

RESOLUTION NO. 2002-19

TO REAPPORTION DISTRICTS FOR THE ELECTION OF THE
WEAKLEY COUNTY HIGHWAY COMMISSION AND TO URGE THE
GENERAL ASSEMBLY TO ENACT A PRIVATE ACT PROVIDING FOR A
NEWLY CONSTITUTED COUNTY HIGHWAY COMMISSION

WHEREAS, the voting districts for the Board of County Commissioners of Weakley County have been reapportioned following the 2000 Federal Census with the number of districts being reduced from ten (10) to nine (9); and

WHEREAS, members of the Weakley County Highway Commission are elected from zones based on the district boundaries established for Board of County Commissioners and the Board of County Commissioners of Weakley County has determined it to be in the best interest of Weakley County to continue to base zones of representation for the Highway Commission on the districts of the Board of County Commissioners; and

WHEREAS, the present Weakley County Highway Commission is constituted by Private Acts of 1948, Chapter 640, as amended; and

WHEREAS, the Board of County Commissioners of Weakley County has determined it to be in the best interest of Weakley County to amend the Private Acts of Weakley County to provide for the number, election and terms of the members of the Weakley County Highway Commission;

NOW, THEREFORE, BE IT RESOLVED, by a two-thirds (2/3) vote of the county legislative body of Weakley County, Tennessee in Special session on this 23 day of October, 2001, that the members of the General Assembly representing Weakley County are urged to introduce and work for the passage of the private act attached hereto which would amend the current private acts of Weakley County to divide the County into three (3) highway commission zones based upon the county commissioner districts established by resolution of the county legislative body and to provide for one (1) member of the Highway Commission to be elected from each of the three (3) highway zones; and

BE IT FURTHER RESOLVED, that no term of office of an incumbent member of the Weakley County Highway Commission shall be cut short by this resolution or private act; and

BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict with this resolution are hereby repealed; and

BE IT FURTHER RESOLVED, that copies of this resolution be mailed by the County Clerk to the members of the General Assembly representing Weakley County.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following
Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:



SPONSORED BY:



ACKNOWLEDGED AND APPROVED:

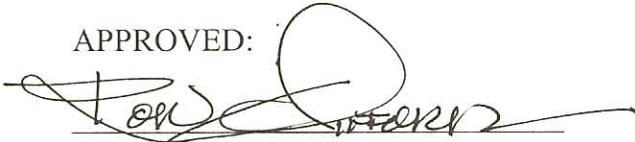

Chairman, Rules Committee

Motion made by Commissioner Sinclair that the foregoing resolution be adopted:

Motion seconded by Commissioner Castleman.

Upon being put to a roll call vote, Motion Carried by a vote of 20 Yeas, 0 Nays,
0 Passed and 0 Absent.

APPROVED:



Ron Gifford, County Executive

ATTESTED:



Pat Scarborough, County Clerk

This the 23rd Day of October, 2001,

AN ACT to amend Chapter 640 of the Private Acts of 1949, as amended by Chapter 546 of the Private Acts of 1951, Chapters 239 and 363 of the Private Acts of 1953, Chapter 250 of the Private Acts of 1953, Chapter 106 of the Private Acts of 1957, Chapters 14 and 73 of the Private Acts of 1965, Chapters 121 and 444 of the Private Acts of 1967, Chapters 23 and 24 of the Private Acts of 1971, Chapter 176 of the Private Acts of 1978, Chapter 60 of the Private Acts of 1979, Chapter 196 of the Private Acts of 1982, Chapter 33 of the Private Acts of 1995, and all other acts amendatory thereto, relative to the membership of the Weakley County Highway Commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 1 of Chapter 640 of the Private Acts of 1949, as amended by Chapter 379 of the Private Acts of 1972, Chapter 176 of the Private Acts of 1978, Chapter 60 of the Private Acts of 1979 and Chapter 196 of the Private Acts of 1982, is amended by deleting the section in its entirety and substituting instead the following language:

Section 1. There is hereby created and established a County Highway Commission for Weakley County for the purpose of establishing and maintaining a system of public roads. The Weakley County Highway Commission shall be composed of three (3) members. Each member shall be elected by the qualified voters from a zone or district comprising three (3) County Commissioner Districts so long as Weakley County elects members of the Board of County Commissioners from nine (9) districts. The County Commissioner Districts shall be grouped into Highway Commissioner zones as follows:

Zone No. 1 shall be comprised of County Commissioner District Nos. 1, 8, and 9.

Zone No. 2 shall be comprised of County Commissioner District Nos. 2, 3, and 4.

Zone No. 3 shall be comprised of County Commissioner District Nos. 5, 6, and 7.

The members of the Weakley County Highway Commission shall be elected to staggered terms in the following manner:

Zone No. 1: One member shall be elected in the August 2004 General Election for a term of six (6) years. Gerry Mansfield shall serve as a member of the Weakley County Highway Commission representing Zone 1 from September 1, 2002 until August 31, 2004, or until such time as a successor is duly elected and qualified.

Zone No. 2: One member shall be elected in the August 2002 General Election for a term of six (6) years. The member(s) of the Weakley County Highway Commission representing the territory comprising Zone 2 at the time this Act is approved shall continue to serve until August 31, 2002, or until such time as a successor is duly elected and qualified.

Zone No. 3: One member shall be elected in the August 2006 General Election for a term of six (6) years. David Bell shall serve as a member of the Weakley County Highway Commission representing Zone 3 until August 31, 2006, or until such time as a successor is duly elected and qualified.

After the expiration of the first six (6) year term delineated above and every six years thereafter, each member shall be elected in the August General Election of the appropriate year to a term of six (6) years. Each member of the Weakley County Highway Commission shall hold office until his or her successor is elected and qualified. No more than one Highway Commissioner shall be elected for any one zone by the qualified voters of said zone, and the Highway Commissioner shall be a resident of the zone from which he or she is elected. Each Highway Commissioner shall execute bond in the amount of Five Hundred Dollars (\$ 500.00) for faithful performance of the commissioner's duties under this act. In the event that Weakley County establishes County Commissioner Districts in a number greater or lesser than nine (9), then the Weakley County Board of County Commissioners shall establish boundaries for the three (3) Weakley County Highway Commissioner zones.

SECTION 2. Section 4 of Chapter 640 of the Private Acts of 1949, as amended by Chapter 363 of the Private Acts of 1953, Chapter 121 of the Private Acts of 1967-68, and Chapter 60 of the Private acts of 1979, is amended by deleting the language:

“Three members of said Commission shall constitute a quorum.”

and substituting instead the following language:

“Two members of said Commission shall constitute a quorum.”

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Weakley County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body of Weakley County and certified to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

PETITION

TO THE HONORABLE ROY B. HERRON AND MARK MADDOX:

We the undersigned County Commissioners, hereby request you to propose legislation repealing Private Acts of 1949, Chapter 640 as amended in the 102nd General Assembly.

<u>Mac Buckley</u>	<u>Roy Andrew</u>
<u>Bill In</u>	<u>Wendell Verdell</u>
<u>Richie</u>	<u>Steph</u>
<u>John</u>	<u>Johnny Jones</u>
<u>David Pool</u>	<u>Ben</u>
<u>Scholar</u>	<u>Earl</u>
<u>Johnny Hunt</u>	<u>Roy</u>
<u>Kevin McKin</u>	<u>George</u>
<u>Bennie N. Castman</u>	
<u>Bob</u>	
<u>Pat</u>	
<u>Jim</u>	

Dated this 23rd day of October, 2001.

Pat Scarborough
Pat Scarborough,
Weakley County Clerk

Ron Gifford
Ron Gifford,
Weakley County Executive