

AGENDA
WEAKLEY COUNTY LEGISLATIVE BODY
REGULAR MEETING - JANUARY 20, 2004

CALL TO ORDER - 6:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES OF NOVEMBER 17, 2003 MEETING

SPECIAL RECOGNITION:

Martin Middle School Cheerleaders who won 1st place in NCA Senior & Junior High School National Championship in Dallas, Texas.

ELECTIONS, APPOINTMENTS & CONFIRMATIONS:

Election of County Attorney

Special Appointment to fill the Vacancy on the Weakley County School Board in District 7.

Appointment of Member to the Lake, Obion, Weakley County Solid Waste Board replacing Tim McColum whose term has expired.

REPORTS:

Trustee's Report

General Fund Report

Highway Department Report

School Department Report

Solid Waste Report

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

Financial Management Committee Report - Roger Stewart, Chairman

Health, Education and Welfare Committee Report - Jimmy Westbrook, Chairman

Personnel Committee Report - John Salmon, Chairman

Public Safety Committee Report - Tommy Hunt, Chairman

Public Works Committee Report - David Rook, Chairman

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

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

Veterans Service Officer's Report - Dave Bradley, Director

Weakley County Chamber of Commerce Report - Suzie German, Executive Director

Emergency Management and 911 Reports - David McAlpin, Director

UNFINISHED BUSINESS:

NEW BUSINESS:

Resolution No. 2004-17 - Resolution Authorizing Budget Amendments to the General Purpose School Fund.

Resolution No. 2004-18 - Resolution to Increase the Litigation Taxes for General Sessions Court.

Resolution No. 2004-19 - Resolution Authorizing a County Maintenance Road List for 2004

Resolution No. 2004-20 - Resolution to Participate in the Three-Star Pilot Program

Resolution No. 2004-21 - Resolution to Affirm Compliance with Federal Title VI Regulations

Miscellaneous announcements and statements

Election of Notaries Public

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

JANUARY 20, 2004

The Weakley County Legislative Body met in regular session on January 20, 2004 at the Weakley County Commission Room. County Mayor Ron Gifford called the meeting to order at 6:00 p.m.

Commissioner Vincent requested that Commissioner Barner be in the Commission's prayers, as he is hospitalized at this time. Commissioner Page gave the invocation.

All members present gave the Pledge to the Flag.

County Clerk, Pat Scarbrough, called the roll with 17 members present and one member, James Barner absent.

County Mayor Gifford called for any additions or corrections to the November 17, 2003 minutes. Commissioner Jones made the motion to approve and Commissioner Gardner placed a second. A voice vote was taken with the ayes carrying and the minutes from the November 17, 2003 meeting was approved.

SPECIAL RECOGNITION:

County Mayor Gifford recognized the Martin Middle School Cheerleaders for winning first place in the National Cheerleading Association and Junior High School National Championship held recently in Dallas, Texas. The Martin Middle School Cheerleaders have won the National Championship three times and second place four times. Ms. Fran Spears, Sponsor, was commended on her dedication and hard work. Each of the members of the cheerleading squad gave their name, the grade they are in, and the number of years they have been on the squad.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The first item under this heading was the election of the County Attorney. Attorney Bill Neese has served as the County Attorney for the last four or five years and handled the County's legal challenges. County Mayor Gifford opened the floor for nominations for County Attorney. Commissioner Phebus made a motion to nominate Bill Neese, and Commissioner Wright placed a second to the Motion. The County Mayor called for any other nominations. Commissioner Phebus made a motion for the nomination to cease and to elect by acclamation. A voice vote was taken with the ayes carrying and none was opposed. Attorney Bill Neese was re-elected as the County Attorney. At this time County Clerk, Pat Scarbrough gave the oath of office to Attorney Bill Neese for the position of County Attorney.

