

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

SEPTEMBER 17, 2012

The Weakley County Legislative Body met in Regular Session on September 17, 2012. Chairman Westbrook called the meeting to order at 5:30 p.m.

Judge Tommy Moore gave the invocation.

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

County Clerk, Pat Scarbrough called the Roll with 17 members present and one member, Commissioner Sinclair, was absent.

Chairman Westbrook called for a Motion to approve the July 30, 2012 Minutes and the July 31, 2012 Reconvened Minutes. Commissioner Salmon made the Motion and Commissioner Stewart placed a second. There were no additions, deletions or corrections and a voice vote was taken, the ayes carried with none opposed. The Minutes from July 30, 2012 and July 31, 2012 reconvened session were approved.

COMMUNICATIONS TO COMMISSION:

The Financial Reports were included in the packets. Commissioner Vincent made a Motion to accept the reports as filed and Commissioner Overton placed a second. A voice vote was taken and the ayes carried. The reports were accepted as filed.

MESSAGE FROM COUNTY MAYOR:

County Mayor Patrick did not have a message at this time.

SPECIAL RECOGNITION:

Chairman Westbrook welcomed Heather Yarbrough, field representative for U.S. Congressman Stephen Fincher.

ELECTIONS, APPOINTMENTS & CONFIRMATIONS:

The first item was the election of Chairman. Chairman Pro-Tempore Stewart was recognized. Chairman Pro-Tempore Stewart commented that the rules committee met and nominated Commissioner Westbrook; there were not any other nominations from the floor. Chairman Pro-Tempore Stewart called for a show of hands and the ayes have it with none opposed. Commissioner Westbrook was elected Chairman.

The next item was the election of Chairman Pro-Tempore. Chairman Westbrook commented that the Rules Committee met and nominated Commissioner Stewart as Chairman Pro-Tempore. There were not any other nominations and a voice vote was taken, the ayes have it with none opposed Commissioner Stewart was elected Chairman Pro-Tempore.

The appointment of Weakley County Board of Commissioners Committee Members was the next item. The list of members was before each of the Commission members and there are not any changes from last year's committees. The Rules Committee recommends that this list be approved. A voice vote was taken and the ayes have it with none opposed. The appointments to the Weakley County Board of Commissioners Committee Members were confirmed.

The next item was the appointment of County Safety Officer. The Rules Committee nominated Jamison Peevyhouse, there were not another nominations and a voice vote was taken, the ayes carried with none opposed. The appointment of Jamison Peevyhouse as County Safety Officer was confirmed.

The next appointment was County Service Officer. The Rules Committee recommended that Ronald Cheatham be re-appointed. There were no other nominations and a voice vote was taken, the ayes carried with none opposed. Ronald Cheatham was re-appointed as County Service Officer.

The next appointment was the Emergency Management Officer. County Mayor Patrick recommended Jamison Peevyhouse. A voice vote was taken and the ayes carried with none opposed. Jamison Peevyhouse was appointed the Emergency Management Officer.

The next appointment was for 5 members to the Ethics Board. County Mayor Patrick recommended Mike Medling, Kevin McAlpin, Julia Rich, Larry Taylor and John Salmon. Commissioner Fortner was recognized and he proposed an amendment to this board to include a sixth member from the minority party. Chairman Westbrook commented that a Motion to expand the Ethics Board to 6 members be made. Commissioner Fortner made the Motion to expand the Ethics Board to six members with one member from the minority party. Commissioner Hawks placed a second. A voice vote was taken and the ayes have it with none opposed.

County Mayor Patrick recommended Commissioner Fortner as the sixth member. A voice vote was taken and the ayes carried with none opposed. The appointments for the Ethics Board were confirmed.

The last item under elections, appointments and confirmation was the Election of Notary Public. Commissioner Fortner made the Motion and Commissioner Farmer placed a second to the Motion. A voice vote was taken with none opposed. The election of Notary Public was confirmed.

OLD BUSINESS:

The sale of County owned Real Estate. Commissioner Salmon was recognized and he gave the Committee Report from the Surplus Property Committee. He commented that there was a sale this morning, September 17, 2012 at 9:30 a.m., the County failed to receive bids in the amount required to pay off the County and Municipal property taxes on the properties at the recent auction this morning. The Committee met this afternoon at 4:15 p.m. Motion was made and a second in committee to auction off the properties at

absolute auction, there would not be an auctioneer hired. Commissioner Salmon made the Motion to auction off the properties at absolute auction and Commissioner Stewart placed a second to the Motion. Discussion followed and a Motion to amend was made by Commissioner Fortner that the County Commission pre-approves the advertised public absolute auction. Commissioner McAlpin placed a second. There was not any discussion on the amendment and a voice vote was taken and the ayes carried with none opposed. The Commission was back to the Motion as amended. There was not any other discussion and a voice vote was taken and the ayes carried with none opposed. The Motion carried.

