WEAKLEY COUNTY LEGISLATIVE BODY REGULAR MEETING
JANUARY 26, 2016

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.

Brother Kylan Mann gave the invocation.

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

County Clerk Hughey called the Roll with all 18 members present.

County Mayor Bynum called for a Motion to approve the minutes from the November 16, 2015 meeting. Commissioner Dennis Doster made a motion and Commissioner Hawks placed a second to the motion. County Attorney Whitledge requested that on page five (5) in the second paragraph that the last sentence be struck from the record. (According to the State Attorney General this language is not permissible under Tennessee Law.) There were not any other additions, deletions or corrections. A voice vote was taken and the ayes have it with none opposed. The minutes from the November 16, 2015 meeting were approved with the last sentence on page five (5), the last sentence on paragraph two being deleted from the minutes.

COMMUNICATION TO COMMISSION:

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

The next item was the State Comptroller's Cash Flow Report. 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 State Comptroller's Cash Flow Report was made a part of the minutes.

The Veteran's Service Report was next and Commissioner Donaldson made the motion and Commissioner Hudson placed a second to the motion. A voice vote was taken and the Veteran's Service Report was accepted as filed.

The Weakley County Nursing Home Report was next on the Agenda. Commissioner Donald Doster made the motion and Commissioner Chandler placed a second. Commissioner Taylor gave a brief report on the Nursing Home. Commissioner Taylor commented that there were not any audit findings. Operating revenues for the fiscal year ending June 30, 2015 were $7,191.000; this was an increase of $104,239 compared to revenues collected for fiscal year ending 2014. Operating Expenses for the fiscal year

ending June 30, 2015 were $6,234,000. He commented that this was an increase of expenses in the amount of $876,000 compared to 2014.

He commented that Revenue exceeded expenses in the amount of $956,000 for the year ending June 30, 2015. Assets exceeded liabilities at June 30, 2015 by $6.1 million, twenty-four percent represents investments in Capital Assets ($1,453,000) eleven percent represents Reserves for Pensions ($695,000) and sixty-five percent represents Unrestricted Assets ($3,979,000) Commissioner Taylor commented that $235,800 was invested in Capital Assets. This included new flooring, doors, replacement furniture, cubical curtains and doors. Commissioner Taylor went on to comment that auditors stated the Nursing Home appears fairly strong.

Question was called and a voice vote was taken and the ayes have it with none opposed. The Weakley County Nursing Home report was accepted as filed.

MESSAGE FROM COUNTY MAYOR:

County Mayor Bynum reminded everyone that their statement of interest is due by January 31, 2016.

West Kentucky and Tennessee Telecommunications Cooperative gave a presentation prior to the County Commission Meeting. The state is doing a broadband study to identify needs. The state put out surveys for individuals and businesses and County Mayor Bynum encouraged everyone to take this survey. A link will be provided to take this survey via email.

County Mayor Bynum commented that Labor workforce estimates for December in Weakley County was at 6.4 percent in our region and is the lowest in the region. We are at one percent above state average.

T.C.S.A. Speaker Harwell has addressed legislation on road funding at over $100 million to fund road projects. We need to talk to legislators about this legislation which is HB2142 and SB2115.

County Mayor Bynum addressed the request for an agenda review. County Mayor Bynum spoke with numerous surrounding County Mayors. The agenda review is typically held several days ahead of the Regular Meeting and normally on a Thursday prior to the meeting. The Chairman does not preside and normally the Chairman Pro-Tempore presides over the informal session. The Commissioners are not compensated for these meetings. The agenda is gone through item by item, includes committee reports, budget amendments and resolutions that various committees are going to recommend. County Mayor Bynum went on to comment that one of the biggest problems is attendance for a majority. There can not be any action or vote taken and the agenda review is open to the public and media. County Mayor Bynum commented that we are

the only county that has a representative from each district represented on the four standing committees.

A change to the Agenda after an agenda review would take a two-thirds vote by the commission and we would need to have a change to the rules to implement this agenda review.

REPORTS OF SPECIAL AND STANDING COMMITTEES:

None.

SPECIAL RECOGNITION:

None.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The election of the County Attorney was the first item under elections. Commissioner Vincent from the Financial Management Committee nominated Attorney Allison Whitledge and made a Motion for Attorney Whitledge to be elected. Commissioner Fortner placed a second to the Motion and a voice vote was taken. The ayes have it with none opposed. Attorney Allison Whitledge was elected County Attorney.

Next was the appointment of two members to the Weakley County Extension Committee. The Ag Extension office recommended Beverly Oliver and Jack Ogg. Commissioner Vincent made the motion and Commissioner Donald Doster placed a second. A voice vote was taken and the appointments of Beverly Oliver and Jack Ogg were confirmed for the 2016-2017 term.

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

Next was the appointment of District 9 for a School Board member to fill the unexpired term ending August 31, 2016 of Sarah Ann Pentecost. Each member of the commission has a copy of her resignation and a printout listing the procedures for filling a vacancy by the county legislative body. Commissioner Westbrook nominated Kevin McAlpin. Commissioner Westbrook went on to comment that Kevin has served on the County Commission, was a graduate of Palmersville High School, his wife, Jennifer was a graduate of Dresden High School and his two daughters are honor students at Dresden High School. He is a Major in the Tennessee Army National Guard, was deployed and served in Iraq, serves as a Judge Advocate General Officer and is also an attorney which would be an asset to the county as well.

