

AGENDA
WEAKLEY COUNTY COMMISSION MEETING
SEPTEMBER 16, 2002

CALL TO ORDER - 7:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES OF JULY 29, 2002 AND RE-CONVENED AUGUST 19, 2002 MEETINGS

SPECIAL RECOGNITION:

ELECTIONS:

ELECTION OF CHAIRMAN

ELECTION OF CHAIRMAN PRO TEMPORE

RULES COMMITTEE REPORT - JIMMY WESTBROOK, CHAIRMAN

ELECTION OF COMMITTEES AND OFFICERS

REPORTS:

Trustee's Report

General Fund Report

Highway Dept. Report

School Dept. Report

Solid Waste Report

Annual Financial Reports of Fee Offices

County Public Officials and Constables Bonds

Finance, Ways, and Means Committee Report -

Financial Management Report -

Health, Education and Welfare Report -

Personnel Committee Report -

Public Safety Committee Report -

Public Works Committee Report -

Nursing Home Committee Report -

Agricultural Extension Service Report - Jeff Lannom, Extension Agent and Leader

UNFINISHED BUSINESS:

NEW BUSINESS:

Resolution No. 2003-06 - Rules Regulating the Procedures of the County Commission

Resolution No. 2003-07 - General Purpose School Resolution

Resolution No. 2003-08 - Resolution to Approve Execution and Delivery of One or More Loan Agreements for the Purpose of Providing Funds for Financing Certain Public Work Projects, Consisting of Schools, for Weakley County, Tennessee.

Miscellaneous announcements and statements

Election of Notaries Public

ADJOURNMENT

WEAKLEY COUNTY LEGISLATIVE BODY MEETING

SEPTEMBER 16, 2002

The Weakley County Legislative Body met on September 16, 2002 at 7:00 p.m. in the County Commission Room at the Weakley County Courthouse. County Executive Ron Gifford called the Meeting to order and Commissioner Sinclair gave the invocation. All members present gave the pledge to the Flag.

County Clerk Pat Scarbrough called the roll with 18 members present and none was absent.

County Executive Gifford asked if there were any additions or corrections to the minutes for the July 29, 2002 and the Reconvened August 19, 2002 minutes. Commissioner Buckley made a motion to approve these minutes and Commissioner Jones placed the second. A voice vote was taken with the ayes carrying and none opposed. The minutes for the July 29, 2002 and the reconvened August 19, 2002 minutes were approved.

SPECIAL RECOGNITION:

County Executive Gifford recognized the former Register of Deeds, Mr. Houston Patrick. Mr. Patrick addressed the Commission and expressed his gratitude to the County and its people for receiving him and his family and taking care of them so well. Mr. Patrick thanked each of the commission members, and for those that are no longer present, for their help, patience, and prayers. He encouraged the commission to keep up the good work and be sensitive to the needs of the people.

ELECTIONS:

The first item on the agenda was the election of the Chairman of the County Commission, since County Executive Gifford serves as Chairman and County Executive, the nominations for The Chairman were turned over to the Chairman Pro Tempore, Buckley. Chairman Pro Tempore, Buckley opened the floor for nominations for Chairman of the Commission, Commissioner Salmon nominated Ron Gifford, and Commissioner Baltz placed a second to the motion, there being no other nominations placed on the floor, a motion and a second was made to accept by acclamation the nomination. A voice vote was taken and the ayes carried with none opposed. County Executive Gifford was elected Chairman of the Weakley County Legislative Body. County Executive Gifford assumed the Chair.

Next on the agenda was the election of Chairman Pro Tempore. The Floor was opened for nominations and Commissioner Stewart nominated Commissioner Buckley, Commissioner Sinclair placed the second. Commissioner Wright placed a motion to accept, by acclamation, Commissioner Buckley as Chairman Pro Tempore, and Commissioner Salmon placed a second. A voice vote was taken with the ayes carrying and none was opposed. Commission Buckley was elected Chairman Pro Tempore.

