

WEAKLEY COUNTY LEGISLATIVE BODY REGULAR MEETING
SEPTEMBER 16, 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 Hudson, Commissioner Eddings, Commissioner Nanney, Commissioner Taylor, Commissioner Donaldson, Commissioner Vincent, Commissioner Essary and Commissioner Westbrook. Fourteen members answered present and Commissioner Pope, Commissioner Usery, Commissioner Fortner and Commissioner VanCleave were absent.

County Mayor Bynum called for a motion to approve the minutes from the July 30, 2019 meeting. Commissioner Nanney made the motion and Commissioner Essary placed a second to the motion. There were not any additions, corrections or deletions. A voice vote was taken and the ayes have it with none opposed. The minutes of the July 30, 2019 meeting were approved.

COMMUNICATION TO COMMISSION:

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

Next were the Year End Financial Reports from the Fee Collection Offices. Commissioner Doster made a motion to accept the reports as filed and Commissioner Eddings placed a second. A voice vote was taken and the ayes have it with none opposed. The Year End Financial Reports were accepted as filed.

The Veterans Services Report was next on the Agenda. Commissioner Hawks made the motion and Commissioner Nanney place 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 Overton made the motion and Commissioner Eddings 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.

There was not a report from the Everett-Stewart Regional Airport Director Chris Rodgers.

MESSAGE FROM COUNTY MAYOR:

County Mayor Bynum commented that the County Budget Books were ready and this was the quickest ever in his tenure that they have been finished. Erica Moore, Communications Director and Executive Assistant to the County Mayor designed the Budget Book Cover.

County Mayor Bynum called for a motion for Road Supervisor Ross to add a 1989 Road Grater to the Surplus Government Online Auction. Commissioner Doster made the motion and Commissioner Donaldson placed a second. A voice vote was taken and the ayes have it with none opposed. The motion was approved.

Next the Weakley County Economic Development Director Shelby Spurgeon gave a brief report. Director Spurgeon commented that two grants from USDA and TVA had been applied for and received for Greenfield – Pentecost Property. Both Grants totaled over \$70,000.

Director Spurgeon commented that she had attended numerous meetings. She attended The Workforce Meeting in Gibson County. Also Director Spurgeon is working on The Three-Star Planning workforce goals. Director Spurgeon attended with Governor Lee along with the Tennessee Economic Partnership several site selection Consultants in the Chicago Illinois area. Also Director Spurgeon met with Carroll County representatives and TCAT McKenzie about putting together a GIVE package to submit. Director Spurgeon's new office is located at 204 S Lindell Street in Martin, TN.

REPORTS OF SPECIAL AND STANDING COMMITTEES:

None.

SPECIAL RECOGNITION:

None.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

First was the election of Chairman. County Mayor Bynum turned the floor over to Chairman Pro-Tempore Hawks. Commissioner Hawks called for nominations for Chairman. Commissioner Taylor nominated County Mayor Bynum. There were not any other nominations and a voice vote was taken. The ayes have it with none opposed. County Mayor Bynum was elected Chairman of the County Commission.

Chairman Pro-Tempore Hawks turned the floor back over to the Chairman, County Mayor Bynum.

County Mayor Bynum called for nominations for Chairman Pro-Tempore. Commissioner Owen nominated Commissioner Hawks. There were not any other nominations and a voice vote was taken and the ayes have it with none opposed. Commissioner Hawks was elected Chairman Pro-Tempore.

Next was the appointment of three (3) members to the Weakley County Beer Board. County Mayor Bynum recommended re-appointing Dale Overton, Eric Owen and Gary Eddings. Commissioner Hawks made the motion and Commissioner Bell placed a second. A voice vote was taken and the ayes have it with none opposed. Dale Overton, Eric Owen and Gary Eddings were re-elected for a one-year term ending September 30, 2020.

Next was the election of Notaries Public. Commissioner Eddings made the motion and Commissioner Dunlap placed a second. A voice vote was taken and the ayes have it with none opposed. Commissioner Hawks abstained from voting since his wife was on the list for election to Notary Public. The Election of Notaries Public was approved.

