

## WEAKLEY COUNTY LEGISLATIVE BODY MEETING

JULY 25, 2005

The Weakley County Legislative Body met in Regular Session on July 25, 2005 at 5:30 p.m. in the County Commission Room at the Weakley County Courthouse. Chairman Dick Phebus called the meeting to order.

Chairman Phebus called for all members present to pledge the Allegiance to the Flag and Commissioner Baltz gave the invocation.

County Clerk Scarbrough called the Roll with all 18 members present and none absent.

Chairman Phebus called for a motion to approve the minutes for the June 20, 2005 Meeting and the minutes of the reconvened session on July 7, 2005. Commissioner Jones made a motion to approve and Commissioner Rich placed a second to the motion. Discussion and the question were called, a voice vote was taken, and the ayes carried. The Minutes from the June 20, 2005 Meeting and the reconvened July 7, 2005 session were approved.

### **RECOGNITION:**

There was not any special recognition for this meeting.

### **ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:**

The first appointment on the agenda was for Members to the WCMES Board. Chairman Phebus called for any recommendation from the Chairman of the Rules Committee. Commissioner Westbrook commented that there were two positions to be appointed. These appointments should be voted on separately. Commissioner Owen nominated Bob Wray of Gleason. There was not any other nominations for the Gleason area, and the County Clerk, Pat Scarbrough called the roll with 18 ayes and none opposed, the appointment of Bob Wray of Gleason was approved and confirmed.

Commissioner Sinclair nominated Derrick T Wells of South Fulton and Commissioner Westbrook nominated J. B. Henry. There being no other nominations for this position discussion was called. There was a request for qualifications of these two nominees. Commissioner Sinclair commented that Mr. Wells was a businessman in the South Fulton area, he is approximately 38 years old, and he is married, has a family and has lived in this area for several years. He has a Business Degree, is active in the Chamber of Commerce in the South Fulton area. He is President of the Kawanis Club, past President of the Lions Club, active in other civic organizations, his religious affiliation is Methodist, and he was originally from Madisonville, Kentucky.

Commissioner Westbrook commented that Mr. Henry is retired. Mr. Henry has been a WCMES Board Member for some twenty years. County Clerk Scarbrough called the Roll with 12 ayes for Derrick Wells and six ayes for J B Henry. The nomination of Derrick Wells was approved and confirmed for the WCMES Board.

The next item on the Agenda was the Election of Notaries Public. Commissioner Buckley made a Motion to approve the Notary Public List and Commissioner Page placed a second to the Motion. Discussion was called, a voice vote was taken, and the ayes carried with none opposed. The Notary Public List was approved.

The next item on the Agenda was the Appointment of Members to the Weakley County Emergency Communications Board of Directors. County Mayor Gifford recommended Bob Dudley of Greenfield, Commissioner Stewart made the motion, and Commissioner Page placed a second. County Clerk Scarbrough called the roll with 18 ayes and none opposed, the confirmation of Bob Dudley was approved.

The next member to be recommended for an appointment to the Weakley County Emergency Communications Board of Directors by the County Mayor was Kim Higgs of Dresden. Commissioner Salmon made the Motion and Commissioner Jones placed a second. County Clerk Scarbrough called the Roll with 18 ayes and none opposed the nomination of Kim Higgs was confirmed and approved.

The next member recommended by the County Mayor to be appointed to the Weakley County Emergency Communications Board of Directors, was John Bucy. Motion was made by Commissioner Hunt to approve and Commissioner Vincent placed the second. County Clerk Scarbrough called the Roll with 18 ayes and none opposed. The nomination of John Bucy to the Weakley County Emergency Communications Board of Directors was confirmed and approved.

