

AGENDA
RECONVENED MAY 17, 2004 REGULAR MEETING
WEAKLEY COUNTY LEGISLATIVE BODY
JUNE 1, 2004

CALL TO ORDER - 7:30 a.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

Election of Notaries Public

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

Appointment of Director of Emergency Management and Safety Director for Weakley County

ADJOURN

WEAKLEY COUNTY LEGISLATIVE BODY
RECONVENED MEETING OF THE MAY 17, 2004 REGULAR MEETING
JUNE 1, 2004

The Weakley County Legislative Body met on June 1, 2004, at 7:30 a.m. in the County Commission Room at the Weakley County Courthouse.

County Mayor, Ron Gifford called the reconvened meeting to order.

Commissioner Wright gave the invocation.

All members present gave the Pledge to the Flag.

County Clerk, Pat Scarbrough called the roll with 17 members present, and one member, Roger Stewart was absent.

ELECTION OF NOTARIES PUBLIC:

The first item on the agenda was a continuation from the recessed meeting of May 17, 2004.

County Mayor Gifford called for a motion to approve the Notary Public List. Commissioner Baltz made the motion and Commissioner Wright placed a second. A voice vote was taken and the ayes carried and none was opposed, the Notary Public List was approved.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:

County Mayor Gifford called for a Motion to suspend the Rules to deal with the Emergency Management Director vacancy. To follow proper parliamentary procedure we have to suspend the rules to go back on the Agenda.

Commissioner Baltz made a motion to suspend the Rules and Commissioner Wright placed a second. A voice vote was called for and the ayes carried, with none opposed. The Rules were suspended.

The Commission is now in Elections, Appointments and Confirmations on the Agenda.

County Mayor Gifford had before each of the County Commissioners a Letter of Appointment for the Director of Emergency Management and Safety Director and County Mayor Gifford placed Steven Deason on the floor for nomination. Mr. Deason is a resident of Dresden, of the Jewel Store Road Community. Mr. Deason was 1970 graduate of Martin High School, he served our Country in the U. S. Navy and after 22 years retired as a Chief Petty Officer and returned to Weakley County to make his home. He has a great deal of training, specifically in emergency services. He is a decorated Vietnam Veteran. County Mayor Gifford asked that the Commission confirm this appointment. County Mayor Gifford called for a motion to confirm.

Commissioner Baltz was recognized and questioned what experience that he had in emergency management. County Mayor Gifford commented that Mr. Deason attended sessions in fire fighting school and worked with fire fighting on war ships, while stationed in the Navy. He also has administrative experience and came out of the Navy as a Chief Petty Officer. He also has worked with Finance as well. County Mayor Gifford added that since leaving the Navy, Mr. Deason worked at Hubbell Lighting for ten years in Martin until the factory closed. In addition, County Mayor Gifford commented that Mr. Deason had approached him about Community Service and had volunteered his services for the County. County Mayor Gifford felt that he is a good citizen and very interested in the well

being of this County. County Mayor Gifford felt that upon interviewing Mr. Deason that he is the best candidate for the job, it is not often that you can find a qualified candidate for such a position, locally.

Commissioner Vincent questioned if the County Mayor had looked at the job description. Commissioner Vincent questioned if Mr. Deason fits the qualifications listed in the job description. County Mayor Gifford commented that he felt that Mr. Deason did fit the description and met the qualifications listed. Commissioner Vincent questioned if he had experience in hazardous material, etc. County Mayor Gifford commented that he had experience with this aboard ship.

County Mayor Gifford added that anyone taking this job, just like any of the previous holders of the position, has to learn a great deal, and that's part of the professional responsibility.

County Mayor Gifford commented that technically according to our rules and regulatory procedures, a motion and a second is not required for confirmation. County Mayor had presented an appointment to the Commission and you can vote yes to confirm, and no for non-confirmation.

Commissioner Vincent commented that the Public Safety Committee met last Thursday, May 27, 2004, to review concerns on the position of Emergency Management Director. Commissioner Vincent commented that tonight is the first time that he has seen this gentleman's name and frankly, he has reservations about not knowing anything about Mr. Deason. Commissioner Vincent questioned if County Mayor Gifford did not have Mr. Deason's name on the date of the Public Safety Meeting of last week.

County Mayor Gifford commented that Tennessee Code Annotated says that the commission may discuss a nomination freely, but may not interview the candidate. County Mayor Gifford commented that this is what the law says.

Commissioner Page commented that he did not feel comfortable confirming a nominee, when it is placed before the commission five minutes before the vote. Commissioner Page commented that he had great concerns regarding this.

