AGENDA
WEAKLEY COUNTY LEGISLATIVE BODY
REGULAR MEETING - NOVEMBER 20, 1995

CALL TO ORDER
INVOCATION
PLEDGE TO THE FLAG
ROLL CALL
APPROVAL OF MINUTES OF SEPTEMBER 18, 1995 MEETING

REPORTS:
Trustee's Report
General Fund Report
Highway Dept. Report
School Dept. Report
Capital Projects Committee Report - Jimmy Westbrook, Chairman
Finance, Ways and Means Committee - Dick Phebus, Chairman
Financial Management Committee - Dick Tidwell, Chairman
Health, Education and Welfare Committee - Johnny Vincent, Chairman
Legislative Committee - Johnny Vincent, Chairman
Personnel Committee - John Salmon, Chairman
Public Safety Committee- John Salmon, Chairman
Public Works Committee - George Broussard, Chairman
Nursing Home Committee - Vernon Dunn, Chairman; Nina Snyder, Administrator
Beer Board -Jimmy Westbrook, Chairman

UNFINISHED BUSINESS:
NEW BUSINESS:
RESOLUTION NO. 1995-93 - Federal Projects - Preschool Incentive Grant Fund
RESOLUTION NO. 1995-94 - County General Fund - Accounting and Budgeting
RESOLUTION NO. 1995-95 - Resolution to Establish a Beer Board for Weakley County
RESOLUTION NO. 1995-96 - Resolution to Enact the 2000 Ft. Rule for Sale of Beer(Churches)
RESOLUTION NO. 1995-97 - Resolution to Enact the 300 Ft. Rule for Sale of Beer(Residences)
RESOLUTION NO. 1995-98 - County General Fund - Senior Citizens Centers
RESOLUTION NO. 1995-99 - County General Fund - Sheriff's Department
RESOLUTION NO. 1995-100- Resolution to Request Reapportionment
RESOLUTION NO. 1995-101- County General Fund - Old Health Dept. Building
RESOLUTION NO. 1995-102- General Purpose School - Settlement Law Suit with KT
RESOLUTION NO. 1995-103- Resolution re: Olds, Adams, Ramthum Law Suit.
RESOLUTION NO. 1995-104- Lease agreement for copier. (added)

Miscellaneous announcements and statements

Election of Notaries Public

ADJOURN

WEAKLEY COUNTY LEGISLATIVE BODY
REGULAR MEETING NOVEMBER 20, 1995

WEAKLEY COUNTY COMMISSION MEETING : November 20, 1995, 7 P. M. County Executive Ron Gifford called the meeting to order.

INVOCATION: Commissioner David Rook.

PLEDGE TO THE FLAG.

ROLL CALL by the County Clerk, Pat Scarbrough, with all twenty Commissioners present.

APPROVAL OF THE SEPTEMBER 18, 1995 MINUTES: Commissioner Westbrook asked that the September 18, 1995, minutes on Resolution NO. 1995-92 be corrected , and deferred for approval of minutes to next meeting, and a transcript verbatim per tape. Commissioner Westbrook indicated that the minutes not be signed until approved by the County Commissioners and original signature be on minute book. After discussion, Commissioner Westbrook made a motion to defer minutes and seconded by Commissioner Phebus. Voice vote. Aye's carried vote.

REPORTS:

TRUSTEE'S REPORT.
GENERAL FUND REPORT.
HIGHWAY DEPARTMENT REPORTS.
SCHOOL DEPARTMENT REPORTS.

CAPITAL PROJECTS COMMITTEE REPORT:

Commissioner Westbrook, Chairman had no Resolution at this time. Made several comments on the proposal on the new schools. Several Commissioners showed their concerns for the adequate growth of the new schools. Mr. Barber and Mr. Morris made several contents about the schools and the growth of the schools and said they were very much aware of the situation.

FINANCE, WAYS AND MEANS COMMITTEE:

Commissioner Phebus, Chairman made several comments about the school program, and they took the recommendations of the Capital Project Committee, and they wanted to do the right thing for the County.

