

WEAKLEY COUNTY LEGISLATIVE BODY REGULAR MEETING
JULY 30, 2019

The Weakley County Legislative Body Regular Meeting was called to order by County Mayor Bynum at 5:30 p.m. in the Earl Wright County Commission Court Room.

Pastor Josh Moore gave the invocation.

All members present gave the Pledge of Allegiance to the Flag.

County Clerk Hughey called the Roll. Answering present were Commissioner Doster, Commissioner Dunlap, Commissioner Owen, Commissioner Usery, Commissioner Eddings, Commissioner Taylor, Commissioner Fortner, Commissioner Bell, Commissioner Overton, Commissioner Hawks, Commissioner VanCleave, Commissioner Donaldson, Commissioner Vincent, Commissioner Essary and Commissioner Westbrook. Fifteen members answered present and Commissioner Hudson, Commissioner Pope and Commissioner Nanney were absent.

Commissioner Pope answered present prior to the first vote, making a total of 16 present and two absent.

County Mayor Bynum called for a motion to approve the minutes from the June 27, 2019 meeting. Commissioner Donaldson made a motion and Commissioner Eddings placed a second. A voice vote was taken and the ayes have it with none opposed. The minutes of the June 27, 2019 meeting were approved.

COMMUNICATION TO COMMISSION:

The Financial Reports were included in the packets. Commissioner Westbrook made the motion to accept the reports as filed and Commissioner Bell placed a second. A voice vote was taken and the ayes have it with none opposed. The reports were accepted as filed.

Commissioner Westbrook made a motion that the Weakley County Trustee be relieved of collecting \$34,423.05 of the 2017 taxes levied due to errors, double assessments and other adjustments to the tax aggregate as reflected in the attached compilation. Commissioner Bell placed a second. Question was called and a voice vote was taken and the ayes have it with none opposed. The Weakley County Trustee was relieved of collecting \$34,423.05 of the 2017 taxes levied due to errors, double assessments and other adjustments to the tax aggregate.

Next was the Veterans Service Report. Commissioner Hawks made the motion and Commissioner Doster placed a second. A voice vote was taken and the ayes have it with none opposed. The Veterans Service Report was accepted as filed.

Next was the UT Extension Report To Stakeholders. Commissioner Fortner made the motion and Commissioner Pope placed a second. A voice vote was taken and the ayes have it with none opposed. The UT Extension Report to Stakeholders was accepted as filed.

MESSAGE FROM COUNTY MAYOR:

County Mayor Bynum commented that The Rules Committee will be meeting early in September. Commissioner Hawks and County Mayor Bynum requested that any changes that need to be made to the Rules be presented to them by August 15, 2019.

County Mayor Bynum commented that Commissioner Pope had a birthday last week and Commissioner Taylor's birthday is today.

REPORTS OF SPECIAL AND STANDING COMMITTEES:

Commissioner Donaldson was recognized and announced that the Everett Stewart Regional Airport Board had met and appointed Chris Rogers as the new full-time airport manager. Mr. Rogers had served the past four months as interim. Commissioner Donaldson introduced Mr. Rogers to the commission.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The appointment of the Veterans Service Officer was first. County Mayor Bynum recommended to re-appoint Rick McKenzie for a term beginning September 1, 2019 and ending August 31, 2020. Commissioner Hawks made the motion and Commissioner Fortner placed a second. A voice vote was taken and the ayes have it with none opposed. The re-appointment of Rick McKenzie as Veterans Service Officer for a term beginning September 1, 2019 and ending August 31, 2020 was confirmed.

Next was the appointment of Weakley County Public Safety Officer. County Mayor Bynum recommended that Ray Wiggington be appointed to serve with a term beginning September 1, 2019 and ending August 31, 2020. Commissioner Fortner made the motion and Commissioner Donaldson placed a second. A voice vote was taken and the ayes have it with none opposed. Ray Wiggington was appointed as Weakley County Public Safety Officer with a term beginning September 1, 2019 and ending August 31, 2020. It was noted that Dustin Kemp, Weakley County Public Safety Officer resigned his position effective July 31, 2019.

Next was the appointment of the County Coroner. County Mayor Bynum recommended the re-appointment of Rick Workman for a one-year term ending August 31, 2020. Commissioner Pope made the motion and Commissioner Westbrook placed a second. A voice vote was taken and the ayes have it with none opposed. Rick Workman was appointed as Weakley County Coroner for a one-year term ending August 31, 2020.