The next item on the agenda was a Rules Committee Report from Commissioner Westbrook. Commissioner Westbrook made a motion for the immediate consideration of **Resolution No. 2003-06**: (A Resolution to Adopt Rules Regulating the Procedures of the Board of County Commissioners of Weakley County, Tennessee) Commissioner Owen placed a second to the motion. Discussion was called and Commissioner Westbrook made some changes to Rule 3, item 5, this is a rules committee amendment on line 2 after business to put a period and strike the rest of the sentence. Rule 7, item E, error in fifth line TCA Code 58-3-111 instead of 58-3-109. Rule 15, last sentence (Except for

opinions pertaining to matters under current litigation, add after current (or threatened litigation). Commissioner Phebus questioned who would make the determination of when it was threatened. Commissioner Westbrook stated that the County Attorney would make this determination. Commissioner Westbrook recommended and put on record that any business transacted by any new county commissioners becomes effective under the provision of these rules. Discussion was called and Commissioner Salmon proposed a change to the rules and made a motion to amend Resolution No. 2003-06, due to the reapportionment of the County, that there be a member of each district to serve on each committee. Commissioner Salmon read a proposal that is in effect in Benton County and he further stated that Weakley County was the only County that CTAS could identify that has the rules committee selecting and nominating committee members. Commissioner Salmon went on to talk about equal representation on the committee and money saved. Commissioner Baltz placed a second to the amendment and discussion was called. Commissioner Westbrook commented on how the County would save money with six committees and nine members versus six committees with six members. Commissioner Salmon stated that the committees would only meet every other month instead of monthly. Commissioner Westbrook stated that not all committees were meeting monthly, and that most met only when there was business to conduct. Commissioner Owen commented on the problem of having a quorum at each meeting. Commissioner Stewart commented that the person with the most expertise be on the committee where they are needed the most. Discussion from Commissioner Baltz, Westbrook and Phebus on committee standing and representation, cost and authority to appoint committees were discussed. Question was called and the County Clerk, Pat Scarbrough took a roll call vote, with 5 yeas, 12 nays and one pass the motion failed to amend Resolution 2003-06. County Executive Gifford stated that the commission was back to the original motion. There being no further discussion, the question was called with the County Clerk calling the roll with 18 yeas, and none opposed, the motion carried.

The next item on the agenda was the Election of Committees and Officers. Commissioner Stewart made a motion and Commissioner Jones placed the second. Discussion was called and it was noted that officers had not been appointed, just appointments to the committees. The question was called. County Clerk Scarbrough called the roll with 18 yeas and none opposed, the motion carried.

REPORTS:

The Trustee's Report, General Fund Report, Highway Department Report, School Department and the Solid Waste Report were included in the packet distributed to each of the Commissioners.

The County Public Officials and Constables Bonds were enclosed and it was noted that the number on the bond issue for Pam Belew had not been included but her bond has been filed. The Chair called for a motion to approve receipt of the bonds. Commissioner Hunt made the motion and Commissioner Wright placed the second. Discussion was called and Commissioner Westbrook questioned if the Constable bonds were also being included, County Executive Gifford stated that two Constables had not turned in their bonds. Commissioner Westbrook questioned if these two Constables had been notified that they could not make any arrest or serve any papers, until their bond had been filed. County Executive Gifford stated that an effort had been made for these two individuals to comply. Question was called and a roll call vote was taken by the County Clerk with 18 yeas and none was opposed. Receipt of the Bonds were approved.

The Annual Financial Reports of the Fee Offices were also included in the packets. The Chair called for any standing committee reports. The Nursing

Home Report was called for, and David McBride stated that each member had a copy of the Nursing Home Report. The Agricultural Extension Service Report was also mailed by direct mail to the Commissioners. Mr. Jeff Lannom, Extension Agent and Leader made comment to the new commissioners, that they would receive this packet Bi-monthly and explained what would be included in these reports. Commissioner Sinclair complimented Mr. Lannom and his office on providing the Commission with a very informative report. There being no other discussion the Chair entertained a motion to acknowledge receipt of the reports. Commissioner Phebus made the motion and Commissioner Hunt placed the second. Discussion was called and there being none the question was called. The County Clerk called the roll with 18 ayes and none was opposed. The motion carried.

UNFINISHED BUSINESS:

The Chair called for any unfinished business. There being none the Chair moved to the next item on the agenda.

