

**AGENDA**  
COUNTY COMMISSION REGULAR MEETING  
MAY 19, 2003

CALL TO ORDER - 6:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF THE MINUTES OF THE MARCH 17, 2003 COUNTY COMMISSION MEETING

**SPECIAL RECOGNITION:**

**ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:**

Appointment of Weakley County Health and Safety Standards Board

Appointment of Equalization Board

Appointment of Members to the Weakley County Library Board

Appointment of Members to the Weakley County Health Department Board of Health

**REPORTS:**

Trustee's Report

General Fund Report

Highway Dept. Report

School Dept. 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

Agricultural Extension Service Report - Jeff Lannom, Extension Director

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Resolution No. 2003-30 - General Purpose School Resolution

Resolution No. 2003-31 - General Fund Resolution - Weakley County Office on Aging

Resolution No. 2003-32 - Highway Department Resolution - Litter Grant

Resolution No. 2003-33 - General Fund Resolution - Jail Budget

Resolution No. 2003-34 - Resolution Authorizing the Adoption of the Local Provisions of TCA §41-4-115 To Authorize the Weakley County Sheriff to Charge Inmates a Co-Pay Amount For Medical Care at the Weakley County Jail.

Resolution No. 2003-35 - Resolution Authorizing the Adoption of the Local Provisions of TCA §41-4-142 to Authorize the Weakley County Sheriff to Charge Inmate Fees in Connection with the Commissary Program at the Jail.

Resolution No. 2003-36 - General Purpose School Resolution

Miscellaneous announcements and statements

Election of Notaries Public

**ADJOURNMENT**

## WEAKLEY COUNTY LEGISLATIVE BODY MEETING

MAY 19, 2003

The Weakley County Legislative Body met on May 19, 2003 at 6:00 p.m. in the County Commission Room at the Weakley County Courthouse. County Executive Ron Gifford called the Meeting to order and Commissioner Baltz gave the invocation. All members present gave the Pledge to the Flag.

County Clerk Pat Scarbrough called the roll with 18 members present, and none was absent.

County Executive Gifford asked if there were any additions or corrections to the minutes for the March 17, 2003 meeting. Commissioner Rich made a motion to approve and Commissioner Gardner placed a second. A voice vote was taken and the ayes carried and none was opposed. The Minutes of the March 17, 2003 meeting were approved.

### **SPECIAL RECOGNITION:**

There was not any special recognition.

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

The County Executive moved to the appointment to the Weakley County Health and Safety Standards Board. Five members were nominated to serve on this board and they were as follows: Tommy Guinn serving a one year term, Frank Kruzich to serve a two year term, Roger VanCleave for a three year term, Bob Gardner and John Salmon to serve four year terms. A motion was called to confirm these nominees and Commissioner Buckley made the motion, Commissioner Jones placed a second. A voice vote was called and the ayes carried with none opposed, the nominees were confirmed.

The appointment to the Equalization Board was the next item on the Agenda. The nominees for this Board were Roger Reed of Gleason, Dee Killingsworth of Palmersville, Beckie Jolley of Dresden, Bobby Nethery of Martin and Tommy McKelvey of Greenfield. A motion was made by Commissioner Vincent to accept the nominees and Commissioner Page placed a second. A voice vote was taken and the ayes carried with none opposed, the nominees were confirmed.

The appointment to the Weakley County Library Board was next on the Agenda. The nominees for the Board were Terry Frazier of Gleason, Madelyn Pritchett of Martin, and Diane Robinson of Sharon. Commissioner Rook made a motion and Commissioner Baltz placed a second. A voice vote was taken with the ayes carrying and none was opposed, the nominees were confirmed.

Next on the Agenda was the appointment of members to the Weakley County Health Department Board of Health. The nominees to this Board were Dr. Susan Lowery, Tem Chandler Pharmacist, and Dr. John Howard. A motion was made by Commissioner Baltz to approve and Commissioner Wright placed a second. A voice vote was taken with the ayes carrying and none was opposed, the nominees were confirmed.

