

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

SEPTEMBER 19, 2011

The Weakley County Legislative Body met in Regular session on September 19, 2011 at the Weakley County Courthouse.

Chairman Westbrook called the meeting to order at 5:30 p.m.

Commissioner Hawks gave the invocation.

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

County Clerk, Pat Scarbrough, called the Roll with all 18 members present.

Chairman Westbrook called for a Motion to approve the July 26, 2011 meeting minutes. Commissioner Rich made the Motion and Commissioner Bell placed a second to the Motion. There was not any additions, deletions, or corrections to be made and a voice vote was taken. The ayes carried with none opposed. The minutes of the July 26, 2011 meeting were approved.

COMMUNICATIONS TO COMMISSION:

The Financial Reports were included in the packets along with the Ag Extension Reports being mailed to each Commissioner. There was not a Veterans Service Report at this time. Commissioner Bell made a Motion to accept the reports as filed and Commissioner Vincent placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The reports were accepted.

There were not any comments from the County Mayor, Houston Patrick.

There were not any reports of special and standing committees.

Chairman Westbrook briefly went over the annual Report of Weakley County Municipal Electric System.

Commissioner McAlpin, Chairman of the Nursing Home Committee gave a brief account of the standing of the Nursing Home at this time.

The Emergency Management Report was before each of the Commissioners and Mr. Peevyhouse did not have anything to add to the Report.

SPECIAL RECOGNITION:

There was not any special recognition at this time.

ELECTIONS, APPOINTMENTS & CONFIRMATIONS:

The first item was the election of the Chairman. Chairman Westbrook gave the floor to Vice Chairman Wright of the Rules Committee; Vice Chairman Wright nominated and made a Motion for Commissioner Westbrook for Chairman. There were not any other nominations and a voice vote was taken. The ayes carried with none opposed. Commissioner Westbrook was elected Chairman of the County Commission.

The next item was the election of Chairman Pro-Tempore. Commissioner McAlpin nominated and made Motion for Commissioner Stewart for Chairman Pro-Tempore, Commissioner Salmon placed a second to the Motion, there were not any other nominations and a voice vote was taken. The ayes carried with none opposed. Commissioner Stewart was elected as Chairman Pro-Tempore of the County Commission.

The next item was the appointment of Weakley County Board of Commissioner's Committee Members. Chairman Westbrook commented that there were not any changes to the standing committees. Commissioner Sinclair made motion and Commissioner Jones placed a second for the appointments to the Committee Members. A voice vote was taken and the ayes carried with none opposed. The Standing Committee Members were approved as presented.

The next appointment was the County Safety Officer. Commissioner Vincent made a Motion for Jamison Peevyhouse and Commissioner Overton placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The appointment of Jamison Peevyhouse was approved for the County Safety Officer.

The next appointment was for the County Service Veterans Officer. Commissioner Hawks made a Motion to nominate Ronald Cheatham and Commissioner Salmon placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The appointment of Ronald Cheatham as County Service Veterans Officer was approved.

The next appointment was for the Emergency Management Officer. Upon the recommendation of County Mayor Patrick, Jamison Peevyhouse was nominated. Commissioner Wright made the Motion and Commissioner Vincent placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The appointment of Jamison Peevyhouse as Emergency Management Officer was confirmed.

The next appointment was the appointment of (1) member to the Everett Stewart Regional Airport Board. Commissioner Overton made a motion to appoint Chairman

Westbrook and Commissioner McAlpin placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The appointment of Chairman Westbrook was confirmed.

The last item under elections, appointments and confirmations was the List of Notaries Public. Commissioner Stewart made the Motion and Commissioner Wright placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The list of notaries public was approved.

OLD BUSINESS:

There was not any old business to discuss at this time.

NEW BUSINESS:

RESOLUTION NO. 2012-05: Resolution To Establish An Audit Committee For Weakley County. Sponsored by Commissioner Taylor and Commissioner Westbrook.

A Motion was made by Commissioner Taylor to place the Resolution on the floor for discussion and Chairman Westbrook placed a second. There was not any discussion and question was called. A voice vote was taken and the ayes carried with none opposed. The Motion carried.

RESOLUTION NO. 2012-06: Resolution To Adopt Rules Regulating The Procedures Of The Board Of County Commissioners Of Weakley County, Tennessee. Sponsored by Commissioner Taylor and Commissioner Stewart.

Chairman Westbrook commented that there were a few changes made to wording on Page 1, rule 1, on Page 2, restating the order of business. Page 10 – Audit Committee, and Page 11 item I – Unless the authors of any resolution agree, no committee may table or otherwise prevent said resolution from being considered by the full commission. It is the duty of the Chairman of various committees to report the action taken on each resolution by the committee, for example: recommend adoption; recommend rejection, or no recommendations.