OLD BUSINESS:

RESOLUTION NO. 2019-07: Resolution To Adopt Rules Regulating The Procedures Of The Board of County Commissioner of Weakley County, Tennessee. Passed the Rules Committee unanimously.

Commissioner Doster made the motion and Commissioner Hawks placed a second. Discussion was called. It was noted that all changes made in the Rules Committee Meeting was highlighted and in each Commissioner's packet. A voice vote was taken and the ayes have it with none opposed. The motion carried.

NEW BUSINESS:

Approve the Fiscal Strength and Efficient Government Fiscal Confirmation Letter for Three-Star Program Requirements for Weakley County Chamber of Commerce.

Commissioner Donaldson made the motion and Commissioner Eddings placed a second. A voice vote was taken and the ayes have it with none opposed. The motion carried.

NON-FINANCIAL RESOLUTIONS:

RESOLUTION NO. 2020-06: Resolution Authorizing Weakley County Government the Approval for the Conveyance of Property. Passed through Public Safety and FWM Committees. *Sponsored By: Commissioners Bell and Davidson.*

Commissioner Hawks made a motion and Commissioner Owen placed a second. A voice vote was taken and the ayes have it with none opposed. The motion carried.

RESOLUTION NO. 2020-10: Resolution of Weakley County, Tennessee, Authorizing The Purchasing Agent For Weakley County To Enter Into An Agreement To Join The National Cooperative Purchasing Alliance (NCPA) National Governmental Purchasing Cooperative, Which Will Allow Weakley County, Tennessee, To Utilize Contracts That Have Been Negotiated Through the Cooperative. Passed unanimously through Financial Management Committee. *Sponsored By: Commissioners Taylor and Hawks.*

Commissioner Doster made the motion and Commissioner Bell placed a second. A voice vote was taken and the ayes have it with none opposed. The motion carried.

RESOLUTION NO. 2020-16: Resolution For Local Government Participation in the Electronic Monitoring Indigency Fund. Passed unanimously through FWM Committee. *Sponsored By: Commissioners Eddings and Doster.*

Commissioner Eddings made the motion and Commissioner Nanney placed a second. A voice vote was taken and the ayes have it with none opposed. The motion carried.

RESOLUTION NO. 2020-13: Resolution To Authorize a Performance Contract and Energy Savings Agreement with PATH Company, LLC. Passed unanimously through HEED and FWM Committees. *Sponsored By: Commissioners Bell and Donaldson.*

Commissioner Donaldson made the motion and Commissioner Hawks placed a second. Discussion was called. Commissioner Donaldson questioned PATH about the warranty. Mitsubishi confirmed a ten (10) year warranty on equipment, all parts, no labor on whole system from the basement to the roof. Also Commissioner Donaldson questioned \$63,000 guaranteed in savings annually in energy bills by converting to LED lighting. PATH would make up the difference in savings if this amount was not reached in savings.

Commissioner Nanney questioned what is the difference in finishes and repairs versus in general condition. PATH commented that there are on site dumpsters, disposals and includes finishing and repairs to drywall. Commissioner Nanney commented that both finishing and repairs and general condition were basically the same.

A voice vote was taken and the ayes have it with none opposed. The motion carried.

County Mayor Bynum commented that Mr. Kesterson had requested to address the Commission. County Mayor Bynum called for a motion to go into recess. Commissioner Bell made the motion and Commissioner Hudson placed a second. A

voice vote was taken and the ayes have it. The County Commission went into recess at 5:48 p.m. The County Commission came back into session at 5:50 p.m.

RESOLUTION NO. 2020-15: Resolution Authorizing the Submittal of an Application to the Tennessee Department of Economic and Community Development for the Tennessee Broadband Accessibility Grant. Passed through Fiber Study Committee.
Sponsored By: Commissioners Bell and Donaldson.