County Attorney Washburn commented that there was a tax sale today selling 17 properties, the County bid in five of these at the minimum bids. Commissioner Hawks mentioned one of these properties at an earlier meeting on Hwy 431 in Martin that was a Meth House. There is one year to redeem this. This might be an issue that we need to be thinking about in the future if it is not redeemed in the next year.

NEW BUSINESS:

RESOLUTION NO 2013-08: Resolution Authorizing Budget Amendments to the Weakley County, TN General Fund For The Fiscal Year Ending June 30, 2013.

Sponsored by Commissioners Westbrook and Owen.

A Motion was made by Commissioner Stewart to place the Resolution on the Floor for discussion and Commissioner Owen placed a second. Commissioner Stewart gave the Finance Ways and Means Committee Report and it passed the Committee 6 to 0. Commissioner Stewart commented the State of Tennessee Office of Local Finance is scrutinizing the counties a little closer than in the past. He went on to comment that in the last budget year we were having fund balance short falls and cash flow problems. The State of Tennessee Office of Local Finance is going on a cash basis and they divide the budget by 12 and each month we have to be in a positive cash flow at the end of every month. We have to pull some expenditure out of the budget to meet those criteria. The Courthouse HVAC is one of the projects that were slated for repairs. We do not need to do this now because of cash flow and this equipment, as of right now, is working. Also this will limit on page 43 of the budget category account number 58500 all those contracted services under 316 will be getting their money on a quarterly or semi-annually basis. The committee also voted 6 to 0 to place a hiring freeze in effect for general fund and highway department personnel until the cash flow problem is resolved. Question was called and the County Clerk, Pat Scarbrough called the Roll with 16 ayes, one nay, and one absent. The Resolution was adopted.

RESOLUTION 2013-09: A Resolution Adopted For The Purpose of Amending The Weakley County Tennessee Regional Zoning Resolution Regulating Development Within The Jurisdiction of Weakley County, Tennessee, To Minimize Danger To Life and Property Due To Flooding and To Establish Eligibility For Participation In The National Flood Insurance Program. Sponsored by Commissioners Bell and McAlpin.

Motion by Commissioner McAlpin to place the Resolution on the Floor and a second by Commissioner Fortner was placed. Commissioner Vincent gave the Public Safety Committee report and it passed the Committee 6 to 0. Discussion was called and Commissioner Vincent gave a brief accounting of this Resolution. He also noted that an amendment was made in the Committee to place County Board everywhere it has Regional Board and also on page 17 Article VI number 3 to show \$250 and 10 business days. The County Board of Zoning Appeals will be made up of the Public Safety Committee and there are six members on this Committee. Commissioner Medling questioned if this resolution is not passed, will the state withhold grant money. Vincent commented that from the letter of intent this is basically assumed.

Question was called and a voice vote was taken and the ayes carried with none opposed. The Resolution was adopted.

The next item was to approve County Official David A Tuck, Assessor of Property surety bond for the term of September 1, 2012 to September 1, 2016. Commissioner Hawks made motion and Commissioner Wright placed a second. A voice was taken and the ayes carried with none opposed. The bond was approved.

The next item was the approval of District 3 Constable, Anthony A Trimble surety bond for the term of September 1, 2012 ending September 1, 2014. Commissioner Stewart made motion and Commissioner Medling placed a second. A voice vote was taken and the ayes have it with none opposed. The bond was approved.

Chairman Westbrook commented that there had not been a recommendation to change the Rules until tonight and as a result of this we need to amend Rules #9, part B number 2 and insert the following sentence before the last sentence in this section. The Public Safety Committee shall also serve as the County Board of Zoning Appeals. Commissioner Vincent made the Motion to amend the Rules and Commissioner Fortner placed a second to the Motion. A voice vote was taken and the ayes carried with none opposed. The Motion to amend was approved

COMMISSION MEMBER'S COMMENTS:

The Regional Meeting of the County Commissioners Association will be held at the Paris Landing State Park tomorrow, September 18, 2012 at 6:30 p.m.

County Mayor Patrick was recognized and he questioned if a Resolution to amend the prior one for the Ethic Board to six members needs to be drafted. County Attorney Washburn recommended that a Resolution be drafted adding the sixth committee member and that one member be of the minority political party of the Commission. This resolution would get the change in the official records of the Commission.

Chairman Westbrook announced that the next meeting would be held on November 19, 2012.

There were not any other announcements and Commissioner Vincent made a Motion to adjourn and Commissioner Overton placed a second. The County Commission meeting stood adjourned at 6:06 p.m.

ATTEST:

Pat Scarbrough, Weakley County Clerk