Chairman Phebus commented that there was one other appointment to be made. This appointment was brought to the attention of Chairman Phebus and it was noted that the County needs a Title VI Coordinator. Chairman Phebus discussed this appointment with County Mayor Gifford and with the 911 Director. They have all agreed to place the name of Jamison Peevyhouse, for nomination, as the Title VI Coordinator. Chairman Phebus made a motion for Jamison Peevyhouse and Commissioner Salmon placed a second to the Motion. There was some discussion by Commissioner Stewart and the question was called. The County Clerk called the Roll with 18 ayes and none opposed the motion was adopted and approved.

#### **REPORTS:**

Chairman Phebus commented that each of the members had received in their packets the Trustee's Report, General Fund Report, Highway Department Report, School Department Report and the Solid Waste Report. Chairman Phebus called for any standing committee reports. The Chamber of Commerce Director and the Veterans Service Officer were present to answer any questions and Jeff Lannom, Extension Agent and Leader mailed the Agricultural Extension Service Report to the members. Chairman Phebus called for a motion to accept the Reports as filed. Commissioner Page made the motion and Commissioner Hunt placed a second to the motion. Discussion was called, a voice vote was taken, and the ayes carried with none opposed. The Reports were accepted and the motion carried.

#### **UNFINISHED BUSINESS:**

The Second Reading of Resolution 2005-53 – Resolution to Levy an Additional Countywide Motor Vehicle Tax.

Chairman Phebus commented, to be included in the minutes, that the Clerk could start collection of this additional tax at the first practical time. This additional tax could be collected on the first day of the month following the passage of this Resolution. However, from a practical standpoint, and with further discussion with the County Clerk, the first practical time to start collection of this additional tax will be September 1, 2005. Chairman Phebus called for a motion for the second reading of Resolution 2005-53, Commissioner Jones made the motion, and Commissioner Baltz placed the second to the motion. Discussion was called and Chairman Phebus commented that this Resolution would require two-thirds majority votes in two separate reading and this is the Second reading on the

Resolution. The County Clerk called the Roll with 17 ayes and 1 nay from Commissioner Stewart. Resolution No 2005-53 was approved on the second and final reading, the Resolution is adopted to increase the wheel tax by an additional twenty dollars on motor vehicles and motorcycles.

**NEW BUSINESS:**

**RESOLUTION NO. 2006-01:** Resolution Making Appropriations For The Various Funds, Departments, Institutions, Offices and Agencies of Weakley County, Tennessee, For the Fiscal Year Beginning July 1, 2005 and Ending June 30, 2006.

Chairman Phebus made a comment from the Finance Ways and Means Committee Meeting concerning an error on Page 17 of the General Fund Budget. Line item 168 in the amount approved in the Committee was \$4800.00 instead of \$2400.00. This would make the line for Administration of Justice read \$1,077,194.00 and the Total for General County Government \$6,933,664.00. Chairman Phebus made a motion to place Resolution No. 2006-01 on the Floor and Commissioner Jones placed a second to the motion. Discussion was called and the question. The County Clerk, Pat Scarbrough called the roll with 17 ayes and 1 nay. Commissioner Rich read a statement prior to her vote stating "because I am an employee of the Weakley County Board of Education, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents" and I vote yes for this Resolution. Resolution No. 2006-01 was approved and adopted.

**RESOLUTION NO. 2006-02:** Resolution Fixing The Tax Levy For Weakley County, Tennessee For The Fiscal Year Beginning July 1, 2005.

Chairman Phebus commented that this was the same tax rate as in the year 2004-2005. Commissioner Westbrook made a motion to place this resolution on the Floor and Commissioner Baltz placed a second to the motion. Discussion was called, Commissioner McAlpin was recognized, and he questioned what the rate was on the Highway Fund last year versus this year. Commissioner Rook commented that last year the Highway Fund was twenty-nine cents and in this years budget it is eighteen and one-half cents. Further discussion was called and the question. County Clerk Scarbrough called the Roll with 18 ayes and none opposed. The Resolution was approved and adopted.

