

MAY 19, 2003

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session, this 19th day of May, 2003, at the Justice Center in Centerville, Tennessee. Steve Gregory, County Executive, and Randel Totty, County Clerk, presided. The following County Commissioners were present: Jim Rice, Mickey Bunn, Charley List, Robert Capps, Nathaniel Bates, Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, Susan Sullivan, Ricky Tidwell, Gerald Rochelle, Ronnie Holt, Charles Booker, Frankye Ward, Steve Hethcote, and Jodi Bates. (21 Present; 0 Absent).

AGENDA

Motion was made by Willie Powers and second by Charley List to approve the following agenda. Motion passed by voice vote.

HICKMAN COUNTY LEGISLATIVE BODY

MAY 19, 2003

AGENDA

- A) Call to Order by Chairman
- B) Prayer and Pledge of Allegiance
- C) Roll Call by County Clerk
- D) Approval of Agenda
- E) Adoption of Minutes from the April 21, 2003, Meeting
- F) Elections/Appointments:
 - 1) Notaries
 - 2) Appointment of Planning Commission
 - 3) Other Elections and/or Appointments (if any)
- G) Committee/Board Reports:
 - 1) Vision 21 Board
 - 2) Chamber of Commerce
 - 3) Finance Committee
 - 4) Solid Waste Committee
 - 5) County Buildings/ADA Committee
 - 6) High School Building Committee
 - 7) Beer Board
 - 8) Hospital Foundation
 - 9) Sheriff & Jail Committee
 - 10) Budget Committee
 - 11) Salary & Benefits Committee
 - 12) Safety Committee
 - 13) Other Committee/Board Reports (if any)
- H) Old Business:
 - 1) Resolution No. 03-13 - Regarding an EMS Capital Outlay Note
 - 2) Other Old Business (if any)
- I) New Business:
 - 1) Resolution No. 03-21 - Regarding Changes to the County Road List
 - 2) Resolution No. 03-22 - Regarding a FY2004 Litter Grant
 - 3) Resolution No. 03-23 - Regarding a Change to the "Rules of Procedure"
 - 4) Resolution No. 03-24 - Regarding an Interchange on State Route 840
 - 5) Resolution No. 03-25 - Remembering Former Commissioner Van Tidwell
 - 6) Resolution No. 03-26 - Amending Solid Waste Billing Procedures
 - 7) Other New Business (if any)
- J) Announcements (if any)
- K) Adjournment

MINUTES

Motion was made by Charley List and second by Mickey Bunn to approve the minutes from the April 21, 2003 meeting. Motion passed by voice vote.

NOTARY PUBLIC AT LARGE

Motion was made by Charley List and second by James Hassell to approve the following applicants for Notary Public At Large for the State of Tennessee: Betty C. Holland, Linda Jones, Evonne Lackey, Jennifer G. Nelms, and Teresa R. Widner. Motion passed by voice vote.

NOTARY BONDS

Motion was made by James Hassell and second by Shirley Mayberry to approve the following applicants for a \$10,000.00 Notary Public At Large Bond: Hilda Atkinson, Vickie Ellis, Judith A. Field, Elaine G. Gilbert, Cynthia J. Hampton, Deborah P. Jimerson, Melody E. Laxton, Lisa D. Truett, and Rita Kay Warren. Motion passed by voice vote.

REGIONAL PLANNING COMMITTEE

Resolution 03-19, approved at last month's meeting, states that the Hickman County Regional Planning Committee shall consist of nine members, including one member from each of the seven districts, one county commissioner, and the County Executive or his designee.

Motion was made by Willie Powers and second by Charley List to approve the following to serve on this committee:

- District 2 – Robert Mitchell
- District 3 – Kenneth Hulan
- District 4 – Paul Myatt
- District 5 – Mark Bentley
- District 7 – Philip Jacobs
- County Executive's Designee – Danny Clark

Steve Hethcote nominated James Hassell, and Ricky Tidwell nominated Ronny George to represent the Board of County Commissioners on the Planning Committee. Motion was made by Ricky Tidwell and second by Willie Powers that all nominations cease. Motion passed by voice vote.

