

WEAKLEY COUNTY LEGISLATIVE BODY REGULAR MEETING
JULY 28, 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 Will Norrid gave the invocation.

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

County Clerk Hughey called the Roll with 15 members present and three members, Commissioner Hudson, Commissioner Pope and Commissioner Taylor were absent.

County Mayor Bynum called for a motion to approve the minutes from the June 27, 2016 meeting. Commissioner Vincent made the motion and Commissioner Donald Doster placed a second. There were not any additions, deletions or corrections to the June 27, 2016 minutes. A voice vote was taken and the ayes have it with none opposed. The minutes from the June 27, 2016 meeting were approved.

COMMUNICATIONS TO COMMISSION:

The 2014 Final Reconciliation of Tax Aggregate was the first item. Commissioner Owen made the motion to approve and Commissioner Westbrook placed a second. Discussion was called. Commissioner Westbrook was recognized by County Mayor Bynum. Commissioner Westbrook commented that enclosed in the packets was a Final Reconciliation of the 2014 Tax Aggregate by Marci Floyd, Weakley County Trustee. This reconciliation reflects a tax aggregate for 2014 of almost \$10.5 million. Of this amount, over \$10.4 million has been collected or otherwise accounted for. Never before has all the personal property levied and all the Public Utility property assessed been collected as was done this year. One piece of Public Utility was collected after being filed with the Clerk and Master.

With this explanation, Commissioner Westbrook moved that the Weakley County Trustee be relieved of collecting \$13,250.48 of the 2014 taxes levied due to errors, double assessments and other adjustments to the tax aggregate as set out in the attached compilation. Commissioner Owen commented that it should be noted that it is way down from prior years and that two years ago we were about \$30,000 off. This year with gains and losses it is about \$3000 and this is a good job. A voice vote was taken and the ayes have it with none opposed. The motion was approved. County Trustee, Marci Floyd was relieved of collecting \$13,250.48 of the 2014 taxes levied due to error, double assessments and other adjustments.

The next item of business was the Veterans Service Report. A motion was made by Commissioner Wright and a second was placed by Commissioner Hawks. 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 Stakeholders Report. Commissioner Donaldson made the motion and Commissioner Chandler placed a second. A voice vote was taken and the ayes have it with none opposed. The UT Extension Stakeholders Report was accepted as filed.

MESSAGE FROM COUNTY MAYOR:

County Mayor Bynum commented that included in the packets was a Letter from the State of Tennessee Comptroller of the Treasury noting they had received our request for approval to issue three-year Capital Outlay Notes in the amount of \$1 million to be known as the Adult Learning Center Capital Outlay Note.

Next County Mayor Bynum announced that the Tennessee County Commissioner Associations annual regional meeting will be held on September 1, 2016 at the Paris Landing State Park Lodge. A sign up sheet will be passed around. The meeting will start at 6:00 p.m. with a meal being provided at 5:00 p.m. or 5:30 p.m. prior to the meeting.

County Mayor Bynum introduced Mr. John Leggitt as the new Finance Director. County Mayor Bynum commended Mrs. Kellie Thayer on a job well done during her interim appointment, as well as the entire staff in the Finance Office for getting the budget together.

County Mayor Bynum commented that Commissioner Pope's mother was involved in an accident yesterday and she is at Vanderbilt Hospital. Commissioner Pope is with his mother at the hospital.

Commissioner Overton's wife has been sick with a heart condition and in the hospital. She was airlifted on Sunday to the hospital.

County Mayor Bynum commented that great things happen to people from Weakley County. Matt Hewitt, grandson of Commissioner Westbrook, and his team Crossfit Mayhem competed in the World Champion Crossfit Games and for the second consecutive year in a row are the World Champions.

REPORTS OF SPECIAL AND STANDING COMMITTEES:

First was the election of the Weakley County Rules Committee.

Commissioner Hawks, Chairman of the Rules Committee, recommended to keep the current committee. Commissioner Donald Doster made a motion and Commissioner

Donaldson placed a second to the motion. A voice vote was taken and the ayes have it with none opposed. The Rules Committee was approved.

Commissioner Hawks requested that if any changes need to be made to the Standing Committees they need to make their request to Chairman Hawks of the Rules Committee or to County Mayor Bynum by the last day of August.