**RESOLUTION NO 2005-03:** Resolution Making Appropriations To Non-Profit Charitable Organizations For the Fiscal Year Beginning July 1, 2005 and Ending June 30, 2006.

Chairman Phebus called for a motion to place the Resolution on the Floor, Commissioner Owen made the Motion, and Commissioner Sinclair placed a second to the Motion. Discussion and the question were called. The County Clerk called the Roll with 18 ayes and none opposed. The Resolution was approved and adopted.

Commissioner Westbrook was recognized and he made a Motion to rescind Resolution 2005-55 allowing departments to spend up to 1/12 of the budget and Commissioner Stewart placed a second to this motion. Discussion was called, a voice vote was taken, the ayes carried, and none was opposed. The motion carried.

Chairman Phebus commented that it had been brought to his attention by Commissioner Salmon that Line item 4 on Page 1 of Resolution No. 2006-3 should read \$2500.00 and not \$25,000.00. Chairman Phebus made motion and Commissioner Sinclair placed the second. Discussion was called, a voice vote

was taken, and the ayes carried with none opposed. The Chair is back to Resolution 2006-03 as amended. Discussion and the question were called and the County Clerk called the Roll with 18 ayes and none opposed. Resolution 2006-03 was approved and adopted as amended.

**TRUSTEE'S RELIEF OF TAXES:**

Chairman Phebus called for a motion for trustee's relief of taxes. Commissioner Westbrook made a motion that the Trustee be relieved of all real property taxes, not included in this motion are personal property taxes or public utilities. Commissioner McAlpin placed a second to the motion. Discussion was called and Commissioner Stewart, Commissioner Owen and Commissioner Vincent discussed various issues on the relief of trustee taxes. Commissioner Westbrook commented that the total real personal property tax was 37,665.33. Commissioner Westbrook commented that the Trustee is charged with collecting, in this case, real estate taxes in the amount of \$7,606.617.56, and he has collected \$7,396,805.03. The Trustee has filed in the Clerk and Master's Office \$158,073.75. Donald Doster, Trustee was recognized and he clarified that the Trustee is responsible to collect from the tax roll a certain figure. However, from year to year, for various reasons, the assessor may have something double assessed, or may have changes in the property from year to year. The Property Assessor sends changes to the Trustee and this is the only way changes can be made to the tax roll. The Trustee changes this on the authority of the Assessor of Property. Each year the tax aggregate is sent out and you will find that this tax aggregate is balanced to the penny based upon the changes of additions and deletions made by the Assessor. Basically, what the Commission is approving are the changes that have been made. Commissioner Westbrook questioned the public utilities loses, and if this was due to appeals in the court system. Commissioner Westbrook included real property and public utility in the amount of \$18, 021.26 in the motion. Chairman Phebus commented the motion was still on the floor for discussion and the question was called. A voice vote was taken, the ayes carried, and none opposed.

**MISCELLANEOUS STATEMENT AND ANNOUNCEMENTS:**

Chairman Phebus commented on the Regional Meeting, September 1, 2005 at the Paris Landing Lodge. All that plans to attend this meeting, need to notify the County Mayor with a list of names. It was also noted that the meeting would begin at 6:30 p.m. Chairman Phebus commented to check their calendar and notify the County Mayor no later than two weeks from this date.

Chairman Phebus called for any other announcements. Commissioner Barner was recognized and he resigned from the Personnel Committee, which he has served on for three years. Chairman Phebus commented that a resignation had been tendered and the Chairman called for the committee to accept this resignation with a voice vote taken the ayes carried with one nay from Commissioner Page. The resignation was accepted and Commissioner Barner was relieved of his duties on the Personnel Committee.

Commissioner Stewart made a motion to adjourn and Commissioner Vincent placed a second. A voice vote was taken, the ayes carried, and the Weakley County Legislative Body stood adjourned at 6:12 p.m.

ATTEST:

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Pat Scarbrough, Clerk