FINANCIAL MANAGEMENT COMMITTEE:

Commissioner Tidwell, Chairman stated that they had interviewed fifteen applications from Hamilton-Ryker and that they would have recommendations for the next meeting, for Finance Director.

HEALTH EDUCATION AND WELFARE:

Commissioner Vincent, Chairman stated the HEW Committee had met three time and they are trying to comply with the solid waste regulation. Jimmy Freeman has agreed to work with them.

LEGISLATIVE COMMITTEE:

Commissioner Vincent, Chairman stated on down the line there was a Resolution he wanted to talk about.

PERSONNEL COMMITTEE:

Commissioner Salmon, Chairman stated that they had acted on three appeals and salary surveys. Had studied the wage and hour law, and would be putting a hand book together.

PUBLIC SAFETY COMMITTEE:

Commissioner Bucy, Chairman stated they had approved to move some money in the Sheriff's budget for heating and air conditioning in the jail. Will be meeting with consultants in December on the jail. The packet that you have tonight on Resolution 1995-100 is incorrect.

PUBLIC WORK COMMITTEE:

Commissioner Broussard, Chairman stated that all is going well.

NURSING HOME COMMITTEE:

Commissioner Dunn, Chairman stated that each had a copy of the Nursing Home report. Mrs. Snyder, Administration was present. Commissioner Westbrook asked for net income for October. Also ask about figures in brackets. County Executive asked for copies of reports for the Chair, Clerk and County Attorney. Commissioner Stewart asked for total year profit. Mrs. Snyder stated she did not have figures with her.

BEER BOARD:

Commissioner Westbrook, Chairman passed.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

RESOLUTION NO. 1995-93:

Motion made by Commissioner Dunn for approval and discussion, seconded by Commissioner Stewart. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

APPROVAL OF REPORTS:

Motion made by Commissioner Broussard and seconded by Commissioner Tidwell. Upon roll call vote by the County Clerk twenty for and none opposed.

RESOLUTION NO. 1995-94:

Motion made by Commissioner Tidwell for approval and discussion, seconded by Commissioner Phebus. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-95-96-97:

Motion made by Commissioner Vincent to combine Resolutions 95-96-97 and seconded by Commissioner Bates. There was no discussion. Voice note. Aye's carried motion. None opposed.
Motion made by Commissioner Broussard for approval and discussion, seconded by Commissioner Stewart. Commissioner Vincent explained about the Beer Board. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-98:

Motion made by Commissioner Stewart for approval and discussion and seconded by Commissioner Hankins. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-99:

Motion made by Commissioner Simmons for approval and discussion and seconded by Commissioner Buckley. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-100:

Motion made by Commissioner Salmon for approval and discussion and seconded by Commissioner Stewart. Discussion by Commissioner Vincent, about the distance people are having to drive to go vote. Ask the County Attorney to check with the Federal Judge to see what needs to be done to change the reapportionment. Would like for this to be done before the next General Election. Upon roll call vote by the County Clerk, nineteen for and one passed. Motion carried.

RESOLUTION NO: 1995-101:

Motion made by Commissioner Dunn for approval and discussion and seconded by Commissioner Bates. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-102:

Motion made by Commissioner Simmons for approval and discussion and seconded by Commissioner Bucy. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-103:

Motion made by Commissioners Buckley for approval and discussion and seconded by Commissioner Salmon. Commissioner Farmer asked what this is pertaining to. County Attorney, stated that it was an accident that happened in 1992. After discussion it was put to a roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

County Executive called for other new business. School Superintendent Barber stated he had a Resolution, but it did not have a number on it. It was concerning a lease agreement for a copier. After much among the Commissioners, County Executive asked for motion to suspend rules requiring two-thirds vote to get it on the floor for discussion. Motion made by Commissioner Broussard, motion failed . Motion made by Commissioner Vincent to bring to the table for discussion and seconded by Commissioner Buckley. Resolution to be marked 104. After much discussion from Commissioners. Motion made by Commissioner Westbrook to amend section two and seconded by Commissioner Broussard. Motion to amend, calling for striking lease or lease purchase, where ever it is found in the Resolution and to substitute rental, and in section two until June 30, 1996. Upon roll call vote by the County Clerk, twenty for and none opposed. Amendment passes.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS.