This resolution passed the Rules Committee 9 to 0. Commissioner Stewart made motion and Commissioner Jones placed a second to the Motion. Question was called and the County Clerk, Pat Scarbrough called the Roll with 18 ayes and none opposed. The Motion carried.

RESOLUTION NO. 2012-07: Resolution To Adopt A Reapportionment/Redistricting Plan For Weakley County. Sponsored by Commissioner Salmon and Commissioner Stewart.

Motion was made by Commissioner Jones to place the Resolution on the Floor for discussion and Commissioner Farmer placed a second to the Motion. Commissioner Bell was recognized and he made a Motion to amend the Resolution to redraw district lines in a way that would have also met the legal requirements. Commissioner Hawks placed a second to the amended motion. County Clerk Scarbrough took a roll call vote with 6 ayes and 12 nays, the amended motion failed.

Back to the original motion and discussion. Chairman Westbrook briefly went over the changes being made to the districts in question. There were more comments made by the Commission and the question was called. The County Clerk, Pat Scarbrough called the Roll with 14 ayes and 4 nays. The motion carried.

RESOLUTION NO. 2012-08: Resolution Requesting The Tennessee General Assembly To Amend Chapter 640, Private Acts of 1949, As Amended Governing The Highway Commission in Weakley County. Sponsored by Commissioner Hawks and Commissioner Overton.

The Resolution passed the Rules Committee 6 to 0 and the Personnel, Legislative, & Intergovernmental Affairs Committee 5 to 0. Commissioner Hawks made motion and Commissioner Overton placed a second. Discussion was called and Commissioner Medling was recognized, he commented that he would have to vote no on this Resolution, he briefly stated his reasons for this vote and Commissioner Farmer agreed with Commissioner Medling. There was not any other discussion and the question was called. The County Clerk, Pat Scarbrough, called the Roll with 15 ayes 2 nays and 1 pass. The Motion carried.

RESOLUTION NO. 2012-09: Resolution To Amend Interlocal Agreement Between Weakley And Obion Counties Involving The Everett-Stewart Regional Airport. Sponsored by Commissioner Owen and Commissioner Westbrook.

Motion was made by Chairman Westbrook to place the Resolution on the Floor for discussion and Commissioner Owen placed a second. Commissioner Bell was recognized he made comments concerning whether the county would be able to get out of this agreement. Chairman Westbrook commented that if the county wishes to withdraw from the agreement, a one-year notice prior to July 1 must be given. Commissioner Taylor and Commissioner Overton made comments concerning the \$5,000 cap being revised to \$10,000; anything above \$10,000 would have to be bid on. Question was called and County Clerk Scarbrough called the roll with 18 ayes and none opposed. The Motion carried.

RESOLUTION NO. 2012-10: Resolution Authorizing Budget Amendments To The School Federal Projects Fund For The Fiscal Year Ending June 30, 2012. Sponsored by Commissioner Owen and Commissioner Overton.

Commissioner Stewart made motion and a second placed by Commissioner Sinclair. This passed Finance Ways and Means unanimously and the Health, Education and Economic Development 6 to 0. Discussion and the Question were called. County Clerk Scarbrough called the Roll with 18 ayes and none opposed. The Motion carried.

RESOLUTION 2012-11: Resolution Authorizing Amendments To The Weakley County Personnel Handbook. Sponsored by Commissioner Hawks and Commissioner Jones.

This passed the Personnel, Legislative, & Intergovernmental Affairs Committee 6 to 0. Discussion was called and Commissioner Owen was recognized, he asked if there were any major changes being made to the Handbook. There are some amendments but not anything major, mostly in reference to the sections that do not apply to certified teaching personnel. These personnel are under individual contract. Question was called and a voice vote was taken, the ayes carried with none opposed. The Motion carried.

RESOLUTION NO. 2012-12: Resolution To Affirm Compliance With Federal Title VI Regulations. Sponsored by Commissioner Owen and Commissioner Vincent.

Commissioner Farmer made motion and a second placed by Commissioner Vincent. This Resolution passed the Health, Education and Economic Development Committee 6 to 0. Discussion and the Question were called. A voice vote was taken and the ayes carried with none opposed. The Motion carried.

RESOLUTION NO. 2012-13: Resolution Authorizing Submission Of An Application For A Library Computer Grant From USDA Rural Development And Authorizing The Acceptance Of Said Grant For The Fiscal Year Ending June 30, 2012. Sponsored by Commissioner Hawks and Commissioner Overton.