SPECIAL RECOGNITION:

County Mayor Bynum recognized County Veterans Service Officer, Ron Cheatham, on his retirement. County Mayor Bynum requested Mr. Cheatham to come forward and he was presented with a proclamation commending him for seven-years of excellent service to Weakley County. The commission gave Mr. Cheatham a round of applause.

Mr. Cheatham thanked the Commission and commented that it had been an honor and a privilege to serve the community as the Veterans Service Officer.

Commissioner Hawks commented that he has some friends that are members of the Rolling Thunder and that numerous veterans with problems in other counties had addressed their problems to Mr. Cheatham and he had helped them with these issues. Commissioner Hawks commented that Mr. Cheatham had made Weakley County proud.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

The first item was the appointment of six (6) members to the Weakley County Ethics Board. County Mayor Bynum recommended Commissioner Chandler, Commissioner Donaldson, Commissioner Fortner, Commissioner Overton, Commissioner Taylor and Commissioner Wright all for a one year term ending August 31, 2017.

Commissioner Dennis Doster made the motion and Commissioner Hawks placed a second. A voice vote was taken and the ayes have it with none opposed. The above members were approved for a one year term ending August 31, 2017 to the Weakley County Ethics Board.

Next was the appointment of two (2) members to the Everett-Stewart Regional Airport Board. The third appointment will be made in the September meeting. County Mayor Bynum recommended Wayne McCreight and Kay Stegall for a two year term ending August 31, 2018.

Commissioner Westbrook made the motion and Commissioner Overton placed a second. A voice vote was taken and the ayes have it with none opposed. The appointments of Wayne McCreight and Kay Stegall for a two-year term ending August 31, 2018 to the Everett-Stewart Regional Airport Board were approved.

Next was the appointment of one (1) member to the Audit Committee for a three-year term ending August 31, 2019. County Mayor Bynum recommended re-appointing Commissioner Larry Taylor. Commissioner Wright made a motion and Commissioner Donald Doster placed a second. A voice vote was taken and the ayes have it with none opposed. The re-appointment of Commissioner Larry Taylor for a three-year term to the Audit Committee was approved.

Next was the appointment of the Weakley County Medical Examiner. County Mayor Bynum recommended the appointment of Dr. Walter Fletcher for a one-year term ending August 31, 2017.

Commissioner VanCleave made a motion and Commissioner Chandler placed a second. A voice vote was taken and the ayes have it with none opposed. The appointment of Dr. Walter Fletcher as the Weakley County Medical Examiner was approved for a one-year term ending August 31, 2017.

Next was the appointment of the Weakley County Coroner. County Mayor Bynum recommended Rick Workman for a one-year term ending August 31, 2017.

Commissioner Dennis Doster made the motion and Commissioner Vincent placed a second. A voice vote was taken and the ayes have it with none opposed. The appointment of Rick Workman as Weakley County Coroner for a one-year term ending August 31, 2017 was approved.

Next was the appointment of the Veterans Service Officer to fill the unexpired term of the Weakley County Veterans Service Officer ending August 31, 2016. County Mayor Bynum interviewed four (4) applicants. These applicants, plus three (3) more were submitted to the State Office for their recommendation and based upon their military experience and qualifications the State Office recommended four (4) applicants to be interviewed.

County Mayor Bynum recommended Rick McKenzie for the unexpired term of the Weakley County Veterans Service Officer ending August 31, 2016. Mr. McKenzie had thirty-five years of active duty in the Army National Guard.

Commissioner Hawks made the motion and Commissioner Fortner placed a second. A voice vote was taken and the ayes have it with none opposed. The appointment of Rick McKenzie for the unexpired term of Weakley County Veterans Service Officer ending August 31, 2016 was approved.

Next was the revocation of the Notary Public Commission on Mindy McCollum. Ms. McCollum has turned in her seal and commission to the Clerk's office and does not wish to get another Bond. She has left the employment of Judge James H. Bradberry and Attorney Beau E. Pemberton who originally signed her Bond and they have requested

that this bond be revoked. Commissioner Fortner made the motion and Commissioner Dennis Doster placed a second. A voice vote was taken and the ayes have it with none opposed. The Notary Public Bond on Mindy McCollum for November 20, 2015 to November 2019 was revoked.