There were not any other nominations and a second is not required. A voice vote was taken and the ayes carried with none opposed. The appointment of Kevin McAlpin to fill the unexpired term of Mrs. Sarah Ann Pentecost was confirmed.

OLD BUSINESS:

The Election of the Rules Committee Members was next. Commissioner VanCleave made a motion to appoint, Commissioner Dennis Doster, Commissioner Owen, Commissioner Usery, Commissioner Chandler, Commissioner Fortner, Commissioner Overton, Commissioner Hawks, Commissioner Donaldson and Commissioner Donald Doster. Commissioner Donaldson placed a second. Discussion and the question were called. A voice vote was taken and in turn a Roll call vote was taken by County Clerk Hughey. There were 11 ayes, and 7 nays with Commissioner Bynum, Commissioner Owen, Commissioner Jones, Commissioner Wright, Commissioner Overton, Commissioner Vincent and Commissioner Westbrook casting the nay votes. The motion carried.

Commissioner Westbrook called for County Attorney Whitledge to provide each member of the Commission with copies of Title 8, Chapter 44, Sections 102, 105 and 106 of the Tennessee Open Meetings Law. Commissioner Westbrook commented that this is one of the most flagrant violations he had seen in his whole career happening right here in this County. Commissioner Westbrook commented that discussing county business and how to vote without benefit of the press or the public is unlawful. He went on to comment that it doesn't make any difference with the Rules Committee. He commented that when you do this when there is a tax rate to set, an appropriation to be made or budget resolution to be made, our actions are null and void. He requested that the County Attorney notify all members of this before we get into some serious trouble.

NEW BUSINESS:

RESOLUTION NO. 2016-13: Resolution Authorizing 2015 County Maintenance Road List. *Sponsored by Commissioners Vincent and Owen.*

Commissioner Jones made the motion and Commissioner Owen placed a second. Commissioner Westbrook gave the Public Safety and Public Works Committee report and this resolution passed the committee unanimously. Commissioner VanCleave made a notation on Gardner Rd. that runs the loop into Gardner; he wanted to make sure it was not left out. Discussion and the question were called. A voice vote was taken and the ayes have it with none opposed. The motion carried.

RESOLUTION NO 2016-14: Resolution Authorizing Seagraves Circle Road Addition to Weakley County Road Maintenance List. *Sponsored by Commissioners Vincent and Owen.*

Motion was made by Commissioner Owen and a second was placed by Commissioner Hudson. Commissioner Westbrook commented it passed Public Safety and Public Works Committee unanimously. Commissioner Overton questioned where this road is located and County Road Supervisor Ross commented it is off Highway 22S at the edge of Gleason. Bynum Road, Parks Road and Seagraves Circle Road will tie Parks Road together. Commissioner Owen questioned if there were any homes on this road and County Road Supervisor Ross commented there are seven mobile homes and houses on this gravel road. Question was called and a voice vote was taken, the ayes have it with none opposed. The motion carried.

Commissioner Hawks made a comment on Resolution No 2016-13 on page 14, that VanCleave Road .5 miles should read VanCleave Lane ending at Gardner Road.

RESOLUTION NO. 2016-15: Resolution Authorizing Budget Amendments to the General Purpose School Fund for the Fiscal Year Ending June 30, 2016. *Sponsored by Commissioners Donaldson and Hawks.*

Motion was made by Commissioner Hawks and a second was placed by Commissioner Taylor. This resolution passed the Health, Education and Economic Development Committee with 7 ayes and 2 absent. The resolution passed the Finance Ways and Means Committee 7 to 0. Discussion and the question were called. County Clerk Hughey called the Roll with 18 ayes. The motion carried.

RESOLUTION NO. 2016-16: Resolution Authorizing Bridge Grant Approval for the Highway Fund for the Fiscal Year ending June 30, 2016. *Sponsored by Commissioners Vincent and Owen.*

Motion was made by Commissioner Jones and a second was placed by Commissioner Taylor. This resolution passed the Public Safety and Public Works Committee unanimously and it passed the Finance Ways and Means committee 7 to 0. Question was called and County Clerk Hughey called the Roll with 18 ayes. The motion carried.

County Mayor Bynum called for a five minute recess so residents of the Highway 190 area at the former Miller Ham House building could address the commission. A motion was made by Commissioner Taylor and a second was placed by Commissioner Donaldson. A voice vote was taken and the ayes have it. The commission stood in recess at 6:00 p.m.

The Commission was called back into session at 6:02 p.m. County Mayor Bynum commented that he had been out and looked the situation over and agreed the conditions are deplorable. He commented that the Department of Conservation and Environment

had been out there and commented that they are within the law. County Mayor Bynum commented that the commission will pursue every option that might be done.

County Mayor Bynum commented he would request the Sheriff's Department to patrol that area more frequently and have Deborah James to look into trash concerns on the side of the road.

COMMISSION MEMBERS' COMMENTS:

County Mayor Bynum commented that the next regular county commission meeting will be held March 21, 2016 at 5:30 p.m.

T.C.S.A. County Government Day will be February 16 and 17 in Nashville and you can register on line.

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

ATTEST:

Kim Hughey

Kim Hughey, Weakley County Clerk