

**AGENDA**  
**REGULAR MEETING OF COUNTY COMMISSION**  
**JUNE 28, 2004**

CALL TO ORDER - 6:00 p.m.

INVOCATION

PLEDGE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES OF MAY 17, 2004 AND JUNE 01, 2004 COUNTY COMMISSION MEETINGS

**SPECIAL RECOGNITION:**

**ELECTIONS, APPOINTMENTS AND CONFIRMATIONS:**

Appointment of Member to the Weakley County Health and Safety Standards Board

Appointment of Emergency Management and Safety Director for Weakley County

Appointment of Member to the WCMES Board from the Greenfield Area

**REPORTS:**

Trustee's Report

General Fund Report

Highway Dept. Report

School Dept. Report

Solid Waste Report

Finance, Ways and Means Committee Report - Dick Phebus, Chairman

Financial Management Committee Report - Roger Stewart, Chairman

Health, Education and Welfare Committee Report - Jimmy Westbrook, Chairman

Personnel Committee Report - John Salmon, Chairman

Public Safety Committee Report - Tommy Hunt, Chairman

Public Works Committee Report - David Rook, Chairman

Nursing Home Committee Report - Mac Buckley, Chairman; David McBride, Administrator

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Resolution No. 2004-34 - Resolution Authorizing Submission of an Application for A Litter and Trash Collecting Grant From the Tennessee Department of Transportation and Authorizing the Acceptance of Said Grant to the Weakley County, Tennessee, Highway Fund for FY Ending 6/30/200

Resolution No. 2004-35 - General Purpose School Resolution

Resolution No. 2004-36 - 2004-2005 FY Tentative Budget for the Weakley County General Fund, Debt Service Fund, Dept. of Education Fund and Solid Waste Fund.

Resolution No. 2004-37 - Resolution Adjusting Revenue in the General Fund

Resolution No. 2004-38 - Resolution Adjusting Revenue in the Solid Waste Fund

Resolution No. 2004-39 - Resolution Adjusting Revenue in the Drug Control Fund

Resolution No. 2004-40 - Resolution Adjusting Revenue in the Highway Dept. Fund

Resolution No. 2004-41 - Resolution Adjusting Revenue in the General Purpose School Fund

Resolution No. 2004-42 - Resolution Adjusting Revenue in the Child Nutrition Fund

Resolution No. 2004-43 - Resolution Adjusting Revenue in the Debt Service Fund

Resolution No. 2004-44 - Resolution to Approve a Drug Free Work Place Substance Abuse Policy for Weakley County.

Resolution No. 2004-45 - Resolution Urging Support of TVA Public School Electricity Credit Program.

## WEAKLEY COUNTY LEGISLATIVE BODY MEETING

JUNE 28, 2004

The Weakley County Legislative Body met in regular session on June 28, 2004 at the Weakley County Courthouse at the Commission Room. County Mayor Ron Gifford called the meeting to order at 6:00 p.m.

Commissioner Phebus 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, Earl Wright absent.

County Mayor Gifford called for any corrections or additions to the May 17, 2004 recessed meeting and the Reconvened June 1, 2004 meeting. There being none, the County Mayor called for a motion to approve. Commissioner Page made a motion and Commissioner Rich placed a second. A voice vote was taken with the ayes carrying, the May 17, 2004 Meeting and the June 1, 2004 Reconvened Meeting were approved.

### **SPECIAL RECOGNITION:**

There was not any special recognition and the County Mayor moved to the next item on the Agenda.

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

The first item was the appointment of a Member to the Weakley County Health and Safety Standards Board. Each member had a letter before them recommending Tommy Guinn for re-appointment on this Board. County Mayor Gifford called for a motion to confirm this appointment, Commissioner Rook made the motion and Commissioner Stewart placed a second. County Clerk Scarbrough called the Roll with 17 ayes and one absent; the appointment to the Board was confirmed.

The next appointment was for the Emergency Management and Safety Director for Weakley County. County Mayor Gifford submitted Mr. Billy Stout of Martin for the appointment and confirmation for the Weakley County Emergency Management and Safety Director. County Mayor Gifford gave a brief summary of Mr. Stout's qualifications. Mr. Stout currently serves as the building codes and safety director for the City of Martin, a position he has had since 1993. Commissioner Phebus made a motion to approve and Commissioner Salmon placed a second. County Mayor Gifford called for the County Clerk to call the Roll. Commissioner Westbrook was recognized, and questioned if this position was advertised. County Mayor Gifford commented that it had not been advertised and that no other appointments are advertised. Commissioner Westbrook commented that he did not have a problem with the appointment not being advertised, but was curious as to why County Mayor Gifford questioned the appointment of the 911 Director, because it had not been advertised. The same would apply to this appointment as well as the others. County Mayor Gifford commented that he was willing to debate this issue. Commissioner Westbrook commented that he did not want to take the time to debate the issue. Commissioner Westbrook questioned what the difference was between promoting someone who has worked for 911 for several years without advertising and appointing three males without advertising. County Mayor Gifford commented that they just happen to be male, just as if some people happened to be female. Commissioner Westbrook commented that neither one of the positions have to be advertised, Commissioner Westbrook wanted to know what

the distinction was between these two appointments and why one should be advertised and the other one not.