The following commissioners voted for James Hassell:
James Hassell, Shirley Mayberry, Wayne Richey, Susan Sullivan, Ronnie Holt, and Steve Hethcote.

The following commissioners voted for Ronny George:
Charley List, Ronny George, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, Ricky Tidwell, Charles Booker, Frankye Ward, and Jodi Bales.

The following commissioners chose to pass:
Jim Rice, Mickey Bunn, Robert Capps, Nathaniel Bates, and Gerald Rochelle.

Since there was no majority vote for either commissioner, the vote was tabled until next month's meeting.

FINANCE REPORT

Motion was made by Ricky Tidwell and second by Ronny George to approve the Finance Report for April, 2003. Motion passed by voice vote.
***Finance Report is on file at the County Clerk's office.

BUDGET AMENDMENTS
03 – 031, 032, 033, 034

Motion was made by Ricky Tidwell and second by Charles Booker to approve the following Budget Amendments 03—031 through 034. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

BUDGET AMENDMENT NO 03-031
HICKMAN COUNTY TENNESSEE
COUNTY GENERAL FUND 101
May 19, 2003

ACCT NO	DESCRIPTION	DEBIT	CREDIT
	Sheriff Department		
101-44520	Insurance Recovery	\$6,375.00	
54110-338	Repair & Maint Vehicles		\$6,375.00
TOTAL		\$6,375.00	\$6,375.00
Insurance Recovery			

Approved:

Bruce Sedwell
Chairman, Finance Committee

Attest:

Betty Holland
Finance Director

Approved:

Steve Gregory, Chairman

Attest:

Randel Totty, County Clerk

BUDGET AMENDMENT NO 03-032
HICKMAN COUNTY TENNESSEE
AMBULANCE SERVICE FUND 118
May 19, 2003

ACCT NO	DESCRIPTION	DEBIT	CREDIT
	Ambulance Service		
118-44520	Insurance Recovery	\$3,859.57	
55190-338	Repair & Maint Vehicles		\$3,859.57
TOTAL		\$3,859.57	\$3,859.57
Insurance Recovery			

Approved:

Bruce Sedwell
Chairman, Finance Committee

Attest:

Betty Holland
Finance Director

Approved:

Attest:

MAY 19, 2003

BUDGET AMENDMENT NO. 03-033
HICKMAN COUNTY TENNESSEE
COUNTY GENERAL FUND 101
May 19, 2003

ACCT NO	DESCRIPTION Miscellaneous	DEBIT	CREDIT
101-44170	Refunds	\$500.00	
52900-955	Travel		\$500.00
TOTAL		\$500.00	\$500.00
Donation from School			

Approved:

Attest:

Rick Tidwell
Chairman, Finance Committee

Betty Holland
Finance Director

Approved:

Attest:

Steve Gregory, Chairman

Randel Totty, County Clerk

BUDGET AMENDMENT NO. 03-034
HICKMAN COUNTY TENNESSEE
DRUG FUND 122
May 19, 2003

ACCT NO	DESCRIPTION	DEBIT	CREDIT
122-39000	Undesignated Fund Balance	\$3,000.00	
54150-718	Motor Vehicle		\$3,000.00
TOTAL		\$3,000.00	\$3,000.00
Purchase Car			

Approved:

Attest:

Rick Tidwell
Chairman, Finance Committee

Betty Holland
Finance Director

Approved:

Attest:

**CLOSE REDFIELD ROAD
DELETE FROM COUNTY ROAD LIST
RESOLUTION 03-21**

Motion was made by Jim Rice and second by Wayne Richey to approve the following Resolution 03-21, to close 0.2 miles of a county road (Redfield Road); and delete it from the County Road List. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-21