Next was the Election of Notaries Public. Commissioner Wright made the motion and Commissioner Jones 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:

None.

NEW BUSINESS:

The approval of Director of Finance John Liggett Official Statutory Bond with a term beginning August 1, 2016 and ending September 1, 2017 was next on the Agenda.

Commissioner Usery made the motion and Commissioner Vincent placed a second to the motion. County Mayor Bynum called for discussion and Commissioner Owen commented that this bond was placed in the budget. There was not any other discussion and a voice vote was taken. The ayes have it with none opposed. The official statutory bond for Director of Finance, John Liggett was approved for a term beginning August 1, 2016 and ending September 1, 2017.

RESOLUTION NO. 2017-01: Resolution Making Appropriations for the Various Funds, Departments, Institutions, Offices, and Agencies of Weakley County, Tennessee for the Fiscal Year Beginning July 1, 2016 and ending June 30, 3017. *Sponsored by Commissioners Westbrook and Hawks.*

This resolution previously passed unanimously through the Finance, Ways and Means Committee.

Commissioner Usery made a motion to place the resolution on the floor. Commissioner Chandler placed a second. Discussion was called. Commissioner Owen made a motion to amend on page one, the Chancery Court's line needs to be increased by \$3,000 for postage making the Chancery Court budget \$263,646. Commissioner Hawks placed a second. This will increase the total 2016-2017 Fiscal Year Budget to \$58,077,256. A voice vote was taken on the amendment and the ayes have it with none opposed. The amendment carried.

Back to the original motion with the amendment. Commissioner Owen called for a roll call vote on the amendment. County Clerk Hughey called the roll with 15 ayes and 3

absent. The amendment carried. Back on the original motion with the amendment.
Discussion was called.

Commissioner VanCleave had concerns dealing with the whole budget, with the fund balance and the trustee's cash on hand. Commissioner VanCleave questioned \$1.5 million in undocumented fund adjustments in the highway department in the amount of \$515,000 and the school department in the amount of \$536,000. Commissioner VanCleave commented that he does not see this as a Highway Department or School Department problem, but as the Finance Department's problem. Commissioner VanCleave wanted to know how we can adjust this. Commissioner VanCleave commented that this would affect the Highway Department a whole lot, but not so much the School Department. Commissioner VanCleave commented that the budget should be postponed until we know where it went or where it has gone.

Commissioner Westbrook was recognized and he commented that the outstanding fund balance on the \$515,000 from the Highway Department has to do with purchase orders that occurred in the 2014-2015 years. The purchase orders are charged against the budget year issued and wouldn't affect the fund balance this year, they are charged against the year they were issued. This does not affect the 2015-2016 budget or the 2016-2017 budget.

Director of Schools, Randy Frazier questioned about the adjustment on the School Department. Commissioner VanCleave commented that in the School Department it was \$536,000. Mr. Frazier questioned was this an adjustment and Commissioner VanCleave commented yes it was an adjustment to the fund balance. Mr. Frazier questioned if it went up and Commissioner VanCleave commented no, it had to come out. Commissioner Westbrook commented, there again, this was in the 2014-2015 budget. This has to do with cancelled or voided purchase orders.

Commissioner Westbrook commented that what brought this about was the change to Local Government Data Processing which is on a cash basis. We had not been doing it this way and it required an adjustment. These numbers came from the audit.

Commissioner VanCleave questioned if this would do anything to the audit. County Mayor Bynum commented that the adjustments came from the audit when they came in and audited the books. Commissioner Donald Doster commented that these figures came from audit and had audit approval.

Further discussion came from Commissioner VanCleave and he commented that he was under the impression that the Trustee's End of the Year and the end of the year budget should balance. County Mayor Bynum commented that the Trustee's End of Year is cash in the bank and the Trustee does not take into account outstanding purchase orders.

Commissioner VanCleave commented that there is a problem with the fund balance at the end of the year. Commissioner Westbrook commented that we do not have a problem with the fund balance or the debt service, we never have, now or before. Commissioner Westbrook questioned Commissioner VanCleave on what he perceived as the problem. Commissioner VanCleave commented the fund balance debt service June 30, 2016 was \$1,452,027. All the interest and principal have been paid, there is not any money to come in or any money to go out, but the Trustee says we have \$1,323,092.22. Commissioner Westbrook commented that we do have money coming in; we have property tax, the Clerk and Master collection of delinquent collections and various other revenues accrued in the debt service fund, as well as other funds.

