

**AGENDA**  
WEAKLEY COUNTY LEGISLATIVE BODY  
REGULAR MEETING - MARCH 15, 2004

CALL TO ORDER - 6:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES OF JANUARY 20, 2004 MEETING

**SPECIAL RECOGNITION:**

**ELECTIONS, APPOINTMENTS & CONFIRMATIONS:**

Appointment of members to serve on the Weakley County County Agricultural Extension Committee

**REPORTS:**

Trustee's Report

General Fund Report

Highway 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 Lannon, Extension Agent & Director

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

Emergency Management and 911 Reports - David McAlpin, Director

State of the County Address - Ron Gifford, County Mayor -

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Resolution No. 2004-22 - Resolution in Support of Workers' Compensation Reform

Resolution No. 2004-23 - Weakley County Government Donation of Surplus Real Estate to the Palmersville Volunteer Fire Department.

Resolution No. 2004-24 - Resolution to Urge the General Assembly to Enact HB 2412/SB 1285 to Increase the Fees Charged by County Clerks in Connection with Titling of Motor Vehicles.

Resolution No. 2004-25 - General Purpose School Resolution

Resolution No. 2004-26 - Child Nutrition Resolution

Resolution No. 2004-27 - Federal Projects Resolution

Resolution No. 2004-28 - Resolution to Amend Fixed Asset Accounting Policy for Weakley County

Miscellaneous announcements and statements

Election of Notaries Public

VERNMENT

## WEAKLEY COUNTY LEGISLATIVE BODY MEETING

MARCH 15, 2004

The Weakley County Legislative Body met in regular session on March 15, 2004, at the Weakley County Commission Room. County Mayor Ron Gifford called the meeting to order at 6:00 p.m.

Commissioner Gardner gave the invocation.

All members present gave the Pledge to the Flag.

County Clerk, Pat Scarbrough called the roll with 15 members present and three members, Jack Baltz, James Barner and James Westbrook were absent.

County Mayor Gifford called for any additions or corrections to the January 20, 2004 meeting minutes. There being none, the County Mayor moved for the approval of the Minutes. A voice vote was taken with the ayes carrying and none was opposed, the Minutes of the January 20, 2004 Meeting were approved.

### **SPECIAL RECOGNITION:**

County Mayor Gifford called for any special recognition. County Mayor Gifford recognized Commissioner Vincent. Commissioner Vincent commented that he had spoken with Commissioner Barner that day and he has improved but due to the weather, he decided not to come to the meeting tonight.

### **ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:**

County Mayor Gifford commented that each of the Commissioners should have before them a letter of recommendation nominating Mr. James Yarbrough, Farmer, and Mrs. Minnie Parham, a Farm Woman to the Weakley County Agricultural Extension Committee. A motion by Commissioner Stewart to confirm was made and Commissioner Rook placed a second. A voice vote was taken with the ayes carrying and none was opposed. The Appointments were confirmed.

### **REPORTS:**

Each of the Commission members received in their packets the Trustee's Report, 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.

The Commission members received a copy of the Nursing Home Report, and Jeff Lannom, Extension Agent and Director mailed a copy of the Agricultural Extension Service Report also.

The Weakley County Chamber of Commerce Report was handed out, and the Director, Suzie German, was present to answer any questions that the Commission might have.

The Emergency Management and 911 Report was passed out and The Director, David McAlpin, was also present to answer any questions anyone might have.

The next item on the Agenda was the State of the County Address by the County Mayor, Ron Gifford. County Mayor Gifford commented that if there was not any opposition, he would address the commission without vacating the Chair, there being none the County Mayor proceeded with his address. County Mayor Gifford

gave a brief speech on the State of the County. To paraphrase - In a democracy, government is a reflection of the aspirations and work of the people, the people elect us and we are responsible to the people. Weakley County has much to be thankful for, the county has good roads, and our schools do an excellent job - from pre-school all the way through adult education. We are fortunate to have the University of Tennessee at Martin in our Community. Being in debt is not a good thing, but we know that in the reality of this society's existence, we often have to incur debt to promote the future. We must have taxes in order to operate and provide services to our community and county. The last few years have been difficult due to loss of jobs and people trying to retain the jobs that are still present. The County has been trying to promote Weakley County for a state correctional facility. We are still in the running for another facility that must be built in the state of Tennessee. County Mayor commended the county commission and legislative body of our county for the job that they do. Together, as one whole, Weakley County works on what is best for this county. Hopefully we'll think about what is best, what is fair, and what is just for our society.

The County Mayor called for a motion to accept the reports, Commissioner Sinclair made the motion and Commissioner Buckley placed the second. The County Clerk, Pat Scarbrough called the roll with 15 ayes and three absent. The Motion carried and the Reports were accepted.

#### **UNFINISHED BUSINESS:**

There was not any unfinished business to come before the Commission and the County Mayor moved to the next item on the Agenda.

#### **RESOLUTION NO. 2004-22: Resolution** in Support of Worker's Compensation Reform.

County Mayor Gifford called for the Committee Reports from Health, Education and Welfare and Commissioner Buckley commented that it passed this committee with 5 yeas and one absent. Commissioner Vincent made a motion to place this resolution on the floor and Commissioner Phebus placed the second. Discussion was called and there being none the County Clerk called the roll with 15 ayes and 3 absent. The motion carried.