**TO CLOSE AND DELETE A ROAD ON THE OFFICIAL COUNTY
ROAD LIST OF HICKMAN COUNTY, TENNESSEE**

WHEREAS, a county legislative body has the duty to designate county roads in the county which are to be maintained by the county and make annual updates of such designations; and

WHEREAS, the Hickman County Highway Commission has, at their regularly scheduled meeting on Monday, May 5, 2003, voted to close 0.2 miles of a county road as measured from the beginning of the road; and

WHEREAS, the Hickman County Legislative Body is desirous to concur with said change;

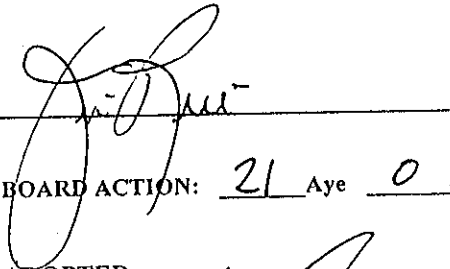
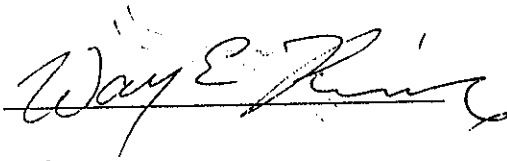
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of May, 2003, that:

SECTION 1: The following county road shall be closed 0.2 miles as measured from the beginning of the road

Redfield Road beginning at Highway 230 West and ending Dead End

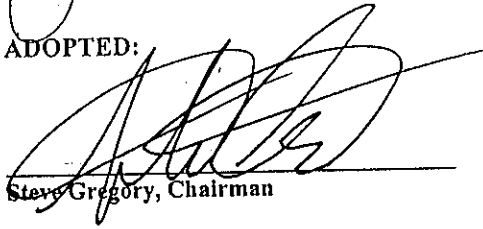
SECTION 2: This resolution shall take effect from and after its passage, the public welfare requiring it.

SPONSORS:

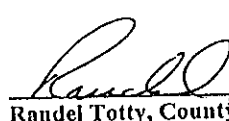
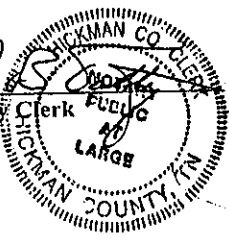
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BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:


Steve Gregory, Chairman

ATTEST:


Randel Totty, County Clerk


LITTER AND TRASH COLLECTION GRANT
RESOLUTION 03-22

Motion was made by Frankye Ward and second by Lynette Harris to approve the following Resolution 03-22, to apply for a Litter and Trash Collection Grant for Fiscal Year 2004.

Motion was made by Wayne Richey and second by Nathaniel Bates to amend Section 2 of this Resolution 03-22, stating that the funds shall be administered by the Solid Waste Department, instead of the Sheriff's Department.

Motion was made by Gerald Rochelle and second by Charley List to table this until next month's meeting; to have the Solid Waste Committee to give their recommendation. Upon roll call vote, 20 commissioners voted "Yes." Robert Capps voted "No." Motion to table passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-22

*tabled
5-19-03*

AUTHORIZING SUBMISSION OF AN APPLICATION FOR A
LITTER AND TRASH COLLECTION GRANT FOR FISCAL 2004
FOR HICKMAN COUNTY, TENNESSEE

WHEREAS, Tennessee Code Annotated, §41-2-123, provides for the Commissioner of Transportation to make grants to counties for the purpose of funding programs for the collection of litter and trash along county, state and interstate roads and highways; and

WHEREAS, the Department of Transportation has notified Hickman County that grants will be available for the 2004 fiscal year; and

WHEREAS, such funds could be used to supplement the efforts now being made in Hickman County with respect to litter and trash collection along our roads and highways;

NOW, THEREFORE, BE IT RESOLVED, by the Hickman County Legislative Body, meeting in regular session this 19th day of May, 2003, that:

SECTION 1: The County Executive is hereby authorized to apply, on behalf of Hickman County, for a litter and trash collection grant for Fiscal Year 2003-2004 from the Tennessee Department of Transportation.