County Mayor Gifford commented that he understood the Commission's concerns. County Mayor Gifford commented that he had concerns as well, when he received two resignations at the last commission meeting. He felt that it would be humanly impossible to interview diverse candidates for the position and their qualifications in less than a day's time. The fact of the matter is, those resignations were effective at midnight last night. In addition, today, as of this hour, we do not have an emergency management director.

County Mayor Gifford added as a point of information that Weakley County has received more than \$2 million in emergency funds through TEMA, FEMA and now Homeland Security. It would be irresponsible of the county not to have someone in place to look after the best interest of this County. County Mayor Gifford noted that without an emergency manager in place to complete the paper work on these government grants, the money would be lost. This position is designed to help expedite, assist, coordinate and facilitate emergency services for all Weakley County. County Mayor Gifford strongly believes that someone should be in place, and if we do not act, it may border on irresponsibility.

Commissioner Owens questioned before Emergency Management and 911, who was in charge. County Mayor Gifford commented that Civil Defense was originally in place before Emergency Management and Mr. Bill McClain was the original Civil Defense Director.

Commissioner Vincent commented that he agreed with Commissioner Page, and felt that having to vote on a person that the Commission has just met, does not set well with him. Commissioner Vincent went on to say that Mr. Deason might be a great person, but felt that the Public Safety Committee should have been made aware of this nominee at their meeting of last Thursday. This would have given the committee some time to consider the appointment.

Commissioner Barner commented that he was concerned as to why County Mayor Gifford, David McAlpin and Beth Forrester and members of the Public Safety Committee were unable to get together and solve this problem, especially, without their resignations and leaving the County without anything.

Commissioner Westbrook commented that for the record was Mr. Deason being recommended for Safety Director as well. County Mayor Gifford commented in the affirmative.

Commissioner McAlpin questioned where the office would be located. County Mayor Gifford commented that it would be located at the Detention Facility.

Commissioner Page went on record with a question that was blunt. Commissioner Page questioned why a twenty-six year employee had turned in a resignation, effective the 31st day of May 2004. Commissioner Page questioned why we are losing a twenty-six year employee from this area, and today we are faced with making a decision to fill the roll of emergency management director. Commissioner Page wanted the County Mayor to shed some light on this situation.

County Mayor Gifford commented for the record, he received a letter of resignation without any reason given. County Mayor Gifford's commented that his job is to appoint and the commission's job is to confirm the appointment.

County Mayor Gifford called for any other discussion.

Commissioner Vincent questioned what the next step would be if the appointment is voted down.

County Mayor Gifford commented that after checking into the law, he has the authority to appoint someone into the position on an interim basis. This would be effective until the next regular meeting.

Commissioner Baltz made comments about concerns on the time limit and not having any time to think about the appointment.

County Mayor Gifford commented that the law does not provide for the County Commissioners to interview prospective candidates for the post of emergency manager. Again, County Mayor Gifford commented that the County Commission has the right to confirm a nominee's credentials.

County Mayor Gifford called for the confirmation of the well-qualified candidate, Steven Deason. County Mayor Gifford called for any further discussion.

County Clerk Scarbrough called the roll with four ayes, 13 nays and 1 absent. The Confirmation was not made.

Commissioner Baltz questioned if the nominee could be brought back up at the next meeting. County Mayor Gifford answered in the affirmative.

County Mayor Gifford commented that he was disappointed that the Commission did not approve his nominee and hereby appoints Bob Spelling as the interim emergency management director, who is someone qualified and does have past

experience. County Mayor Gifford commented that he expected the full cooperation of all employees and representatives of Weakley County and that they keep the best interest of the public, their well being and welfare in mind for the county.

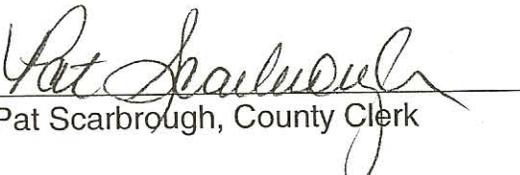
Commissioner Sinclair questioned if Mr. Spellings was agreeable to taking this position, and County Mayor Gifford stated that yes he had agreed to take this position.

County Mayor Gifford called for any other business to come before the Commission.

Commissioner Phebus commented that the Finance Committee and the Budget Committee would be meeting next Thursday, June 10 at 4:30, as well as on June 14, 15, 16, 17, 21, and 22, 2004, and any other dates that are necessary. All members are welcome to attend.

Commissioner Sinclair made a motion to adjourn and Commissioner McAlpin placed a second. A voice vote was taken, the ayes carried, and none was opposed. The Reconvened Session of the Weakley County Legislative Body adjourned at 7:58 a.m.

ATTEST:


Pat Scarbrough, County Clerk