County Mayor Gifford pointed out that in 1994 when he came to the Courthouse, not any of the positions were advertised in any of the offices. By consensus, agreement, and cooperation among elected officials, positions are now advertised. Appointments are a little bit different in category than the job market in advertising and interviewing. County Mayor Gifford commented that he could assure the Commission that he had interviewed numerous individuals for this position, and had nominated the most qualified candidate.

Commissioner Westbrook commented that he did not ask for all that, but was asking why the 911 director should be advertised, which is an appointed position, and the other one was not advertised. Commissioner Westbrook commented that he did not have a problem with either or both of them being advertised, he just wanted to know what the difference was between the two positions.

County Gifford commented that they could play this game all night, he commented that he had interviewed numerous candidates for the Emergency Management and Safety Director and he did not think that this was the case with the 911's appointment.

Commissioner Westbrook commented that the 911 Director was an internal appointment, referring to Mrs. Forrester being promoted to the position, having served in that office for several years. The Board appointed Mrs. Forrester for the 911 Board and considered her to be the most qualified candidate for the position.

The Question was called and the County Clerk called the Roll with 16 ayes, one nay and one absent. The appointment was confirmed.

The next item was the Appointment of a Member to the WCMES Board from the Greenfield Area. Commissioner Stewart made a motion to re-appoint Joe Porter and Commissioner Page placed a second. The County Clerk called the Roll with 15 ayes, two nays and one absent. The appointment was confirmed.

The County Mayor moved to the next item on the Agenda.

#### **REPORTS:**

Each of the Commission members received in their packets the Trustee's Report, General Fund Report, the Highway Department Report, the School Department Report and the Solid Waste Report. The County Mayor called for any questions on these reports, there being none; the County Mayor called for any standing committee reports.

The commissioners received a copy of the Nursing Home Report and there were not any questions on this report.

The Chair entertained a motion to accept the reports and Commissioner Buckley made the motion and Commissioner Rook placed a second. The County Clerk called the Roll with 17 ayes and one absent. The reports were accepted.

The County Mayor moved to the next item on the Agenda.

#### **UNFINISHED BUSINESS:**

There was not any unfinished business to come before the Commission and the County Mayor moved to the next item on the Agenda.

**RESOLUTION NO. 2004-34:** Resolution Authorizing Submission of an Application for A Litter and Trash collecting Grant From the Tennessee Department of Transportation and Authorizing the Acceptance of Said Grant to the Weakley County, Tennessee, Highway Fund for FY Ending 6/30/2005.

The Committee Report was called for from the Public Works Chairman, David Rook, and he commented that it passed his committee with four ayes and two members absent. Commissioner Phebus gave the Finance Ways and Means Report and he commented that this resolution passed his committee unanimously. Commissioner Hunt made a motion to place the resolution on the floor and Commissioner Baltz placed a second. Discussion was called and the Question. The County Clerk called the Roll with 17 ayes and one absent, the motion carried.

**RESOLUTION NO. 2004-35:** General Purpose School Resolution.

Commissioner Westbrook gave the Health, Education and Welfare Report and this resolution passed his committee unanimously. Commissioner Phebus gave the Finance Ways and Means Report and it had also passed his committee unanimously. Commissioner Page made a motion to place the Resolution on the floor and Commissioner Hunt placed a second. Discussion was called and Commissioner Vincent was recognized. Commissioner Vincent questioned if this Resolution had been revised in committee and County Mayor clarified that it had been revised and the correct copy should be before the commission. Further discussion was called and the question. County Clerk Scarbrough called the Roll with 17 ayes and one absent. The motion carried.

**RESOLUTION NO. 2004-36:** 2004-2005 FY Tentative Budget for the Weakley County General Fund, Debt Service Fund, Dept. of Education Fund and Solid Waste Fund.

The Committee report from Finance Ways and Means was given by Commissioner Phebus and he commented that this resolution passed his committee unanimously. Commissioner Phebus made a motion to combine Resolution 2004-36, 2004-37, 2004-38, 2004-39, 2004-40, 2004-41, 2004-42, and 2004-43, all these resolution has to do with the budget for the next year and adjusting revenue items in all these funds for the year. Commissioner Phebus made a motion to combine Resolution 2004-36 through Resolution 2004-43. Commissioner Owen placed a second. Discussion was called and a voice vote was taken with ayes carrying and none was opposed.