### **REPORTS:**

The Trustee's Report, General Fund Report, Highway Department Report, School Department Reports and Solid Waste Reports were included in the packets distributed to each of the Commissioners.

County Executive Gifford called for any questions on the above Reports, there being none the County Executive called for any Standing Committee Reports.

County Executive Gifford recognized the Chamber Director, Susie German, and she gave a brief report on the Chamber activities in the last year.

County Executive Gifford called for a motion to accept the Reports and Commissioner Page placed the motion and Commissioner Buckley placed a second. A voice vote was taken with the ayes carrying and the Reports were accepted.

**UNFINISHED BUSINESS:**

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

**NEW BUSINESS:**

**RESOLUTION NO. 2003-30:** General Purpose School Resolution.

County Executive Gifford called for a Committee report from Health, Education, and Welfare. Commissioner Westbrook commented that this Resolution passed his committee. Commissioner Phebus gave the Committee Report from Finance Ways and Means and he stated that this Committee tabled the Resolution because Superintendent Barber was not at the Committee Meeting to answer questions that they might have had. A motion was made by Commissioner Hunt to place the Resolution on the Floor and Commissioner Jones placed a second. Discussion was called and the question. The County Clerk, Pat Scarbrough called the roll with 16 ayes, 1 pass, 1 nay and the motion carried.

**RESOLUTION NO. 2003-31:** General Fund Resolution – Weakley County Office on Aging.

Commissioner Westbrook gave the Health Education and Welfare Report and this passed his committee. Commissioner Phebus stated it passed the Finance Ways and Means Committee. Commissioner Westbrook made a motion and Commissioner Page placed a second. Discussion was called and the question. The County Clerk called the roll with 18 ayes and none was opposed the Motion carried.

**RESOLUTION NO. 2003-32:** Highway Department Resolution – Litter Grant.

A Committee Report was called for from Public Safety, Commissioner Rook stated that it passed his committee with 5 ayes and one absent. Commissioner Phebus gave the Finance Ways and Means Committee Report and it passed his committee unanimously. A motion was made by Commissioner Rook to place the resolution on the floor for discussion and Commissioner Hunt placed a second. Discussion was called and the question. County Clerk Scarbrough called the roll with 18 ayes and none was opposed the motion carried.

**RESOLUTION NO. 2003-33:** General Fund Resolution – Jail Budget.

Commissioner Hunt gave the Public Safety Committee Report and this Resolution passed his committee unanimously. Commissioner Phebus gave the Finance Ways and Means Report and this also passed his committee unanimously. Commissioner Wright 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 18 ayes and none opposed the motion carried.

**RESOLUTION NO. 2003-34:** Resolution Authorizing the Adoption of the Local Provisions of TCA 41-4-115 To Authorize the Weakley County Sheriff to Charge Inmates a Co-pay Amount for Medical Care at the Weakley County Jail.

Commissioner Hunt gave the Public Safety Committee Report and this Resolution passed his Committee unanimously. Commissioner Phebus gave the Finance Ways and Means Report and it also passed his committee unanimously. Commissioner Baltz made a motion to place the resolution on the floor and Commissioner Rich placed a second. Discussion was called and Commissioner McAlpin made a motion to combine Resolution No. 34 and Resolution No. 35 and Commissioner Stewart placed a second. Discussion was called and there being none a voice vote was taken with the ayes carrying. Resolution No. 2003-34 and **Resolution No. 2003-35:** ( Resolution Authorizing the Adoption of the Local Provisions of TCA 41-4-142 to Authorize the Weakley County Sheriff to Charge Inmate Fees in Connection with the Commissary Program at the Jail.) were combined.

Discussion was called on Resolution No. 2003-34 and Resolution No. 2003-35 and Commissioner Page commented that he thought this was an excellent ideal, but how did the inmates have income. County Executive Gifford called for Sheriff Wilson to clarify and he stated that on the total population an average of \$2500 to \$3000 would be in an account for the Commissary and each inmate is allowed to have an account for the Commissary. The Sheriff would be authorized to withdraw funds from an inmate's account for medical co-pay expense. The question was called and the County Clerk called the roll with 18 ayes and none was opposed. Resolution 34 and 35 carried.