The second item under elections, appointments and confirmations was the special appointment to the School Board for District Seven, due to the resignation of Liz Argo. The County Mayor opened the floor for nominations and Commissioner Buckley nominated Doug Sims, Commissioner Vincent placed a second. The County Mayor called for any other nominations, there being none an acclamation vote was taken with the ayes carrying and none opposed. Doug Sims was appointed to fill the position left vacant by Liz Argo in District 7. At this time the County Clerk, Pat Scarbrough, gave the oath of office to Doug Sims for the position of District Seven School Board Member.

The next item was the Appointment of a Member to the Lake, Obion and Weakley County Solid Waste Board replacing Tim McColum whose term had expired. The County Mayor recommended Angelina MacKewn to serve on the

board for a four-year term. County Mayor Gifford called for a motion to appoint Ms. MacKewn and Commissioner Hunt made a motion and Commissioner Sinclair placed a second. A voice vote was taken with the ayes carrying and none was opposed. Ms Angelina MacKewn was appointed for a four-year term.

REPORTS:

Each of the Commission members received in their packets the Trustee's Reports, General Fund Report, Highway Department Report, School Department Report and the Solid Waste Report. The County Mayor at this time called for any questions on these reports, there being none the County Mayor called for any standing committee reports. Since there was not any reports the County Mayor moved to the next item on the Agenda, which was the Nursing Home Report.

Commissioner Phebus was recognized and he wanted to go over one item under Committee Reports. In the November Session, the commission approved issuing bonds, for the purpose of advance refunding some old bonds that had a high interest rate. These bonds were subsequently sold and issued \$17,125,000 million in new bonds to pay off the old bonds and, in the process, the total dollar savings was \$804,918 dollars. These bonds have been issued and we have a new debt service schedule. The bonds were issued on December 3rd. Commissioner Rook questioned what percent that the bonds were issued. Commissioner Phebus commented that they varied from two percent to four percent; the old bonds were four percent to six percent.

The next item on the agenda was the Agricultural Extension Service Report, Mr. Jeff Lannom was present and he did not have any other comments to make.

The Veterans Service Office Semi Annual Report was included and Dave Bradley, Service Officer was present and he did not have any comments to add.

The Weakley County Chamber of Commerce Report was included and Suzie German, Executive Director did not have any other comments to make.

Also the Emergency Management and 911 Report was handed out to the Commission and David McAlpin, Director did not have any comments to make concerning his report.

County Mayor Gifford called for a motion to accept these reports and Commissioner Sinclair made the motion and Commissioner Buckley placed a second to accept these reports. The County Clerk, Pat Scarbrough, called the roll with 17 ayes and one absent, the report was accepted.

UNFINISHED BUSINESS:

There was not any unfinished business to come before the Commission.

NEW BUSINESS:

RESOLUTION NO. 2004-17: Resolution Authorizing Budget Amendments to the General Purpose School Fund.

The County Mayor called for the Health, Education and Welfare Report and Commissioner Westbrook commented that this resolution passed his committee six to none. Commissioner Phebus gave the Finance Ways and Means Report and this resolution passed his committee unanimously. A motion was made by Commissioner Jones to place the resolution on the floor and Commissioner Rich 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. 2004-18: Resolution to Increase the Litigation Taxes for General Sessions Court.

The Committee Report was called for from the Public Safety Committee. Commissioner Vincent commented that this resolution passed his committee five to none. Commissioner Phebus gave the Finance Ways and Means Report and this resolution passed his committee six to none. Commissioner Phebus made a motion to place the resolution on the floor and Commissioner Salmon placed a second. Discussion was called and the question. County Clerk Scarbrough called the roll with 17 ayes and one absent, the motion carried. Commissioner Phebus requested that a certified copy of this resolution be sent to the General Sessions Clerk and that this change becomes effective February 1, 2004, as called for by the Resolution.

RESOLUTION NO. 2004-19: Resolution Authorizing a County Maintenance Road List for 2004.