SECTION 2: Should the application be approved, the funds shall be administered by the Hickman County Sheriff's Department, and the County Executive is hereby authorized to execute contracts, or other necessary documents, which may be required to signify acceptance of the litter and trash collection grant for Hickman County.

SECTION 3: This resolution shall take effect from and after its passage, the public welfare requiring it.

SPONSORS:

Frankye Ward

Lynette Harris

COMMISSION ACTION: Aye Nay Pass Absent

APPROVED:

ATTEST:

Steve Gregory, County Executive

Randel Totty, County Clerk

**RULES OF PROCEDURE
FOR LEGISLATIVE BODY MEETINGS
RESOLUTION 03-23**

Motion was made by Jim Rice and second by Frankye Ward to approve the following Resolution 03-23, amending the "Rules of Procedure" for Legislative Body meetings. Upon roll call vote, 19 commissioners voted "Yes." Nathaniel Bates voted "No." Ronnie Holt chose to pass. (19 Yes; 1 No; 1 Pass). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-23

**AMENDING THE "RULES OF PROCEDURE" FOR MEETINGS
OF THE HICKMAN COUNTY LEGISLATIVE BODY**

WHEREAS, the Hickman County Legislative Body conducts its meetings and affairs by and adopted set of Rules of Procedure; and

WHEREAS, from time to time the Rules of Procedure need to be amended to allow for the smoother transaction of business; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of May, 2003, that:

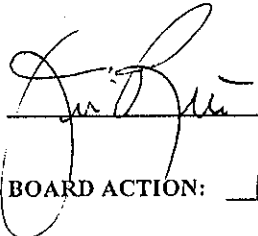
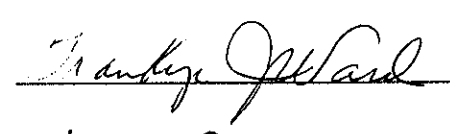
SECTION 1: Section 7-5 of the Rules of Procedure for Meetings of the Hickman County Legislative Body is hereby stricken in its entirety and replaced with a new Section 7-5 which shall read as follows:

7-5: ELECTION OF BOARD COMMITTEES: Unless otherwise specified or prohibited by law, the Standing Committees, Boards and Commissions of the Hickman County Legislative Body shall be named at the Board's September meeting in each year, as follows:

- A) A Nominating Committee of the Board is hereby established. Said Committee shall consist of the current chairpersons of seven Standing Committees or Boards, namely: Finance Committee, Budget Committee, Sheriff/Jail Committee, Hospital Foundation Board, Solid Waste Committee, Building Committee and Emergency Services Committee.
- B) The Nominating Committee shall meet at least two weeks prior to the Board's regular September meeting to prepare a slate of Committees and their members. Such slate of Committees and members shall be presented to the Board during their regularly scheduled September meeting.
- C) This procedure shall also apply, unless otherwise prohibited, to appointments to any other Committee, Board, or Commission, established by the Board of County Commissioners.

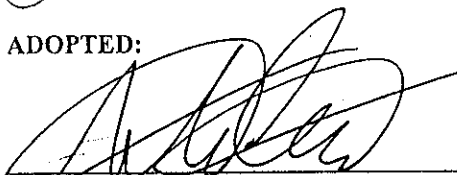
SECTION 2: The provisions of this resolution shall take effect upon passage, the public welfare requiring it.