Resolution passed the Health, Education and Economic Development Committee 6 to 0. Discussion and the Question were called. A voice vote was taken, the ayes carried with none opposed. The Motion carried.

RESOLUTION NO. 2012-14: A Resolution Approving The Economic Impact Plan For The Skyhawk Parkway Economic Development Area Located In The City Of Martin, Tennessee. Sponsored by Commissioner Overton and Commissioner Vincent.

Passed the Health, Education and Economic Development Committee 6 to 0. Commissioner Vincent made motion and a second placed by Commissioner Overton. Discussion was called and there was numerous comments concerning this Resolution. Chairman Westbrook made a Motion to amend with a second from Commissioner Hawks that the excess of real and personal property taxes over the base tax amount (the increment) collected from the county portion and paid into a separate fund of the Board for the payment of debt service on the project shall not exceed \$150,000.00. A voice

vote was taken and the ayes carried with none opposed. The amendment carried. There was more discussion from Commissioner Medling, Commissioner Overton, Commissioner Hawks and Commissioner Stewart. Question was called and the County Clerk, Pat Scarbrough, called the Roll with 11 ayes and 7 nays. The Motion was adopted.

RESOLUTION NO. 2012-15: Resolution To Define Municipal And Regional Emergency Service Zones Of Emergency Departments Providing Service Within Weakley County, Tennessee, Set Out The Procedure To Amend Emergency Service Zones, And To Authorize The Setting Of Rural Response Fees. Sponsored by Commissioner McAlpin and Commissioner Wright.

Motion was made by Commissioner Vincent and second placed by Commissioner McAlpin. The Resolution passed the Public Safety Committee unanimously. Discussion was called and Commissioner Holt was recognized. Commissioner Holt commented that some of the farmers in his district wish to opt out on property that are not worth as much as it would cost for the fire call. Commissioner McAlpin commented that the Resolution only deals with which responding agencies have jurisdiction in the various areas of the county and does not address this issue. Question was called and a voice vote was taken, the ayes carried with none opposed. The Motion carried.

COMMISSIONER MEMBERS' COMMENTS:

Commissioner Holt asked if it would be possible for citizens residing in manufactured housing, such as mobile homes, to use the Weakley County Courthouse in the event of a major storm. Weakley County Emergency 911 Director Jamison Peevyhouse commented that although there is no official policy regarding the use of the courthouse in such instances, it has been opened up for the public in the past by courthouse staff, in certain circumstances. Director Peevyhouse commented that it would probably be better for citizens to go to a neighbor's house, rather than travel a long distance to a public facility during a storm warning. Chairman Westbrook referred the issue to the Public Safety Committee for study.

Commissioner Holt commented that Weakley County is not included in the National Flood Disaster Plan and, therefore, cannot purchase flood insurance. Commissioner Salmon commented for this to occur, the county must have a planning and zoning plan in place. Chairman Westbrook referred this to the Public Safety Committee also.

Commissioner Holt also commented that there is an indigent in his district that has passed away and he would be requesting \$250.00 toward the burial. Chairman Westbrook commented that he needed to present this to the Finance Department and he would have to sign off on the request.

Commissioner Holt went on to comment that he intended to resign his position on the county commission contingent on the approval of Mr. Bobby Dunlap being appointed to

be his replacement. Chairman Westbrook explained the process for appointing a replacement. An appointment couldn't be initiated until there is a vacancy. He went on to comment that once a resignation has been given, the law requires the public be notified by an advertisement in a local newspaper a minimum of seven days prior to the board voting on a replacement to fill the position. Commissioner Holt did not give notice at this time.

Commissioner Hawks commented that the County Records Committee has been meeting on a regular basis and he wished to add Pat Taylor and Marci Floyd, Trustee without objection to the committee. A voice vote was taken and the ayes carried with none opposed, the appointments of Pat Taylor and Marci Floyd, Trustee to the County Records Committee was confirmed.

Commissioner Hawks went on to comment that the Committee has applied for a \$5,000.00 grant, which requires a local match of 25 percent (\$1,250.00). He commented that the Committee is seeking the needed funds in endowments, but should this not be accomplished, he was requesting the county to pay the local match, in order not to lose the grant money. The grant request will be submitted in October and Chairman Westbrook referred this match funds to the Finance, Ways and Means Committee.

Chairman Westbrook announced that the next regular meeting would be held on November 21, 2011 at 5:30 p.m.

Commissioner Stewart made a motion to adjourn and Commissioner Owen placed the second. The county Commission stood adjourned at 6:28 p.m.

ATTEST:

Pat Scarbrough, Weakley County Clerk