Commissioner Westbrook asked to suspend rule of regular meeting on January 15, 1996 to January 23, 1996. Motion made by Commissioner Westbrook and seconded by Commissioner Broussard Upon roll call vote by the County Clerk, twenty for and none opposed. Motion to suspend the rules, passed.

Motion made by Commissioner Westbrook to have regular meeting January 23, 1996 at 5 P. M. and seconded by Commissioner Broussard. Upon roll call vote by the County Clerk, twenty for and none opposed. Regular meeting altered.

ELECTION OF NOTARIES PUBLIC.

Motion made by Commissioner Wright and seconded by Commissioner Buckley. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

Capital Projects meeting November 29, 1995 at 3 P. M.

Commissioner Vincent asked the County Commission to give the County Attorney permission to settle the law suit with the County Commission, School Board and Scott Leo over the sunshine law. Need to be done before January 1st. Motion made by Commissioner Vincent to give the County Attorney the authority to negotiate and settle the sunshine suit. Seconded by Commissioner Sinclair. Upon roll call vote by the County Clerk, nineteen for. Motion carried.

HEW , Capital Projects, School Board and Finance Ways and Means meeting at 3 P. M. November 29, 1995

Motion made by Commissioner Stewart and seconded by Commissioner Sinclair for adjournment of meeting.

ATTEST: APPROVED:

PAT SCARBROUGH, COUNTY CLERK RON GIFFORD, COUNTY EXECUTIVE

This the 20th day of November, 1995.

WEAKLEY COUNTY LEGISLATIVE BODY
REGULAR MEETING NOVEMBER 20, 1995

WEAKLEY COUNTY COMMISSION MEETING : November 20, 1995, 7 P. M. County Executive Ron Gifford called the meeting to order.

INVOCATION: Commissioner David Rook.

PLEDGE TO THE FLAG.

ROLL CALL by the County Clerk, Pat Scarbrough, with all twenty Commissioners present.

APPROVAL OF THE SEPTEMBER 18, 1995 MINUTES: Commissioner Westbrook asked that the September 18, 1995, minutes on Resolution NO. 1995-92 be corrected , and deferred for approval of minutes to next meeting, and a transcript verbatim per tape. Commissioner Westbrook indicated that the minutes not be signed until approved by the County Commissioners and original signature be on minute book. After discussion, Commissioner Westbrook made a motion to defer minutes and seconded by Commissioner Phebus. Voice vote. Aye's carried vote.

RESOLUTION 1995-92 VERBATIM:

County Executive asked Commissioner Phebus for extra copies of Resolution. County Executive said to amend rules regularly the procedure of Court of Commissioners of Weakley County and after that time, we can deal with nomination. This rule book on regulated procedure is what we are amending. Motion by Commissioner Westbrook to adopt Resolution 1995-92, seconded by Commissioners Broussard. Mr. Westbrook made motion. County Executive asked if any discussion on Resolution 1995-92. Commissioner Bucy stated that he thought there should be a little discussion on and that he could not speak for the Public Safety Committee, and speaking as an individual. There are some laws that concerning the one year appointment. Would like to hear some discussion from the Committees on Committees or who ever brought this forward to see what generally speaking Judge Roberts rules and research are. This is a subject County Executive said I have asked the County Attorney to look into this and I have looked into the code myself. At this time it would be helpful to get some feed back as to what we can to by Tennessee Code of annotated and clarify and none at all your Commissioner Bucy concern to the Civil Defense primarily. This particular Resolution set the term of one year what are the other options? At this time we will let Commissioner Westbrook. Commissioner Westbrook, the other options are. This came to me by the Legislative Committee, this it was and over sight. In my opinion. The rules were originally adopted. That appointment can not be go beyond the appointment term of County Commission. The position can be one year, two years or anything up to the term of 1998. That are the options of the job are. Does that answer your question. County Executive, I think the Committee is trying to correct something that happened in the past that I know of that a retirement case came before the Commission in the past where the retirement situation and needed to hire someone. So I guess it is a good time to deal with it now, one thing we want to confirm and establish with that office and I assume that was the Committee's intentions. Commissioner Westbrook, the Committee recommended Resolution 1992-92 one year term to be reappointed in September, but that has passed, I don't know but nothing is illegal or unethical for not having, it anytime, only difference we got is August 31, 1998, anytime in between . County Executive, yes Mr. Stewart. Mr. Chairman I think -------the statement made by Commissioner Stewart was not clear on tape. Could not be written verbatim. Our recommendations excuse me. Yes, Mr. Vincent, our recommendation from the Legislative Committee was to turn it over the Committees on Committees and Committees on Committees recommend every September that these Committees be recommended. We are doing the right thing and we over looked and neglected and that all we are doing and any way the Committees wants to do it to the pleasure of the Court. That was the way they did it, because it was done every September to recommend committee and that was part of the recommendation. Yes Mr. Phebus, on Mr. Stewart's comments -----the staement made by Commissioner Phebus was not clear on tape. Could not be written verbatim.
The Chair has a question. The term of appointment is used and has been used, assume and correct me if I am wrong, the appointment from the Commissions point of view means an election by majority of the membership or how does the Commission does apply. Commissioner Westbrook, Committee is going to make a recommendation in a few minutes, I hope to fill this position, and that any Commissioner made any additional recommendation, recommendation and we will vote on them as described in our rules. Has to be eleven votes to be elected. County Executive, has to be simple majority of the Court. County Executive, so appointment here will be election by full Commission --Clerk and that is what is appointed and the wording of that Resolution.