Commissioner Doster made the motion and Commissioner Donaldson placed a second. Discussion was called. Commissioner Hawks was recognized; he commented that he was not opposed to broadband. Commissioner Hawks commented that he had several people in his District encouraging him to vote for Broadband. Commissioner Hawks commented it was his understanding that the County is applying for a \$2,000,000 grant – this will serve approximately 1000 to 1500 people. On the top end this would cost \$1,333 per person. Commissioner Hawks commented he choose to live in the country and doesn't expect taxpayers to pay for him to have internet. He commented we are opening Pandora's box, we can't pick and choose, this is not economically feasible for these areas if this county cannot afford to fund all areas in the county to have internet. We are going to have taxpayers that cannot get internet and their tax money will go for someone else that can.

Commissioner Bell was recognized. Commissioner Bell commented that if you break this down, the county is looking at applying for a grant in October and it will have to be approved by the state in February. If this \$2M grant is approved it will be in next year's budget before we address the \$2M, this would serve approximately 1500 homes. If you look at the City of Martin, City of Dresden and the Dukedom Project then compass 1500 more – between the two towns this will cover nearly half of the county. Part of the grant is providing ten anchor locations outside the circle of the grant. This would provide free Wi-Fi to students and seniors that can go inside these locations. This will not solve all the problems but for \$2M we get \$4.1M added to it. This depends on the state giving us the grant.

Commissioner Vincent commented that this did not look fair to everyone and why can we not get a grant for cell towers. There are dead areas that we cannot call or get calls, can not get 911, we are charged a fee for 911 service on our bills. Commissioner Vincent commented that he did not know if he could vote for this, when he has family and friends can not call 911 on their cell phones. Commissioner Vincent questioned why we cannot get a grant to put a cell phone tower up.

Commissioner Donaldson commented we would not have to borrow money from them; we can shop for the best interest rates. This is a start and yes the City of Martin and Dresden is paying for something they already have.

Commissioner Doster commented this is not the end of a project but the beginning of the project, basically talking about \$2M to cover half of the county. At the beginning the initial cost was \$50,000,000. This would add 200 miles of fiber to the county. This is going to areas that have little or no service, not to the high density areas.

Commissioner Nanney commented just because this is a deal does not mean we have to spend \$2M. We are going to have parts of the county with zero cell service and then parts of the county with the top of the line highest internet service you can get. Why not catch up these people, figure out and set back down and go over this again.

Commissioner Doster commented that this is what this does; this is going out to the people that do not have anything. This is the target area, the grants that the state are doing is where they want the service to go - for people without service.

Commissioner Hawks commented that WK&T are doing a survey on who wants the service, but there is not any mention for the cost of the service. Commissioner Hawks commented that on connectivity – explain how you can go through someone's front yard that doesn't live in city limits, but they can not get service.

Commissioner Donaldson commented that he had people in the Bible Union area willing to pay up front to get service. This is a step in the right direction.

Commissioner Westbrook commented that if we do not get the \$2M grant from the state, then we would not do this.

Commissioner Owen questioned where did the \$2M plus \$2M plus \$2M come from. County Mayor Bynum commented that the maximum from the state grant would be \$2M, \$2M from WK&T and \$2M from the county.

Commissioner Owen commented that Commissioner Hudson lives in City Limits of Gleason and that he lives in the country. There are 3300 to 3400 people in Gleason and it would be hard to vote for this. It's a catch 22 in Gleason.

Commissioner Doster commented that industry is demanding this. The people that are operating these businesses are demanding this. College students and college Professors are demanding it. Counties all around us are putting in fiber. Fiber is coming down Highway 54 to Como now. Everyone else is doing this in the counties around us. This is not a reason to do it because everyone else is; it is a great opportunity for the county. If we want more industry in the county, better education, and supporting our college and our students, we need to work toward getting this done.

Commissioner Hudson questioned if there is anyway to know what it would cost for the rest of the county.

County Mayor Bynum commented that there is a feasibility study to determine this. The County put in the budget to share half the cost with WK&T to look at what the cost would be. We do not have any answer today.

Commissioner Hudson questioned would the City of Gleason be available to get a grant, since he did not think they would be able to afford to do this. County Mayor Bynum commented at this point, no there are not any grants available for small cities.