SPONSORS:


 _____  _____

BOARD ACTION: 19 Aye 1 Nay 1 Pass 0 Absent

ADOPTED:


Steve Gregory, Chairman

ATTEST:


Randel Totty, County Clerk



STATE ROUTE 840 AND LEIPERS CREEK ROAD
INTERCHANGE
RESOLUTION 03-24

Motion was made by Mark McFarlin and second by Shirley Mayberry to approve the following Resolution 03-24, supporting the construction of an interchange at State Route 840 and Leipers Creek Road. Upon roll call vote, 19 commissioners voted "Yes." Steve Hethcote voted "No." Ronny George chose to pass. (19 Yes; 1 No; 1 Pass). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-24

SUPPORTING THE CONSTRUCTION OF AN INTERCHANGE
AT STATE ROUTE 840 AND LEIPERS CREEK ROAD

WHEREAS, the established plans for State Route 840 in western Williamson County included an interchange at Leipers Creek Road; and

WHEREAS, a number of citizens, particularly in the north western Maury County and eastern Hickman County areas commute to jobs in Nashville, Franklin and other places using Leipers Creek Road, and it is very important to these people that an interchange at State Route 840 be completed at Leipers Creek Road; and

WHEREAS, this interchange is within 1.5 miles of the Maury County line and about 1.75 miles from the Hickman County line; and

WHEREAS, if this interchange is not built, there will no convenient and nearby access to State Route 840 for people in this part of the region; and

WHEREAS, without public knowledge or a public hearing, the former transportation commissioner classified this interchange as deferred, and such informal deferral was without precedent as to the customary procedures of the transportation department and a highly unusual action without public input; and

WHEREAS, existing roads in this area are narrow and winding and access to State Route 840 would significantly increase public safety and decrease travel time;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of May, 2003, that:

SECTION 1: We hereby go on record of supporting the construction of an interchange at Leipers Creek Road and State Route 840 to be completed when that section of State Route 840 is built without any deferral.

SECTION 2: The County Executive is hereby directed to furnish certified copies of this resolution to State Highway Officials, State Legislative Officials, and Dr. Stephen Richards with the UT Center for Transportation Research which is now studying the Western 840 Project and will soon be making recommendations.

SECTION 3: The provisions of this resolution shall become effective upon passage, the public welfare requiring it.

SPONSORS:

Mark McFarlin

Shirley Mayberry

BOARD ACTION: 19 Aye 1 Nay 1 Pass 0 Absent

ADOPTED:

[Signature]

Steve Gregory, Chairman

ATTEST:

Randel Totty

Randel Totty, County Clerk



REMEMBERING VAN TIDWELL
RESOLUTION 03-25

Motion was made by Jim Rice and second by Ricky Tidwell to approve the following Resolution 03-25, in remembrance of Van Tidwell, former County Commissioner. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-25

IN REMEMBRANCE OF VAN TIDWELL, FORMER COUNTY
COMMISSIONER FOR HICKMAN COUNTY, TENNESSEE

WHEREAS, Van Tidwell, a native of Bon Aqua, Tennessee, passed away at age 74, on Thursday, April 10, 2003, at Vanderbilt University Medical Center, after a lengthy illness; and

WHEREAS, Mr. Tidwell was the son of the late Levi Harrison and Odie McCord Tidwell, the husband of the late Nellie Mai Wright Tidwell, and the father of two daughters and three sons; and

WHEREAS, Van was a veteran of the U.S. Army who served his country well during the Korean Conflict, and he was a member of the New Spring Creek Church of Christ; and

WHEREAS, Mr. Tidwell also served his county by serving on the Hickman County Legislative Body from 1996 to 2002; and

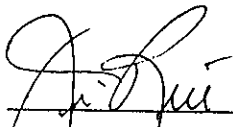
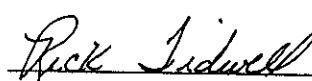
WHEREAS, it is only fitting and proper that we, the current members of the Hickman County Legislative Body, take time to remember Van Tidwell for his many contributions to our community and to thank him for his service.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of April, 2003, that:

SECTION 1: We hereby go on record as expressing our deepest sympathy to the family of Van Tidwell, and we thank them for allowing him to take the time necessary to do the things he did to help make Hickman County and our country an even better place to live.