NEW BUSINESS:

The first item had already been dealt with concerning the rules and regulating procedure.

RESOLUTION NO. 2003-07: General Purpose School Resolution.

The Committee Report from Health, Education and Welfare was given by Commissioner Westbrook, and he stated that this resolution passed his committee unanimously. Finance Ways and Means Chairman, Commissioner Phebus, stated that this also passed his committee unanimously. Motion was made by Commissioner Owen to place this resolution on the floor and a second was placed by Commissioner Stewart. Discussion was called and the Question. County Clerk Scarbrough called the roll with 18 ayes and none was opposed. The motion carried.

RESOLUTION NO. 2003-08: Resolution to Approve Execution and Delivery of One or More Loan Agreements for the Purpose of Providing Funds for Financing Certain Public Work Projects, Consisting of Schools, for Weakley County, Tennessee.

The Health, Education and Welfare Report was given by Commissioner Westbrook and he stated the Resolution passed this committee. Commissioner Phebus gave the Finance Ways and Means Report and he stated that they passed this resolution onto the County Commission. A motion was made by Commissioner Stewart to place on the floor and Commissioner Page placed the second. Discussion was called and Commissioner Rook questioned the amount the County owes at this time. County Executive Gifford stated that we have a debt of 32 million and this resolution would place the debt at 43 million. Commissioner Rook questioned what our rating is now and what it would be. County Executive Gifford stated that we are currently AA and this would not change. Commissioner Salmon commented that this would put the debt at the highest of any County of the same size in the State. County Executive Gifford stated that this was correct. Commissioner Salmon questioned how much of this would be sports related? County Executive Gifford called upon the Health, Education, and Welfare Chairman, or the Superintendent, Richard Barber to answer this question. Commissioner Westbrook yielded to Commissioner Buckley, Vice Chairman of H.E.W. Commissioner Buckley stated that he did not have the exact figures before him but it included two field houses in the request. Superintendent Barber stated that the gym was not broken down, because there is more than one purpose for the gym. Superintendent Barber stated that this was part of the original plans and this plan had not been priced without the gym.

Commissioner Salmon noted on the first page of the plan inconsistencies in the Field House for Greenfield and Gleason for cost per square foot. Commissioner Stewart commented that these plans were put out for bid and that these are projected cost estimates and that the cost might not be as much as quoted. Commissioner Phebus, Chairman of the Finance Committee, stated the bond issue called for \$10,900,000 payable over a period of twenty years at approximately \$600,000 to \$650,000 per year depending upon the interest rate, which is variable. Commissioner Phebus went on to say this would be in the neighborhood of twenty to twenty-three cents on the tax rate and this would not be in this year's budget, since the tax rate has already been set. Commissioner Phebus stated there is a possibility that there might not be an increase next year due to fund balance in the debt service funds that could be utilized for this purpose. Commissioner Phebus clarified that sooner or later it would cost twenty to twenty-three cents on the tax rate to fund this resolution. Commissioner Buckley stated that the Commission consider what is best for the boys and girls of this county. There is growing enrollment in some schools and the boys and girls are entitled to the same type of educational facilities that they are in other towns. Commissioner Stewart questioned the debt service fund balance we have, compared to other counties in the State on our tax rate. County Executive Gifford addressed these comments. Commissioner Rook commented on last additions and tax increase that was done for the schools, he stated that it was his understanding that this was a twenty-year plan. He commented that he was in favor of the upgrades needed for some of the schools

Commissioner Westbrook agreed that there were some things that needed to be done. Commissioner Westbrook made a motion to amend the resolution and reduce it back to \$10,400,000, (there was \$715,306 of contingencies in this budget that were included in the 10.9 million proposal) with the provision that if we have a savings. i.e., the school board, Cary Henson Construction and Scott Fleming Architects can save some money, and do not use all the contingencies, that we do the projects that was added on tonight, if there is not a savings, then these projects will not be done. Commissioner McAlpin placed a second to the motion. Discussion was called and the question. County Clerk Scarbrough called the roll with 15 yeas and three nays. The motion to amend carried.