mmissioner Westbrook, that is the way I understand it. Question called for by Commissioner hebus. Clerk called the rolled. All twenty voting for.

EPORTS:

RUSTEE'S REPORT.
ENERAL FUND REPORT.
IGHWAY DEPARTMENT REPORTS.
CHOOL DEPARTMENT REPORTS.

APITAL PROJECTS COMMITTEE REPORT:

ommissioner Westbrook, Chairman had no Resolution at this time. Made several comments on he proposal on the new schools. Several Commissioners showed their concerns for the adequate rowth of the new schools. Mr. Barber and Mr. Morris made several contents about the schools nd the growth of the schools and said they were very much aware of the situation.

INANCE, WAYS AND MEANS COMMITTEE:

ommissioner Phebus, Chairman made several comments about the school program, and they took he recommendations of the Capital Project Committee, and they wanted to do the right thing for the County.

FINANCIAL MANAGEMENT COMMITTEE:

Commissioner Tidwell, Chairman stated that they had interviewed fifteen applications from Hamilton-Ryker and that they would have recommendations for the next meeting, for Finance Director.

HEALTH EDUCATION AND WELFARE:

Commissioner Vincent, Chairman stated the HEW Committee had met three time and they are trying to comply with the solid waste regulation. Jimmy Freeman has agreed to work with them.

LEGISLATIVE COMMITTEE:

Commissioner Vincent, Chairman stated on down the line there was a Resolution he wanted to talk about.

PERSONNEL COMMITTEE:

Commissioner Salmon, Chairman stated that they had acted on three appeals and salary surveys. Had studied the wage and hour law, and would be putting a hand book together.

PUBLIC SAFETY COMMITTEE:

Commissioner Bucy, Chairman stated they had approved to move some money in the Sheriff's budget for heating and air conditioning in the jail. Will be meeting with consultants in December on the jail. The packet that you have tonight on Resolution 1995-100 is incorrect.

PUBLIC WORK COMMITTEE:

Commissioner Broussard, Chairman stated that all is going well.

NURSING HOME COMMITTEE:

Commissioner Dunn, Chairman stated that each had a copy of the Nursing Home report. Mrs. Snyder, Administration was present. Commissioner Westbrook asked for net income for October. Also ask about figures in brackets. County Executive asked for copies of reports for the Chair, Clerk and County Attorney. Commissioner Stewart asked for total year profit. Mrs. Snyder stated she did not have figures with her.

BEER BOARD:

Commissioner Westbrook, Chairman passed.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

RESOLUTION NO. 1995-93:

Motion made by Commissioner Dunn for approval and discussion, seconded by Commissioner Stewart. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

APPROVAL OF REPORTS:

Motion made by Commissioner Broussard and seconded by Commissioner Tidwell. Upon roll call vote by the County Clerk twenty for and none opposed.