The Committee Report was called for from Public Works Committee and Commissioner Rook commented that the List was the same as last year and that there had not been any additions made. This list passed the Public Works Committee and it also passed the Road Board Committee. Commissioner Hunt made the motion and Commissioner Rook placed a second. Discussion was called and Commissioner Westbrook requested that a certified copy of this Resolution and a copy of the Road List of the County be sent to the State Department of Transportation with a request that they upgrade and update their road list of Weakley County. Question was called and the County Clerk called the Roll with 17 ayes and one absent, the motion carried.

RESOLUTION NO. 2004-20: Resolution to Participate in the Three-Star Pilot Program.

The County Mayor commented that Weakley County has participated for the last several years in the Three-Star Program. This year the County has been invited by the State Department of Economic and Community Development to be one of the Pilot Counties to participate in the new Three-Star Program. The County Mayor called for a motion to place the resolution on the floor and Commissioner Page made the motion and Commissioner Blatz 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. 2004-21: Resolution to Affirm Compliance with Federal Title VI Regulations.

County Mayor Gifford commented that this resolution goes along with Resolution No. 2004-20. In order to receive Federal Funding the County must be in compliance and to affirm our participation in Title VI. County Mayor Gifford commented that in order to participate in the Three-Star Program we are affirming that we are in compliance with Title Six. The County Mayor called for a motion to place this resolution on the floor. Commissioner Rich made the motion and Commissioner Buckley placed the second. Discussion was called and Commissioner Phebus commented that Section One declares that the Legislative Body of the County is in compliance. Commissioner Phebus questioned if the County is in compliance, and if the County Attorney had reviewed the necessary documents to determine if the County, in fact, is in compliance. County Mayor Gifford commented that if the County were not in compliance, that in the special requirements to the Department of Education, the County would be notified if we were not in compliance. County Mayor Gifford commented that he could say that all hiring practices in the General Fund and the Highway Department abide by the Title Six Regulations. Based upon the recommendation of the County Mayor, Ron Gifford, and his assumption that the County was in compliance the

question was called. The County Clerk called the roll with 17 ayes and one absent the motion carried.

There being no other new business to come before the commission the County Mayor moved to the next item on the Agenda.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:

The County Mayor mailed a letter to each of the Commissioners that he had received from the AGR Fraternity from the University of Tennessee at Martin requesting tax relief. The County Mayor recognized Attorney Max Speight that represents the AGR Fraternity. Attorney Speight stated that after four years of litigation the fraternity had been declared as a non-profit, tax exempt organization. In regard to this development, he requested \$35,073.99 in back taxes, which were paid under protest since 1998, be refunded to the Fraternity. Commissioner Westbrook questioned if Attorney Speight was an Alumnus of the AGR, and Attorney Speight commented that he was an honorary member. Commissioner Phebus questioned if the taxes were paid under protest. Attorney Speight stated that the AGR had paid the taxes and filed their appeal and contest of them. Attorney Speight commented that filing their contest all the way through and the appeals was a protest. County Mayor Gifford called for any other questions or discussions.

Another item under statements was a letter recently received by the Trustee from the ANR Pipeline Case, which reduced the amount of taxes \$31,000 to the County. Assessor of Property, David Tuck, commented that this was State assessed, which has something to do with personal versus real property, and is statewide, this is the amount of taxes reduced in Weakley County. Commissioner Westbrook commented that the only ones paying taxes is small businesses, farmers and homeowners.

There being no other miscellaneous announcements and statements the County Mayor moved to the next item on the agenda.

ELECTION OF NOTARIES PUBLIC:

Commissioner Baltz made a motion to approve the Notary Public List and Commissioner Jones placed the second. A voice vote was taken with the ayes carrying and none opposed the Notary Public List was approved.

County Mayor Gifford announced that the next Weakley County Legislative Body Meeting would meet on March 15, 2004 at 6:00 p.m.

County Mayor Gifford called for a motion to adjourn and Commissioner Vincent made the motion and Commissioner Sinclair placed the second. A voice vote was taken with the ayes carrying and the Weakley County Legislative Body adjourned at 6:42 p.m.

ATTEST:


Pat Scarbrough, County Clerk