

RESOLUTION 2006-18
TO URGE THE GENERAL ASSEMBLY TO CONSIDER LEGISLATION
RELATIVE TO EMINENT DOMAIN

WHEREAS, on June 23, 2005, the United States Supreme Court reached its decision in the case of *Suzette Kelo, et al. v. City of New London, et al.*, upholding the use of condemnation powers by a Connecticut municipality to seize residential property for an economic development project; and

WHEREAS, the 5-4 decision of the Supreme Court expanded the understanding of what constitutes a "public use" relative to the exercise of eminent domain authority by a local government and has sparked a firestorm of objections from representatives at all levels of government as well as from advocacy groups and citizens; and

WHEREAS, legislation has been filed at both the state and federal level in response to the *Kelo v. New London* decision to limit abusive uses of eminent domain; and

WHEREAS, county governments in Tennessee have heard a clear message from Tennessee citizens that they are concerned about abusive uses of local government condemnation authority.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Weakley County, meeting in regular session on this 21st day of November, 2005, that:

- 1) The Board of County Commissioners of Weakley County opposes the exercise of eminent domain or condemnation powers by a local government for the sole or primary benefit of private parties.
- 2) The Board of County Commissioners of Weakley County finds that eminent domain powers should be used as a last resort and should be limited to the acquisition of property for county purposes. The only circumstance where condemned property could be sold or transferred at a later date to a private entity would be in the context of redevelopment of blighted areas.
- 3) The Board of County Commissioners of Weakley County urges the Tennessee General Assembly to thoughtfully consider issues relative to the use of eminent domain by local governments in Tennessee and to enact legislation to protect private property owners in Tennessee from abusive use of eminent domain.

BE IT FURTHER RESOLVED, that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Weakley County.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:


Chairman, Personnel Committee

Motion made by Commissioner Salmon that the foregoing resolution be adopted:

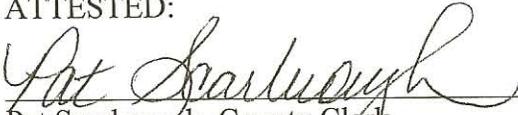
Motion seconded by Commissioner Baltz.

Upon being put to a roll call vote, Motion carried by a vote of 17 Yeas,

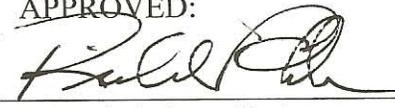
0 Nays,

0 Passed and 1 Absent.

ATTESTED:


Pat Scarbrough, County Clerk

APPROVED:


Richard Phebus, Chairman

THIS THE 21st DAY OF NOVEMBER, 2005.

APPROVED:


Ron Gifford, County Mayor

VETOED:

Ron Gifford, County Mayor

DATE:

11/21/05

DATE:
