

WEAKLEY COUNTY LEGISLATIVE BODY REGULAR MEETING
SEPTEMBER 18, 2017

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

Pastor David Worley gave the invocation.

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

County Clerk Hughey called the Roll with 17 members present and one member, Commissioner Pope, was absent.

County Mayor Bynum called for a motion to approve the minutes from the July 27, 2017 meeting. Commissioner Donald Doster made the motion and Commissioner Dennis Doster placed a second. There were not any additions, deletions or corrections made and a voice vote was taken. The ayes have it with none opposed. The minutes of the July 27, 2017 meeting were approved.

COMMUNICATION TO COMMISSION:

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

Next was the Year End Financial Reports from the fee offices. Commissioner Donaldson made a motion to accept 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 Highway Department Cash Flow Projection was next. County Mayor Bynum commented that there was not a Highway Department Cash Flow Report at this time.

Next was the Veterans Service Report. Commissioner Fortner made the motion and Commissioner Hawks 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 WCMES Committee Report. Commissioner Westbrook gave a brief report and commented that WCMES had a good year and is in good condition with \$47M total assets. He commented there was a net income of \$181,250 and profits were up \$600,000. There are 20,283 customers, down by 50 people from prior year. In lieu of tax payments, we (the electric company) paid Weakley County \$677,682 which offset fourteen (.14) cents on property tax. Commissioner Vincent made a motion to accept the report as filed

and Commissioner Hudson placed a second. A voice vote was taken and the ayes have it with none opposed. The WCMES Report was approved.

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

A list of items to be sold at the Weakley County Surplus Auction was included on the table for your information. Commissioner Jones made a motion to approve the list for auction and Commissioner Dennis Doster placed a second. There was a question when the sale would take place and a date has not been set at this time. A voice vote was taken and the ayes have it with none opposed. The list was approved. Commissioner Vincent commented the last surplus sale was two years ago.

MESSAGE FROM COUNTY MAYOR:

County Mayor Bynum announced that "The State of Weakley County" Event would be held Monday, October 23 at 5:30 p.m. at the Watkins Auditorium, Boling University Center, on the UT Martin Campus. County Mayor Bynum extended an invitation for everyone to attend.

REPORTS OF SPECIAL AND STANDING COMMITTEES:

Commissioner Dennis Doster of the Rules Committee made a motion to amend the Rules in committee and the vote was tied four to four. Commissioner Dennis Doster re-submitted the amendment to the full commission. Commissioner Dennis Doster made a motion to amend the Rules concerning term limits, to say any person appointed to a four year term on any board by the Weakley County Commission shall be limited to serve two consecutive terms on said board and any person currently serving a second or higher consecutive number shall be ineligible to be re-appointed to that board for a period of four years. Commissioner Dennis Doster commented that this would bring new ideas and viewpoints to these boards. Commissioner Westbrook commented that this would be a bad idea; especially for certain committees that require highly specialized individuals, for instance the Airport Board consists of three members from Weakley County and four from Obion County. Weakley County needs to keep members on the board who have knowledge concerning planes and airport management. Commissioner Westbrook also commented that the Weakley County Electric Board is governed by a Private Act and it is questionable if a resolution would supersede it. A motion was made by Commissioner Dennis Doster and a second was placed by Commissioner Donaldson to amend the rules to show two consecutive four (4) year terms to be served on committees and boards and after a Commissioner is off of the committee or board for four (4) years he/she would be eligible to serve again. There was discussion on term limits from Commissioner Dennis Doster, Commissioner Westbrook, Commissioner VanCleave and Commissioner Fortner.

County Mayor Bynum and County Attorney Whitledge expressed concern over the legality of the proposed motion to enforce term limits on committee members.

Commissioner Dennis Doster withdrew his motion. County Attorney Whitledge was requested to research this issue and the motion to amend will be revisited at the November 20, 2017 commission meeting.

Commissioner Donaldson was recognized. He handed out a print out of Northwest Tennessee Job Announcements in the past year listing an \$80M expansion of Tyson Foods in Union City creating 300 more jobs. A total of \$1.1M went to Campbell Arms facility in McKenzie (50 jobs). \$35M went to Bongards' Creameries expansion in Humboldt (95 jobs). Numerous more expansions in surrounding counties were listed and the Tennessee Department of Labor and Workforce Development report that Weakley County's jobless rate is highest amid historic lows statewide. Commissioner Donaldson went on to comment that Weakley County's unemployment rate climbed from 5.6 percent in June to 7.4 in July for an increase of 1.8 percent.

Commissioner Donaldson went on to comment that Weakley County gives \$96,000 per year to Economic Development and Weakley County is left out. Discussion followed from Commissioner Fortner, Commissioner Hawks and Commissioner Dennis Doster with comments concerning a plan to provide new businesses and that Weakley County is getting a bad deal. There were comments concerning the "spec building" in Martin being obsolete and one size does not fit all. Commissioner Wright commented that Mr. Ronnie Price should be questioned about what is being done.

Commissioner Dennis Doster made a motion for a "No Confidence" vote on Economic Development Director Ronnie Price and a second was placed by Commissioner Donaldson. Question was called and a roll call vote was requested. County Clerk Hughey called the roll with 12 ayes, 2 nays (Commissioners Jones and Overton), 3 passed (Commissioners Hudson, Usery and Westbrook) and one absent. The vote of "No Confidence" passed and this vote was requested to be presented to Mr. Price and the Economic Development Board.

Commissioner Fortner commented on the Ambulance Service and that improvements have been made in service in the City of Martin and that there is one year left on the contract with the Ambulance Service.

SPECIAL RECOGNITION:

County Mayor Bynum recognized Jamison Peevyhouse and Jason Hypes and requested that they come forward. County Mayor Bynum commented that Jamison Peevyhouse has been the EMA and 911 Director for 8 years and that he has served the county for 19 years. Deputy Director Jason Hypes served the county for eight years. The commission gave Jamison Peevyhouse and Jason Hypes a round of applause. Mr. Peevyhouse and

Mr. Hypes are both moving to the State 911 Department. Mr. Peevyhouse commented all the credit goes to my team and all the glory goes to God.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

First was the election of Chairman, Chairman Bynum vacated the Chair to Chairman Pro Tempore Hawks. A motion was made by Commissioner Donald Doster to nominate County Mayor Bynum as Chairman and Commissioner Dennis Doster placed the second. 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 Chair over to County Mayor Bynum. The Rules Committee nominated Commissioner Hawks. Commissioner Overton made the motion and Commissioner Fortner placed a second. 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 the Weakley County Board of Commissioners Committee Members. There were not any changes to these committees and Commissioner Dennis Doster made the motion and Commissioner Eddings placed a second. A voice vote was taken and the ayes have it with none opposed. The Weakley County Board of Commissioners Committee members was approved.

Next was the appointment of 2017-2018 Rules Committees. Commissioner Hawks made a motion to recommend the same eight commissioners. He recommended and nominated Commissioner Eddings for the District Four position. Commissioner Donaldson placed a second. Commissioner Westbrook made a motion and nominated Commissioner Jones for the District Four position and Commissioner Vincent placed a second. Commissioner Owen commented that this committee would not meet again until September of 2018. County Clerk Hughey called the Roll with 1 absent, 9 ayes for Commissioner Eddings and 6 ayes for Commissioner Jones with two Commissioners passing (Commissioner Eddings and Commissioner Overton). District Four Rules Committee position remains empty.

Next was the appointment to fill the vacancy in the District 2A School Board position with a term ending August 31, 2018.

Commissioner Hudson made a motion and nominated Beau Atkins. Commissioner Owen placed a second. County Clerk Hughey called the Roll with 17 ayes and one absent. Motion was approved and Beau Atkins was appointed District 2A School Board Member with a term ending August 31, 2018.

Next was the appointment of the Safety Officer. County Mayor Bynum recommended Dustin Kemp. Commissioner Donald Doster made the motion and Commissioner Fortner

placed a second. County Clerk Hughey called the roll with 17 ayes and one absent. Motion was approved for Dustin Kemp as Safety Officer.

Next was the appointment of the Veterans Service Officer. This appointment was made in the July 2017 meeting appointing Rick McKenzie as the Veterans Service Officer.

The appointment of a District 8 Constable was on the Agenda. There were not any nominations and the District 8 Constable remains vacant.

The Election of Notaries Public was next. Commissioner Hawks made the motion and Commissioner Dennis Doster placed a second. A voice vote was taken and the ayes have it with none opposed. The List of Notaries Public was approved.