Commissioner Overton commented that the county has allocated \$40,000 for a survey. Commissioner Overton questioned if this survey had been completed. County Mayor Bynum commented no it has not been completed, but has been started and more than likely be a month out before it is completed.

Question was called.

County Clerk Hughey called the Roll with 11 ayes, 2 nays (Commissioner Nanney and Commissioner Vincent) one pass (Commissioner Hudson) and four absent. The motion carried.

Commissioner Hawks was recognized and he commented that he voted yes because he felt this was the best thing to do, but he was putting the County on notice that in two years when something comes due for another \$2M or \$3M, everyone that voted yes cannot say we cannot afford this. The county will have to find away to fund it.

RESOLUTION NO. 2020-11: Resolution Authorizing The Request For Broadband Ready Community Designation And Establishing a Broadband Ready Community Policy For Weakley County, Tennessee. Passed unanimously though Fiber Research Committee. *Sponsored By: Commissioners Donaldson and Doster.*

Commissioner Eddings made the motion and Commissioner Donaldson placed a second. A voice vote was taken and the ayes have it. The motion was approved.

RESOLUTION NO. 2020-14: Resolution Of Weakley County Tennessee, Authorizing The Issuance of Interest Bearing General Obligation Capital Outlay Notes, Series 2020, In An Amount Not To Exceed \$5,000,000 And Providing For The Payment Of Said Notes. Passed FWM Committee. *Sponsored By: Commissioners Essary and Donaldson.*

Commissioner Westbrook made the motion and Commissioner Overton placed a second. A voice vote was taken and the ayes have it. The motion was approved.

County Mayor Bynum called for a Motion to combine Resolutions No. 2020-05, 2020-07, 2020-08, 2020-09 and 2020-12 and place on the floor for discussion.

Commissioner Owen made the motion and Commissioner Doster placed a second. A voice vote was taken and the ayes have it. The Financial Resolutions No. 2020-05, 2020-07, 2020-08, 2020-09 and 2020-12 were combined and placed on the floor for discussion.

RESOLUTION NO. 2020-05: Resolution Authorizing Budget Amendments to the General Purpose School Fund For the Fiscal Year Ending June 30, 2020. Passed unanimously through HEED and FWM Committees. *Sponsored By: Commissioners Eddings and Taylor.*

RESOLUTION NO. 2020-07: Resolution Authorizing Budget Amendments to the General Fund for the Fiscal Year Ending June 30, 2020. Passed unanimously through Public Safety & FWM Committees. *Sponsored By: Commissioners Fortner and Hawks.*

RESOLUTION NO. 2020-08: Resolution Authorizing Budget Amendments to the Cafeteria School Nutrition Fund for the Fiscal Year Ending June 30, 2020. Passed unanimously through HEED and FWM Committees. *Sponsored By: Commissioners Taylor and Overton.*

RESOLUTION NO. 2020-09: Resolution Authorizing Budget Amendments to the General Fund for the Fiscal Year Ending June 30, 2020. Passed unanimously through Public Safety & FWM Committees. *Sponsored By: Commissioners Bell and Hawks.*

RESOLUTION NO. 2020-12: Resolution Authorizing Budget Amendments to the General Fund for the Fiscal Year Ending June 30, 2020. Passed unanimously through HEED & FWM Committees. *Sponsored By: Commissioners Doster and Overton.*

Discussion and the question were called.

County Clerk Hughey called the Roll with 14 ayes, 0 nays, 0 pass and 4 absent. The Motion carried.

COMMISSION MEMBERS' COMMENTS:

The TCSA Fall Conference and Trade Show will be October 29-31, 2019 at the Knoxville Convention Center.

Commissioner Westbrook announced the County will be 197 years old on October 21, 2019. In three years we will celebrate the Bicentennial.

County Mayor Bynum announced that the next Weakley County Legislative Body Regular Meeting will be November 18, 2019 at 5:30 p.m.

The Weakley County Legislative Body Regular Meeting stood adjourned at 6:15 p.m.

ATTEST:

Kim Hughey, Weakley County Clerk