The commission was back to the original motion as amended. Discussion was called and the question. County Executive Gifford vacated the chair to address the Commission and Commissioner Buckley, Chairman Pro Tempore assumed the Chair. County Executive Gifford spoke briefly on the issue and commented upon the need for improvements at Sharon, Greenfield and Gleason. He further stated that spending \$1,600,000 on Dresden Elementary to add classrooms in order to close a good facility, he felt was unnecessary because there has not been an effort by the School Board to adjust bus routes. County Executive Gifford went on record in opposition of this resolution.

Chairman Pro Tempore, Buckley called for the question. County Clerk Scarbrough called the roll with 11 yeas and 7 nays, the motion carried. The Chairman, County Executive Gifford assumed the Chair.

County Executive Gifford called for any other new business. Commissioner McAlpin made a motion to suspend the rules and move the November 18 Meeting to November 25. Commissioner Westbrook placed the second. Discussion was called and the question. County Clerk Scarbrough called the roll with 18 yeas and none opposed. The motion to suspend the rules carried. The motion to change the date was taken by a voice vote with the ayes carrying and none opposed, the next Commission meeting will be held on November 25, 2002 at 6:00 p.m.

Commissioner Rook questioned seeing an advertisement for a surplus property sale. Commissioner Westbrook stated that this property belongs to the School

Board. County Executive Gifford questioned if the School Board voted to sell the surplus property. Superintendent Barber stated that he was not aware of the school board having a deed to this property. County Executive Gifford recommended that the County Commission vote on the sell of this surplus property. Commissioner Barner stated opposition to a buyer fee on this sell. Commissioner Westbrook made a motion, upon a recommendation from the Financial Management Committee, to authorize the Finance Office to proceed with the sell of this surplus property. Commissioner Sinclair placed the second. Discussion was called and Commissioner Barner questioned who put this property out for bid. County Executive Gifford stated proposals were taken by the Finance Office and advertised publicly. Commissioner McAlpin questioned if the Financial Management Committee recommended that the proceeds go to the school board. Commissioner Westbrook and Finance Directory Francisco stated that this was how it was put in the budget. Question was called and the County Clerk called the roll with 18 yeas and none opposed. The motion carried. The Surplus Sale will proceed on September 21, 2002 at 2:00 p.m. at the Weakley County Highway Department location.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:

Commissioner Salmon announced the TCCA meeting to be held Tuesday, September 24, 2002 at 6:30 p.m. The County Executive Gifford requested that the County Clerk call the roll to have the number of commissioners attending. County Clerk Scarbrough called the roll with 16 yeas and 2 nays in attendance.

Mr. Paul Adams requested permission to address the Commission. He spoke in opposition of the Prison and presented a petition with 666 names that are in opposition of the Prison being located in Weakley County. He requested that their voice be heard and addressed this County to pass a resolution to put this question on the ballot for the people to vote on.

Commissioner Owen requested the status on the Prison issue. County Executive Gifford stated that there are two hurdles, the Correction Oversight Committee of the General Assembly, which is in committee and has been postponed for one month with no action taken at this time. If this passes the committee, it must go through the State Building Commission for analysis of the plans and approval of the site. Commissioner Baltz questioned if this could be brought to a resolution. Commissioner Westbrook requested that this be addressed to the County Attorney, and if it would be legal to have a referendum on this issue. County Attorney Neese stated he would research this and file an opinion with the County Executive and place this opinion on file with the County Clerk's Office as public information.

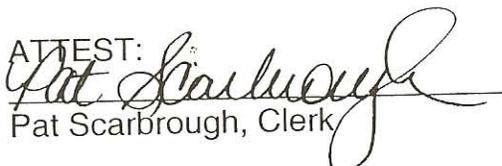
County Executive Gifford stated, for housekeeping purposes, that each Commission member should have received a copy of the Budget and also a letter from Mr. J.C. Carey, Physician Assistant in Gleason.

NOTARY PUBLIC:

Commissioner Wright made a motion to approve the Notary Public List and Commissioner Hunt placed the second. A voice vote was taken with the ayes carrying and none was opposed. The Notary Public List was approved.

Commissioner Stewart made a motion to adjourn and Commissioner Vincent placed the second. A voice vote was taken and the meeting adjourned at 8:30 p.m.

ATTEST:


Pat Scarbrough, Clerk