OLD BUSINESS:

AMEND RESOLUTION NO. 2018-01: Resolution Making Appropriations for the Various Funds, Departments, Institutions, Offices, and Agencies of Weakley County, TN, for the FY Beginning July 1, 2017 and Ending June 30, 2018 As Amended. *Sponsored By: Commissioners Taylor and Westbrook.*

Commissioner Owen made the motion and Commissioner Donaldson placed a second. County Clerk Hughey called the roll with 17 ayes and one absent. Motion carried.

NEW BUSINESS:

Motion by Commissioner Donald Doster to approve the Fiscal Strength and Efficient Government Fiscal Confirmation Letter for Three-Star Program Requirements for Weakley County Chamber of Commerce. Commissioner Usery placed a second. A voice vote was taken and the ayes have it with none opposed. The Fiscal Strength and Efficient Government Fiscal Confirmation Letter was approved for Three-Star Program Requirements for Weakley County Chamber of Commerce.

RESOLUTION NO. 2018-10: Resolution to Establish an Updated Occupational Safety and Health Program Plan, Devise Rules and Regulations, and to Provide for a Safety Director and the Implementation of Such Program Plan. (Passed unanimously through the Public Safety Committee) *Sponsored By: Commissioners Hudson and Bynum.*

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

Commissioner Owen made a motion to combine and place on the floor Resolutions No. 2018-07,08 and 09 and Commissioner Dennis Doster placed a second.

RESOLUTION NO. 2018-07: Resolution Authorizing Budget Amendments to the Weakley County, Tennessee, Child Nutrition Food Service for the Fiscal Year Ending June 30, 2018. (Passed unanimously through the HEED Committee) *Sponsored By: Commissioner Usery and Wright.*

RESOLUTION NO. 2018-08: Resolution Authorizing Budget Amendments to the Weakley County, Tennessee, General Purpose School Fund for the Fiscal Year Ending June 30, 2018. (Passed unanimously through HEED Committee) *Sponsored By: Commissioners Donaldson and Dennis Doster.*

RESOLUTION NO. 2018-09: Resolution Authorizing Budget Amendments to the Weakley County, Tennessee, Highway Fund for the Fiscal Year Ending June 30, 2018. (Passed unanimously through the Public Works Committee) *Sponsored By: Commissioners Westbrook and Vincent.*

Discussion and the question were called. County Clerk Hughey called the roll with 17 ayes and one absent. Resolution No. 2018-07,08 and 09 was approved.

COMMISSION MEMBERS COMMENTS:

The TCSA Fall Conference and Trade Show will be held November 1-3, 2017 at the Peabody Hotel, Memphis, TN.

Commissioner Westbrook commented that this was not on the agenda but there is a spur on old Hwy 45 and Summer Road that dead ends before it gets back to 45 that is on the County road list that was taken over in 1992 when the new highway was built between Martin and Sharon. Mr. Bob Busby owns all the property surrounding this road and spur. Mr. Busby has requested that we abandon this section and declare it is not a county road. The Committee voted to approve that since all property owners have requested this between Summer's road in Martin and the old Hwy 45. Commissioner Donaldson questioned if the owner would pay property taxes on this and Commissioner Westbrook commented that he would.

Commissioner Owen questioned if we would have the right-of-way. Commissioner Vincent questioned if County Road Supervisor Ross had checked out the culvert. Supervisor Ross commented the culvert was actually under the intersection of Summer Road and Old 45 Hwy. Supervisor Ross recommended we have 75 feet North of this intersection so we would have legal access to the culvert. Commissioner Westbrook commented to let the minutes reflect 75 feet North of Summer road. County Mayor Bynum questioned if Commissioner Westbrook was requesting action on this and Commissioner Westbrook commented that he wanted to get it on the table. Commissioner Hawks was recognized and he suggested that a Resolution be presented at

the next meeting and if there are any problems or issues they can be addressed in the next meeting.

Commissioner Hudson was recognized and he commented that he would like to recognize Mr. Lindell Roney for his years of service on the School Board.

Commissioner Fortner was recognized and he commented that October 5 and 6 he was appointed to attend NACO Rural County Action Conference. This conference will be held close to Texarkana. Commissioner Fortner made a motion to approve his attendance to the conference. Commissioner Donaldson placed a second. A voice vote was taken and the ayes have it with none opposed.

The next regular meeting will be November 20, 2017 at 5:30 p.m. in the County Commission Room.

The Weakley County Regular Legislative Body Meeting stood adjourned at 6:30 p.m.

ATTEST:

Kim Hughey, Weakley County Clerk