Commissioner Phebus made a motion to place Resolutions 2004-36 through 2004-43 on the floor for discussion and Commissioner Stewart placed the second. Discussion was called and Commissioner Westbrook was recognized, he commented that in at least three or four of the resolutions that the Trustee's collections in prior years has been grossly overestimated in the Budget. Commissioner Westbrook commented that the Commission should relieve the Trustee of collection of errors, and double assessments. Trustee Donald Doster was not present and if the collections are that much under prior year collections, then Commissioner Barner must be correct in his assessment, that we have real estate that taxes have not been paid. Commissioner Westbrook asked County Attorney Neese if the suits had been filed and he commented that they had been filed. County Mayor Gifford commented that the reason the Trustee, Mr. Doster, was not present, was because he had a Doctor's appointment in Union City at 5:30 p.m. The County Mayor questioned if this could be taken care at the next meeting, and Commissioner Westbrook commented that the commission did not have any choice but to do so at the next scheduled meeting. Commissioner Phebus stated that all these Resolutions passed the Finance Ways and Means

Committee unanimously. The Question was called and the County Clerk called the Roll with 17 ayes and one absent. Resolutions 2004-36 through 2004-43 carried.

**RESOLUTION NO. 2004-44:** Resolution to Approve a Drug Free Work Place Substance Abuse Policy for Weakley County.

Committee Report was called for from Health, Education and Welfare and Commissioner Westbrook commented that it passed this committee unanimously. Commissioner Page made a motion to place the resolution on the floor and Commissioner Hunt placed the second. Discussion was called. Commissioner Salmon commented that on page 10 under uncontrolled substance # 1 – use of any illegal drug, except by Doctor prescription, might need to be reworded. Commissioner Baltz commented that there would be a five percent savings on Workman's Compensation with the enactment of this Resolution, but would the cost to enact this outweigh the savings. Commissioner Westbrook commented that the savings was estimated to be \$10,000 and the cost to implement the program around \$2000.00, with a savings of approximately \$8,000.00. The County Mayor questioned if the contract for screening would go out for bid and Commissioner Westbrook commented that this would be left up to the Director of Finance. There were comments on the new hires and periodic testing of random employee. County Attorney Neese was asked if he had reviewed this policy. Commissioner Phebus moved to defer this Resolution to the next meeting and have the County Attorney to review the policy. Commissioner Sinclair placed a second. A voice vote was taken with the ayes carrying and some were opposed the motion carried to defer until the July 2004 meeting.

**RESOLUTION NO. 2004-45:** Resolution Urging Support of TVA Public School Electricity Credit Program.

Committee Report from Commissioner Westbrook, Health, Education and Welfare Committee passed his committee unanimously. Commissioner Phebus made a motion to place the resolution on the floor and Commissioner Westbrook placed the second. Discussion was called and the question. The County Clerk called the Roll with 17 ayes and one absent the motion carried.

**NEW BUSINESS:**

Commissioner Phebus commented on the Motion to defer action on Resolution 2004-44. Commissioner Phebus commented that the County Attorney not just review the policy but provide any necessary comments that he felt would be helpful. Commissioner Phebus requested that County Attorney Neese provide a copy of these comments to the County Mayor, Chairman of Health, Education and Welfare and to the elected officials. Commissioner Westbrook commented that the policy applies to the School Board also.

Commissioner Barner commented on the delinquent taxes and that Trustee Doster present a list of taxes due. County Mayor commented that these names are printed in the papers. The commission commented that Commissioner Barner had a good point, and that these people should be paying their taxes.

**MISCELLANEOUS ANNOUNCEMENTS AND STATEMENTS:**

County Mayor Gifford commented that the Commission should have received a copy in the mail of the Audit for the past fiscal year.

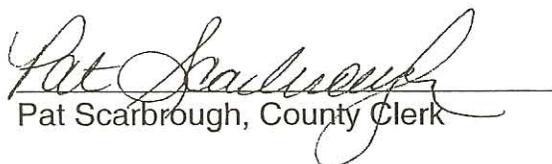
**ELECTION OF NOTARIES PUBLIC:**

Commissioner Rich made a motion to approve the notaries public list and Commissioner Hunt placed a second. A voice vote was taken and the ayes carried with none opposed. The Notaries Public List was approved.

Commissioner Phebus commented that the Budget Committee would be meeting June 29, 30, July 6 and 7 and will have a Budget by the next meeting.

Commissioner Sinclair made a motion to adjourn and Commissioner Hunt placed a second. The County Legislative Body adjourned at 6:32 p.m.

ATTEST:

  
Pat Scarbrough, County Clerk