RESOLUTION NO. 1995-94:

Motion made by Commissioner Tidwell for approval and discussion, seconded by Commissioner Phebus. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-95-96-97:

Motion made by Commissioner Vincent to combine Resolutions 95-96-97 and seconded by Commissioner Bates. There was no discussion. Voice note. Aye's carried motion. None opposed. Motion made by Commissioner Broussard for approval and discussion, seconded by Commissioner Stewart. Commissioner Vincent explained about the Beer Board. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-98:

Motion made by Commissioner Stewart for approval and discussion and seconded by Commissioner Hankins. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-99:

Motion made by Commissioner Simmons for approval and discussion and seconded by Commissioner Buckley. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-100:

Motion made by Commissioner Salmon for approval and discussion and seconded by Commissioner Stewart. Discussion by Commissioner Vincent, about the distance people are having to drive to go vote. Ask the County Attorney to check with the Federal Judge to see what needs to be done to change the reapportionment. Would like for this to be done before the next General Election. Upon roll call vote by the County Clerk, nineteen for and one passed. Motion carried.

RESOLUTION NO: 1995-101:

Motion made by Commissioner Dunn for approval and discussion and seconded by Commissioner Bates. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-102:

Motion made by Commissioner Simmons for approval and discussion and seconded by Commissioner Bucy. There was no discussion. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

RESOLUTION NO: 1995-103:

Motion made by Commissioners Buckley for approval and discussion and seconded by Commissioner Salmon. Commissioner Farmer asked what this is pertaining to. County Attorney, stated that it was an accident that happened in 1992. After discussion it was put to a roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

County Executive called for other new business. School Superintendent Barber stated he had a Resolution, but it did not have a number on it. It was concerning a lease agreement for a copier. After much among the Commissioners, County Executive asked for motion to suspend rules requiring two-thirds vote to get it on the floor for discussion. Motion made by Commissioner Broussard, motion failed . Motion made by Commissioner Vincent to bring to the table for discussion and seconded by Commissioner Buckley. Resolution to be marked 104. After much discussion from Commissioners. Motion made by Commissioner Westbrook to amend section two and seconded by Commissioner Broussard. Motion to amend, calling for striking lease or lease purchase, where ever it is found in the Resolution and to substitute rental, and in section two until June 30, 1996. Upon roll call vote by the County Clerk, twenty for and none opposed. Amendment passes.

MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS.

Commissioner Westbrook asked to suspend rule of regular meeting on January 15, 1996 to January 23, 1996. Motion made by Commissioner Westbrook and seconded by Commissioner Broussard Upon roll call vote by the County Clerk, twenty for and none opposed. Motion to suspend the rules, passed.
Motion made by Commissioner Westbrook to have regular meeting January 23, 1996 at 5 P. M. and seconded by Commissioner Broussard. Upon roll call vote by the County Clerk, twenty for and none opposed. Regular meeting altered.

ELECTION OF NOTARIES PUBLIC.

Motion made by Commissioner Wright and seconded by Commissioner Buckley. Upon roll call vote by the County Clerk, twenty for and none opposed. Motion carried.

Capital Projects meeting November 29, 1995 at 3 P. M.

Commissioner Vincent asked the County Commission to give the County Attorney permission to settle the law suit with the County Commission, School Board and Scott Leo over the sunshine law. Need to be done before January 1st. Motion made by Commissioner Vincent to give the County Attorney the authority to negotiate and settle the sunshine suit. Seconded by Commissioner Sinclair. Upon roll call vote by the County Clerk, nineteen for. Motion carried.

HEW , Capital Projects, School Board and Finance Ways and Means meeting at 3 P. M. November 29, 1995

Motion made by Commissioner Stewart and seconded by Commissioner Sinclair for adjournment of meeting.

ATTEST: APPROVED:

PAT SCARBROUGH, COUNTY CLERK RON GIFFORD, COUNTY EXECUTIVE

This the 20th day of November, 1995.