#### **RESOLUTION NO. 2004-23: Weakley County Government Donation of Surplus Real Estate to the Palmersville Volunteer Fire Department.**

County Mayor Gifford called for the Committee Report from the Health Education and Welfare Committee. Commission Buckley commented that it passed his committee with five yeas and one absent. Motion was made by Commissioner Salmon to place the resolution on the floor and Commissioner Rook placed a second. Discussion was called and County Attorney Neese was requested to address the Commission on the legal aspects of this transfer. The School Board owns the property, but they cannot give the property to the Palmersville Fire Department, however, the County Commission can give the property to the Palmersville Fire Department, provided that the Fire Department is a certified Fire Department under the State Law and by the Fire Marshall. This falls and is clearly defined as a governmental entity and is subject to gifts under statute. County Attorney, Bill Neese had filed this opinion with the County Clerk and sent a copy to Finance Ways and Means, the County Mayor and the Director of Schools, Richard Barber. Question was call and the County Clerk called the Roll with 15 ayes and three absent. The motion carried.

**RESOLUTION NO. 2004-24:** Resolution to Urge the General Assembly to enact HB 2212/SB 1285 to Increase the Fees Charged by County Clerks in Connection with Titling of Motor Vehicles.

County Mayor called for the Committee report from Finance Ways and Means. Commissioner Phebus commented that it passed his committee unanimously. Motion was made by Commissioner Hunt to place the resolution on the Floor and Commissioner Phebus placed the second. Discussion was called and the Question. County Clerk Scarbrough called the roll with 15 ayes and 3 absent. The motion carried.

**RESOLUTION NO. 2004-25:** General Purpose School Resolution.

The Committee Report was called for from Health, Education and Welfare and Commissioner Buckley commented that it passed his committee with five ayes and one absent. Commissioner Phebus gave the committee Report from Finance Ways and Means and it passed his committee unanimously. Commissioner Wright made the motion to place it on the floor and Commissioner Gardner placed a second. Discussion was called and the Question. County Clerk Scarbrough called the roll with 15 ayes and three absent. The Motion carried.

**RESOLUTION NO. 2004-26:** Child Nutrition Resolution.

Commissioner Buckley gave the committee Report from the Health, Education and Welfare Committee. He commented that it passed his committee with five ayes and one absent. Commissioner Phebus gave the Finance Ways and Means Report and it passed his committee unanimously. Motion was made by Commissioner Phebus 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 15 ayes and three absent. The Motion carried.

**RESOLUTION NO. 2004-27:** Federal Projects Resolution.

Commissioner Buckley gave the Health, Education and Welfare Report and this resolution passed his committee with five ayes and one absent. Commissioner Phebus gave the Finance, Ways and Means Report and this resolution passed his Committee unanimously. Commissioner Buckley made the motion to place the resolution on the floor and Commission Hunt placed a second. Discussion was called and the Question. The County Clerk called the roll with 15 ayes and three absent. The motion carried.

**RESOLUTION NO. 2004-28:** Resolution to Amend Fixed Asset Accounting Policy for Weakley County.

Commissioner Stewart gave the Financial Management Committee Report. This resolution passed his committee with five ayes and two absent. Commissioner Stewart made a motion to place the resolution on the floor and Commissioner Vincent placed a second. Discussion was called. Commissioner Owen requested an explanation on the resolution. Commissioner Phebus commented that the new financial reporting model requires the county to count all capital assets – one of them being the right-of-way, and put it on the balance sheet. This was not included in the original resolution, and this clarifies it. The right-of-way along the highway is twenty-five cents per lineal foot, Commissioner Phebus commented that this is only a “housekeeping procedure” and has nothing to do with property taxes. It is a measure to bring the County into compliance with accounting methods, as required by the state, for proposing to determine the total assets of the County. Commissioner Phebus commented that we’re not raising taxes; we are simply establishing a value of the right-of-way property for

recording purposes. Question was called and the County Clerk, Pat Scarbrough, called the roll with 15 ayes and three absent. The motion carried.

The County Mayor called for any other New Business to come before the Commission.

Commissioner Phebus was recognized, and he commented that he had not seen a dollar figure concerning the lawsuit filed by the AGR's against the County and City. Commissioner Phebus made a motion proposing that the question concerning the AGR House Lawsuit against the County and City be deferred to the Finance Ways and Means Committee for a resolution and to report back to the full Commission at the earliest meeting time. Commissioner Sinclair placed a second the motion. Discussion was called. Commissioner Sinclair commented that in the minutes of the last meeting there was a dollar figure in the amount of \$35,073.99. Commissioner Phebus commented that the amount was still under negotiation. Commissioner Page commented that the Commissioners received a letter dated December 29, 2003; Commissioner Page understood that there had been four letters prior to this that had been addressed to the County Attorney that dated back to the first of September 2003. Commissioner Page point was that the commission handles the question quicker, than what has been done previously. Commissioner Page did not feel that it was good business on the County's part. Question was called and the County Clerk called the roll with 15 ayes and three absent. The motion carried.

**MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:**

There were not any miscellaneous announcements and statements and the County Mayor moved to the next item on the agenda.

**ELECTION OF NOTARIES PUBLIC:**

Commissioner Rich made a motion to approve the Notaries Public and Commissioner Rook placed a second. A voice vote was taken with the ayes carrying and none was opposed. The Notaries Public List was approved.

County Mayor Gifford called for a motion to adjourn. Commissioner Sinclair made the motion and Commissioner Wright placed a second, a voice vote was taken with the ayes carrying and none was opposed. The Weakley County Legislative Body adjourned at 6:35 p.m.

ATTEST:

  
Pat Scarbrough, County Clerk