**RESOLUTION NO. 2003-36:** General Purpose School Resolution.

Committee Report was called for from Health Education and Welfare and Commissioner Westbrook commented that it passed his committee. Commissioner Phebus gave the Finance Ways and Means Report and it also passed his committee. A motion was made by Commissioner Stewart to place the Resolution on the floor and Commissioner Jones placed a second. Discussion was called and the question. County Clerk Scarbrough called the roll with 18 ayes and none was opposed. The motion carried.

County Executive Gifford called for any other New Business. Commissioner Barner addressed the Road Board Members not attending meetings and getting paid \$300 per month. County Executive Gifford commented that the Private Act involved stated that the Road Board members are paid \$300 per month and there is not a stipulation that they attend the Road Board Meeting to receive this pay. Commissioner Barner wanted to stipulate that the members attend the meetings in order to be paid. Commissioner Westbrook commented that Commissioner Barner was proposing to amend the Private Act to stipulate attendance of the meetings to be paid. There was further discussion by Commissioner McAlpin, Commissioner Phebus, Commissioner Sinclair, Commissioner Hunt and Commissioner Vincent. Commissioner McAlpin made a motion for an amendment to read ; "which compensation shall not be less than \$300 for any term beginning on or after September 2, 2002, provided that in order to receive such compensation in any given month a member the County Highway Commission is required to attend all official meetings of the Board of Highway Commissioners for that month". Commissioner Stewart placed a second to the motion. Road Supervisor Hopper questioned if this would make all Road Board Commissioners equal in pay, since one was being paid less than the other two. Commissioner Westbrook commented that this could not be done since you cannot change a salary during a term of office. County Attorney Neese commented that you would need a Resolution from this Commission to change a Private Act or Petition the Legislature to change this Private Act.

Commissioner Hunt questioned if this motion should go before the Public Works Committee before it comes to the full Commission. Commissioner Rook made a motion to refer it back to the Committee and go through the proper channels. Commissioner Hunt placed a second. The County Executive called for any debate on the motion to refer to the proper Committee. Commissioner Phebus questioned on the first motion to amend if Commissioner McAlpin envisioned this taking place this legislative session. Commissioner McAlpin commented that this was his hope. Commissioner Phebus had a follow-up question directed to Commissioner Westbrook on the possibility of there being time to adopt this motion. Commissioner Westbrook commented that this would take three readings and that there are three more meetings of the General Assembly. The County Executive called for a voice vote with the ayes carrying over those opposed. The Chair detects the ayes having the motion. The motion is referred back to the Committees.

There being no further New Business the Chair moved to the next item on the Agenda.

**MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:**

Commissioner Westbrook handed out a memo to the Commission concerning the status of legislation of the State cutting our state-shared taxes. The house has voted not to cut state shared taxes and to restore a good portion, which will mean approximately \$202,000 less cuts to Weakley County. Commissioner Westbrook urged the Commissioners to encourage Senator Herron to pass this legislation.

County Executive Gifford recognized Glen Johnson who has requested to address the Commission. Mr. Johnson had started a petition concerning the Liquor by the Drink Referendum with 228 signatures received from Churches around the County. Mr. Johnson requested that the Commission do whatever means necessary to override this referendum to keep liquor by the drink out of the County. County Executive Gifford commented that the County couldn't override a legal election by the voters by the City of Martin, or any other city for that matter. Mr. Johnson questioned if the county could impose duty taxes or something of that nature on the liquor industry. The State and not the County impose duty taxes. Commissioner Westbrook made a motion to look into the law and Commissioner Rook placed a second to the motion.

**NOTARIES PUBLIC:**

County Executive Gifford called for a motion to accept the Notaries Public List. Commissioner Stewart made a motion and Commissioner Gardner placed the second. A voice vote was taken with the ayes carrying and none was opposed. The Notaries Public list was approved.

Commissioner Rook made a motion to adjourn and Commissioner Vincent placed a second. A voice vote was taken and the ayes carried. The Commission Meeting adjourned a 6:58 p.m.

ATTEST:

  
Pat Scarborough, County Clerk