The appointment of Weakley County Medical Examiner was next on the agenda. County Mayor Bynum recommended the re-appointment of Dr. Walter Fletcher for a one-year term ending August 31, 2020. Commissioner Overton made the motion and Commissioner Usery placed a second. A voice vote was taken and the ayes have it with none opposed. Dr. Walter Fletcher was appointed as Weakley County Medical Examiner for a one-year term ending August 31, 2020.

Next was the appointment of three (3) members to the Emergency Communication Board. County Mayor Bynum recommended John Salmon, John Liggett and Bobby Dunlap for a four-year term ending August 31, 2023. Commissioner Owens made the motion and Commissioner Essary placed a second. A voice vote was taken and the ayes have it with none opposed. The appointment of John Salmon, John Liggett and Bobby Dunlap for a four-year term ending August 31, 2023 to the Weakley County Emergency Communication Board was approved.

The appointment of six (6) members to the Weakley County Ethics Board was next. County Mayor Bynum recommended Larry Hudson, Gary Eddings, Scott Fortner, Larry Taylor, Dale Overton and Roger Donaldson for a one-year term ending August 31, 2020. Commissioner Pope made the motion and Commissioner Doster placed a second. A voice vote was taken and the ayes have it with none opposed. The appointments of Larry Hudson, Gary Eddings, Scott Fortner, Larry Taylor, Dale Overton and Roger Donaldson for a one-year term ending August 31, 2020 to the Weakley County Ethics Board were approved.

Next was the appointment to the Weakley County Audit Committee. County Mayor Bynum recommended the re-appointment of Larry Taylor to a three-year term ending August 31, 2022. Commissioner Eddings made the motion and Commissioner Essary placed a second. A voice vote was taken and the ayes have it with none opposed. The appointment of Larry Taylor for a three-year term ending August 31, 2022 to the Weakley County Audit Committee was approved.

Next was the election of Notaries Public. Commissioner Fortner made the motion and Commissioner Taylor placed a second. A voice vote was taken and the ayes have it with none opposed. The Election of Notaries Public was approved.

OLD BUSINESS:

None.

NEW BUSINESS:

Approval of County Coroner Rick Workman's Official Statutory Bond with a Term Beginning September 1, 2019 and ending September 1, 2020 was the first item under new business. Commissioner Doster made the motion and Commissioner Overton placed a

second. A voice vote was taken and the ayes have it with none opposed. The Official Statutory Bond for Weakley County Coroner Rick Workman beginning September 1, 2019 and ending September 1, 2020 was approved.

The approval of Director of Schools Randy Frazier's Official Statutory Bond with a term beginning July 1, 2019 and ending July 1, 2020 was next on the agenda. Commissioner Dunlap made the motion and Commissioner Hawks placed a second. A voice vote was taken and the ayes have it with none opposed. The Official Statutory Bond with a term beginning July 1, 2019 and ending July 1, 2020 for Randy Frazier was approved.

Commissioner Westbrook made a motion to move Resolution No. 2020-01, 2020-02 and 2020-03 to heel of the agenda. Commissioner Fortner placed a second. A voice vote was taken and the ayes have it.

RESOLUTION NO. 2020-04: Resolution of Weakley County, Tennessee, Authorizing The Issuance Of Interest Bearing General Obligating Capital Outlay, Notes, Series 2020, In An Amount Not to Exceed \$7,000,000 and Providing for The Payment of Said Notes. Passed FWM and was amended in committee to \$5,000,000.

Sponsored By Commissioners Doster and Westbrook.

Commissioner Owen made the motion and Commissioner Donaldson placed a second. Discussion was called and Commissioner Hawks was recognized. He commented that the funds in this resolution are going to repair the Courthouse, for building a County Maintenance Garage and Fuel Station. Commissioner Hawks commented he would like to separate these two entities as far as voting on the money. The money can stay the same; we are not going to spend it, if it is not needed. Commissioner Hawks made a motion to discuss these two entities separately and vote on and then vote separately as far as spending the money. Commissioner Hawks commented that if it takes an amendment, I make a motion to amend. These two entities are not mentioned in the Resolution but we all know what they are for. I make a motion to amend that they be added to the Resolution; the Highway County Maintenance Building was around \$3.5 million and the other on the Courthouse. I would like to amend and separate those out and discuss them separately and vote on them separately. Commissioner Doster commented they would both be discussed separately. Commissioner Taylor placed a second.

