINESS:

RESOLUTION NO. 2005-05: Lease Purchase of School Buses (Federal Projects).

Chairman Phebus gave the Finance Ways and Means Committee Report and this resolution passed his committee unanimously. Commissioner Westbrook gave the Health, Education and Welfare Report and this Resolution passed his committee with four ayes and two absent. Commissioner Westbrook made a motion to place the resolution on the floor for discussion and Commissioner Hunt placed a second. Discussion was called and Commissioner Stewart commented that there was not anyone from the School Department present that could answer any questions the commission might have. The question was called and the County Clerk called the roll with 17 ayes and one absent. The Resolution passed.

RESOLUTION NO. 2005-06: General Purpose School Resolution

Chairman Phebus gave the Finance Ways and Means Report and it passed his committee unanimously. Commissioner Westbrook gave the Health, Education and Welfare Report and it passed his committee with 4 ayes and two absent. Commissioner Owen made a motion to place the resolution on the floor and Commissioner Buckley placed a second. Discussion was called and the question. The County Clerk called the Roll with 17 ayes and one absent. The motion carried.

RESOLUTION NO. 2005-07: Highway Department Litter Grant Resolution

Chairman Phebus gave the Finance Ways and Means Report and this resolution passed his committee unanimously. The Resolution passed the Public Works Committee unanimously as reported by Commissioner Rook. Commissioner Hunt made the motion and Commissioner Jones placed a second. Discussion was called and Kermit Hopper, Road Supervisor explained that the state has been taking in less revenues over the past few years than anticipated, and has been making up the difference out of it reserves, but this year decided to adjust projected revenues to more closely reflect actual tax collections. Road Supervisor Hopper noted that the drop in state funding for the Litter Program is statewide. He commented that similar reductions have been experienced in neighboring Carroll and Henry counties. Question was called and the County Clerk called the Roll with 17 ayes and one absent. The Resolution carried.

RESOLUTION NO. 2005-08: Resolution Approving Participation of Weakley County, Tennessee in the Dolly Parton's Imagination Library Project.

Commissioner Westbrook gave the Health, Education and Welfare Report and this passed his committee unanimously. Commissioner Vincent made a motion to place the Resolution on the floor and Commissioner Wright placed a second. Discussion was called and the question. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The motion carried.

RESOLUTION NO. 2005-09: Resolution Adopting the Weakley County Strategic Economic Development Plan.

Commissioner Westbrook gave the Health, Education and Welfare Report and this Resolution passed his committee unanimously. Commissioner Page made a motion to place the Resolution on the floor and Commissioner Hunt placed a second. Discussion was called and Commissioner Vincent made a motion to table this Resolution and send it back to the Committee for discussion. County Clerk Scarbrough called the Roll with 13 ayes, 4 passes, and one absent. The Resolution was tabled.

RESOLUTION NO. 2005-10: Resolution Governing Investment of Temporarily Idle Cash Funds.

Chairman Phebus gave the Finance Ways and Means Report and this Resolution passed his committee unanimously. Commissioner Jones made a motion to place the Resolution on the floor and Commissioner Stewart placed a second. Discussion was called and the question, the County Clerk called the Roll with 17 ayes and one absent. The Resolution carried.

MISCELLANEOUS STATEMENTS AND ANNOUNCEMENTS:

There were not any miscellaneous statements and announcements and the Chairman moved the next item on the agenda.

ELECTION OF NOTARIES PUBLIC:

Motion by Commissioner Sinclair to approve the Notaries Public List and a second was placed by Commissioner Rich. Discussion was called and a voice vote was taken with the ayes carrying and none opposed. The Notaries Public List was approved.

Chairman Phebus called for a motion to adjourn, Commissioner Rook made the Motion, and Commissioner Vincent placed the second. The Weakley County Legislative Body adjourned at 6:48 p.m.

ATTEST:

Pat Scarbrough, County Clerk