County Mayor Bynum recognized Trustee, Marci Floyd and she commented that the budget is an estimate and it is never going to match. The only way you will ever get an exact figure is through the audit.

Commissioner Westbrook and Commissioner Donald Doster both commented that it is an educated guess.

Commissioner Owen commented that the fund balance and debt service does go up.

Question was called and County Clerk Hughey called the roll with 14 ayes, one nay, (Commissioner VanCleave) and 3 absent. The motion was approved.

RESOLUTION NO. 2017-02: Resolution Fixing the Tax Levy for Weakley County For the Fiscal Year Beginning July 1, 2016. *Sponsored by Commissioners Donaldson and Dennis Doster.*

This resolution passed unanimously through the Finance, Ways and Means Committee. Commissioner Owen made the motion and Commissioner Jones placed a second. Commissioner Owen commented that the tax rate is the same. We moved one quarter of a cent from Solid Waste to the County General Fund.

Discussion and the question were called. County Clerk Hughey called the roll with 14 ayes, one nay (Commissioner VanCleave) and 3 absent. The motion was approved.

RESOLUTION NO. 2017-03: Resolution Making Appropriations to Non-Profit Charitable Organizations for the Fiscal Year Beginning July 1, 2016 and Ending June 30, 2017. *Sponsored by Commissioners Usery and Wright.*

This resolution passed the Finance Ways and Means Committee unanimously.

Commissioner Owen made the motion and Commissioner Bynum placed a second. Discussion was called and Commissioner Westbrook made a motion to amend the second

Be It Further Resolved, Section 1 by adding a clause in line 2 after the word transaction “a copy of the not for profit organization’s Federal Tax Form 990, 990EZ, 990N and or 990T for the immediate prior year”.

Commissioner Dennis Doster place a second to the amendment.

Discussion was called and Commissioner Owen questioned if all of the fire departments have these. Commissioner Westbrook commented that the Rescue Squad is the only one that has turned one in. Commissioner Vincent questioned if this form has to be turned in every year. Commissioner Westbrook commented it is yearly.

A voice vote was taken on the amendment and the ayes have it with none opposed. The amendment was approved.

Back to the resolution as amended. Discussion was called; Commissioner Fortner questioned number 16 – The University of Tennessee at Martin Stadium Renovation Project. Commissioner Fortner questioned if this was part of the original resolution. County Mayor Bynum commented that this is part of the original resolution of \$30,000 for five (5) years; this will leave one more payment after this year.

Question was called. County Clerk Hughey called the roll with 15 ayes and 3 absent. The motion was approved.

RESOLUTION NO. 2017-04: Resolution Authorizing Budget Amendments to the General Purpose School Fund For the Fiscal Year Ending June 30, 2017. *Sponsored by Commissioners VanCleave and Pope.*

This resolution passed the Health, Education and Economic Development Committee and the Finance, Ways and Means Committee unanimously.

Commissioner Hawks made the motion to place the resolution on the floor and Commissioner Donald Doster placed a second.

Discussion was called and Commissioner Fortner questioned if the purpose of this resolution was to settle the lawsuit and County Mayor Bynum commented that yes it was.

Question was called and County Clerk Hughey called the roll with 14 ayes, one nay (Commissioner Fortner) and 3 absent. The motion carried.

COMMISSIONER MEMBERS' COMMENTS:

Commissioner Vincent commented on the 1974 disaster recovery grant by TEMA and the funds the Trustee received. County Trustee, Marci Floyd, confirmed the Disaster Recovery Grant.

The next regular meeting will be held September 19, 2016 at 5:30 p.m.

County Mayor Bynum commented that there is a tentative Infrastructure Alliance Presentation at 4:30 p.m. prior to the September 19, 2016 meeting. This will be open to the public and will be optional to attend. More information will be made available at a later date.

Motion to adjourn by Commissioner Vincent and a second by Commissioner Wright. The Weakley County Legislative Body Regular Meeting stood adjourned at 6:18 p.m.

ATTEST:



Kim Hughey, Weakley County Clerk