SECTION 2: This resolution shall be spread upon the minutes of the Board of County Commissioners as a lasting tribute to one of our former members and a great Hickman Countian.

SPONSORS:


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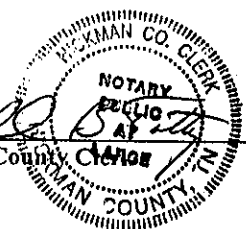
BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:

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Steve Gregory, Chairman

ATTEST:

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Randel Totty, County Clerk



AMEND SOLID WASTE BILLING PROCEDURES
(COMMERCIAL ACCOUNTS)
RESOLUTION 03-26

Motion was made by Willie Powers and second by Gerald Rochelle to approve the following Resolution 03-26, amending Solid Waste billing procedures with respect to commercial accounts. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-26

AMENDING SOLID WASTE BILLING PROCEDURES WITH
RESPECT TO COMMERCIAL ACCOUNTS

WHEREAS, The Hickman County Legislative Body meets from time to time with the need to amend solid waste charges, rules and regulations; and

WHEREAS, there now exists a need to amend the solid waste charges made to all commercial accounts:

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of May, 2003, that:

SECTION 1: Solid waste billing for all commercial classes (Class A through F, Section 2) of resolution No. 9570 adopted on October 16, 1995), shall be amended as follows:

All Commercial Classes (Section 2, Class A through F) shall be placed on a tipping fee. Each business in the city and throughout the county shall pay a tipping fee for the disposal of their commercial waste. The Solid Waste Department is hereby authorized to bill the private and the city haulers (not the businesses themselves) for such disposal. The Solid Waste Department is hereby further authorized to charge \$10.00 above the actual current cost of disposal (making the total charge \$46.12 per ton as of May 19, 2003) and automatically make adjustments to that rate in the event the actual disposal costs increase. This system would eliminate individual billing for all commercial accounts.

SECTION 2. The provisions of this resolution shall take effect on July 1, 2003, the public welfare requiring it.

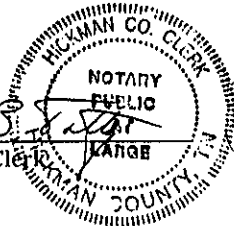
SPONSORS:

Willie Powers Gerald Rochelle

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED: [Signature]
Steve Gregory, Chairman

ATTEST: [Signature]
Randel Totty, County Clerk



**RELINQUISH PROPERTY TAX PENALTIES
FOR MILITARY SERVICE PERSONNEL**

Motion was made by Steve Hethcote and second by James Hassell to excuse property tax penalties on those serving "active duty" in the military; under provision of the law. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

**"JACKSON LAW"
SEEK COUNTY ATTORNEY'S OPINION**

Motion was made by Willie Powers and second by James Hassell to have the County Executive to seek County Attorney Dana Dye's opinion, to determine if the "Jackson Law" has been broken; and if so, to ask Ms. Dye to file an injunction to cease and desist.

Motion was made by Steve Hethcote and second by Ronnie Holt to amend the above motion, to ask Attorney Dye to act as mediator between citizens, attorneys, and J & J Disposal. Upon roll call vote, Jim Rice, Mickey Bunn, Susan Sullivan, Ronnie Holt, and Steve Hethcote voted "Yes." The remaining 16 commissioners voted "No." (5 Yes; 16 No). Motion to amend failed.

On the original motion, upon roll call vote, 19 commissioners voted "Yes." Ronnie Holt and Steve Hethcote chose to pass. (19 Yes; 2 Pass). Motion passed.

ADJOURN

Motion was made by Willie Powers and second by Ricky Tidwell to adjourn this meeting. Motion passed by voice vote.

Minutes Prepared By: Penny Stewart, Deputy County Clerk