Commissioner Hawks commented that he was not opposed to the Courthouse repairs but he commented he had a whole lot of concerns about the Highway Department and he would like for these concerns and questions to be addressed. Commissioner Hawks commented he would hate to vote against one because he was against the other and lead the way to the loss of both projects.

County Mayor Bynum commented he was not sure on how to handle this motion and Commissioner Hawks withdrew his motion to amend at this time.

Commissioner Westbrook made a motion to amend the Resolution to read \$1.5 million of the funds is for County Building and Courthouse repairs, and \$3.5 million is for the County Maintenance Building. Commissioner Owen placed a second to the motion. A voice vote was taken and a Roll Call vote was requested. County Clerk Hughey called the Roll with 11 ayes, 5 nays and 2 absent. Voting no was Commissioner Doster, Commissioner Pope, Commissioner VanCleave, Commissioner Donaldson and Commissioner Essary.

Commissioner VanCleave questioned how the amendment to the Resolution would be reflected. County Mayor Bynum commented the resolution will now have language that specifies that \$1.5 million of that will go for Courthouse renovations and \$3.5 million will go to the County Maintenance Building. It does not change the borrowing amount, it separates the two projects.

Commissioner Hawks was recognized and he made a motion to amend and take the Highway County Maintenance Building out and vote on it separate. The money is still appropriated but we will vote on how and whether we will spend this money in the Resolution.

County Mayor Bynum commented this can be handled in one of two ways. We can either not borrow that money or not appropriate that money. You really want to handle the appropriation separately. If you want to handle the borrowing separately, then you are going to have to take the entire amount for the Highway County Maintenance Building out of the Resolution completely and you would have to do a completely separate Resolution for that borrowing.

Commissioner Hawks commented that otherwise these funds would have to be voted on together. County Mayor Bynum commented that he was correct.

County Mayor Bynum commented he could amend the Resolution to just borrowing \$1.5 million for only the Courthouse renovations.

Director of Finance, John Liggett was recognized. He commented this is authorizing borrowing up to that amount, so technically you could just borrow for the Courthouse construction and not borrow the rest of the amount for the Highway Maintenance Building and only appropriate the money for the construction on the Courthouse. It would not change 2020-04 Resolution. You can borrow only up to that amount needed for the Courthouse and until the money is appropriated for the Highway County Maintenance Building whether it is in the borrowing Resolution or not. Commissioner Westbrook commented why we would have the authority to borrow \$5 million and then not borrow it.

Commissioner Hawks took down his motion to amend and to separate the vote.

Commissioner Hawks commented that he still has questions and without answers to these questions, his hands would be tied to vote for this Resolution. He commented that he was not against the Courthouse renovations and this is why he wanted this separated.

Commissioner Overton commented the Courthouse Renovation was a bigger project than the Highway Department and we need more funds for the Courthouse. County Mayor Bynum commented that technically we do not know how much we will need, but FWM has amended the budget to fund a portion of the Courthouse renovations outside of the borrowing Resolution.

Commissioner Overton commented are we taking part of the Nursing Home funds to finance the Highway County Maintenance Building and County Mayor Bynum commented no, just for the Courthouse renovation.

Commissioner Hawks commented that we have 935 miles of county roads; what's wrong with spending money to fix these roads. Commissioner Hawks commented the county had spent \$6.5 million in four years paying for material to fix roads. Commissioner Donaldson commented that the proposed project is more than a building and it will benefit county departments and the school system. Commissioner Donaldson commented that this money is separate and does not come from the Road Supervisor's budget. Commissioner Donaldson explained there is a plan in place to fix the roads. The current building is not ADA compliant and it had sewer problems also. It's not handicap accessible. If we fix these problems with the current building, then this would come out of the Road Supervisor's Budget.

Commissioner Donaldson commented that this is two different things. The appropriation of money could not be spent on roads. This appropriation would be for the County Maintenance Building, Fuel Station (that is outdated) and a School Bus Garage. This would not come out of the Road Supervisor's Budget.

Commissioner Eddings commented that the county could save \$250,000 by not installing a new fueling station and getting departments Fuelman cards. Commissioner Eddings commented that he disagreed on spending money when we can get the cards for free. Commissioner Eddings commented that he was for keeping the fueling station we currently have and installing new pumps. Commissioner Westbrook commented that he had researched the use of the Fuelman cards by the Northwest Tennessee Public Transportation Services and there would be an additional \$189,000 plus cost for the county through Fuelman. Commissioner Owen commented that the county fueling station would pay for itself in one year using Westbrook's Fuelman figures.

Commissioner Doster commented that it would take time to repair the roads because the bases are in poor condition. It will be a slow process to repair these bases. This will be a big project that will not happen overnight. The Commission will have to work together to be able to fix these issues.

County Mayor Bynum commented that we are on the Resolution as amended to borrow \$5 million with \$1.5 million for the County Courthouse Renovation and \$3.5 million on the County Maintenance Building.

Commissioner Vincent questioned if voted down, would this increase the Budget and how will we pay for it.

County Mayor Bynum commented that part of the Courthouse Renovation is funded in the Budget in Resolution 2020-01; this is outside of the Borrowing in Resolution 2020-04. None of the Highway County Maintenance Building is funded in Resolution 2020-01.

Question was called and County Clerk Hughey called the Roll with 10 ayes, 6 nays and 2 absent. Voting no was Commissioner Pope, Commissioner Overton, Commissioner Hawks, Commissioner VanCleave, Commissioner Donaldson and Commissioner Essary.

The Motion as amended carried.

RESOLUTION NO. 2020-01: Resolution Making Appropriations For The Various Funds, Departments, Institutions, Offices, and Agencies of Weakley County, Tennessee, For The Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020. Passed FWM – amended in committee to add 1,000,000 to General Capital Projects. *Sponsored By Commissioner Overton and Eddings.*

Commissioner Owen made the motion and Commissioner Doster placed a second. Discussion was called and Commissioner Westbrook made a motion to amend 176 to add \$3,500,000 to Highway Capital Projects. Commissioner Owen placed a second. A voice vote was taken and the motion to amend was approved. The Commission was back on the Resolution as amended.

Commissioner Fortner made a motion to amend Other Charges and add \$700 for dues to NACO membership. Commissioner Taylor placed a second. Discussion was called and Commissioner Bell questioned if this would affect the tax rate. County Mayor Bynum commented that it would amend the Budget, but will not change the tax rate.

A voice vote was taken and the amendment passed. County Mayor Bynum commented we are now on the Resolution No. 2020-01 as amended bringing the total appropriation to \$62,108,307 for the 2019-2020 Budget.

Discussion was called and Commissioner VanCleave was recognized. He commented in the past he had voted against dues for NACO, but in the future he would support paying these dues. Commissioner VanCleave made some comments concerning a letter he

received years ago about a group of people trying to sell the Nursing Home. He went on to comment that he had concerns on taking money from the Nursing Home's budget for other projects. He commented in case of an emergency at the Nursing Home, there might not be sufficient funds to cover the issues involved. Commissioner VanCleave has concerns of not being kept informed about what is going on prior to the meeting. Commissioner Hudson is out of town and does not have a clue of what is happening. Commissioner VanCleave went on to comment you need to vote your convictions.

The question was called. County Clerk Hughey called the Roll with 11 ayes, 2 absent and 5 nays. Commissioner Pope, Commissioner Hawks, Commissioner VanCleave, Commissioner Vincent and Commissioner Essary casting the no votes. The Resolution as amended was approved.

RESOLUTION NO. 2020-02: Resolution Fixing The Tax Levy for Weakley County, Tennessee, For The Fiscal Year Beginning July 1, 2019. *Sponsored By Commissioners Usery and Hawks.*

Commissioner Owen made the motion and Commissioner Taylor placed a second. Discussion was called and Commissioner Owen commented that there is not a tax increase. Question was called. County clerk Hughey called the Roll with 16 ayes, 0 nays, 0 pass and two absent. The motion carried.

RESOLUTION NO. 2020-03: Resolution Making Appropriations To Non-Profit Charitable Organizations for The Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020. *Sponsored By Commissioners Essary and Taylor.*

Commissioner Hawks made the motion and Commissioner Eddings placed a second. Question was called. County Clerk Hughey called the Roll with 16 ayes, 0 nays, 0 passed and 2 absent. The motion carried.

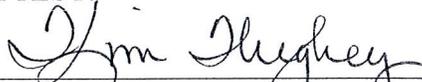
COMMISSION MEMBERS' COMMENTS:

None.

County Mayor Bynum announced the next Weakley County Legislative Body Regular Meeting will be September 16, 2019 at 5:30 p.m.

The Weakley County Legislative Body Regular Meeting stood adjourned at 6:25 p.m.

ATTEST:



Kim Hughey, Weakley County Clerk