

JULY 21, 2003

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session, this 21st day of July, 2003, at the Justice Center in Centerville, Tennessee. Steve Gregory, County Executive and Chairman, and Randel Totty, County Clerk, presided. The following County Commissioners were present: 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, Franky Ward, Steve Hethcote, Jodi Bates, Jim Rice, and Mickey Bunn. (21 Present; 0 Absent).

AGENDA

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

HICKMAN COUNTY LEGISLATIVE BODY

JULY 21, 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 June 16, 2003, Meeting
- F) Approval of Quarterly and Annual Reports from County Officials
- G) Elections/Appointments:
 - 1) Notaries
 - 2) Other Elections and/or Appointments (if any)
- H) 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) Adequate Facilities Tax Sub-Committee
 - 9) EMS Committee
 - 10) Hospital Foundation
 - 11) Sheriff & Jail Committee
 - 12) Budget Committee
 - 13) Salary & Benefits Committee
 - 14) Safety Committee
 - 15) Other Committee/Board Reports (if any)
- I) Old Business (if any):
- J) New Business:
 - 1) Resolution No. 03-29 - Authorizing a Waste Tire Grant Application
 - 2) Resolution No. 03-30 - Calling for a Special Meeting of the Board
 - 3) Resolution No. 03-31 - Regarding a Class IV Landfill Application
 - 4) Resolution No. 03-32 - Appointing Members to Library Boards
 - 5) Other New Business (if any)
- K) Announcements (if any)
- L) Adjournment

MINUTES

Motion was made by Charley List and second by Lynette Harris to approve the minutes from the June 16, 2003 meeting. Motion passed by voice vote.

QUARTERLY & ANNUAL REPORTS

Motion was made by Mickey Bunn and second by Charley List to approve the Quarterly and Annual Reports from County Officials. Motion passed by voice vote.

NOTARY PUBLIC AT LARGE

Motion was made by Wayne Richey and second by Jodi Bates to approve the following applicants for Notary Public At Large for the State of Tennessee: Annette Elliott and Deniece J. Reynolds. Motion passed by voice vote.

NOTARY BONDS

Motion was made by Susan Sullivan and second by Nathaniel Bates to approve the following applicants for a \$10,000.00 Notary Public At Large Bond: Mary Ann Arnold, Linda Jones, Jeanette Kelley, Ray Nicholson, and Teresa R. Widner. Motion passed by voice vote.

NEW JAIL BUILDING

Motion was made by Willie Powers and second by James Hassell to construct a new jail facility in the Shipps Bend area; on land donated by the Town of Centerville. Funding for this project shall be from the following sources:

- half of the ½ cent local sales tax increase,
- a \$10.00 fine per court case,
- the wheel tax increase (if it passes).

Upon roll call vote, James Hassell, Shirley Mayberry, Willie Powers, and Frankye Ward voted "Yes." The remaining commissioners voted "No." (4 Yes; 17 No). Motion failed.

**WASTE TIRE GRANT FY 2003-2004
RESOLUTION 03-29**

Motion was made by Willie Powers and second by Jodi Bates to approve the following Resolution 03-29, applying for a waste tire grant for fiscal year 2003-2004. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE**RESOLUTION NO. 03-29****AUTHORIZING AN APPLICATION FOR A WASTE TIRE GRANT
FOR FISCAL YEAR 2003-2004**

WHEREAS, the Tennessee Department of Environment and Conservation, through its Division of Community Assistance, makes grant funds available annually to counties to assist with the collection, processing and disposal of waste tires; and

WHEREAS, Hickman County is eligible to receive a such a grant in an estimated amount of \$17,043.00 for fiscal year 2003-2004; and

WHEREAS, the Board of County Commissioners is desirous of applying for said grant;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 21st day of July, 2003, that:

SECTION 1: Hickman County hereby expresses its interest in applying for and acquiring a waste tire grant from the Division of Community Assistance of the Tennessee Department of Environment and Conservation for fiscal year 2003-2004.

SECTION 2: The County Executive is hereby authorized to sign any and all documents relating to such application and award.

SECTION 3: This resolution shall become effective upon passage, the public welfare requiring it.

SPONSORS:

Wally Mann [Signature]

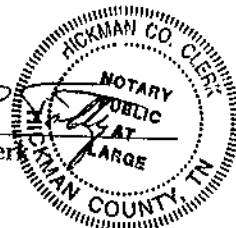
BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:

[Signature]
Steve Gregory, Chairman

ATTEST:

[Signature]
Randel Totty, County Clerk



**BUDGET & TAX RATE FY 2003-2004
AND ADEQUATE FACILITIES TAX
RESOLUTION 03-30**

Motion was made by Ricky Tidwell and second by Mark McFarlin to approve the following Resolution 03-30, to have a special meeting for the purpose of adopting a budget and set a tax rate for fiscal year 2003-2004; and to implement an Adequate Facilities Tax. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-30

**CALLING FOR A SPECIAL MEETING IN ORDER TO ADOPT A
BUDGET AND SET A TAX RATE FOR FISCAL 2004 AND TO
IMPLEMENT AN ADEQUATE FACILITIES TAX**

WHEREAS, the Hickman County Legislative Body is required to annually adopt a budget and set a tax rate by the 31st day of July in each calendar year; and

WHEREAS, the Hickman County Legislative Body is also required to have been provided a copy of the proposed annual budget at least ten (10) days prior to its adoption, and it additionally is required to publish such proposed budget in a local paper of general circulation in a timely manner before the budget can be adopted; and

WHEREAS, the County has also been authorized to impose an Adequate Facilities Tax on new construction in the county and needs to adopt provisions to thereby implement said tax; and

WHEREAS, in order to comply with said budget adoption regulations, and in order to adopt language to implement the previously authorized Adequate Facilities Tax, the members of the Hickman County Legislative Body are desirous of holding a special called meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 21st day of July, 2003, that:

SECTION 1: There shall be a special called meeting of the Board for the purpose of adopting a Fiscal 2004 Budget for Hickman County and adopting guidelines for the purpose of implementing an Adequate Facilities Tax on new construction in Hickman County.

SECTION 2: The Chairman is hereby directed to make the necessary arrangements for the Board to meet at 7:00 p.m., on Thursday, July 31, 2003, for the purposes listed in Section 1.

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

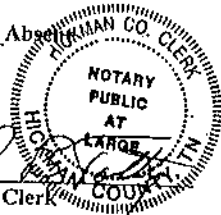
SPONSORS:

Ricky Tidwell Mark McFarlin

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

[Signature]
Steve Gregory, Chairman

[Signature]
Randel Totty, County Clerk



JULY 21, 2003

**LANDFILL PERMIT IN BUCKSNORT
(DENY REQUEST)
RESOLUTION 03-31**

Motion was made by Brad Leeper and second by Lynette Harris to approve the following Resolution 03-31, regarding a permit application for a Class IV Landfill Facility in the Bucksnot Community of Hickman County. Upon roll call vote, 20 commissioners voted "Yes." Ronnie Holt was temporarily absent. (20 Yes; 1 Absent). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-31

**REGARDING A PERMIT APPLICATION FOR A CLASS IV
LANDFILL FACILITY IN THE BUCKSNORT COMMUNITY
OF HICKMAN COUNTY, TENNESSEE**

WHEREAS, the County Commission of Hickman County, Tennessee, has previously adopted Section 68-211-701 et seq., Tennessee Code Annotated, otherwise known as the "Jackson Law"; and

WHEREAS, said statute requires the approval of the Hickman County Commission prior to undertaking construction of a private landfill within the borders of the County; and

WHEREAS, J & J Reclamation Industries, Inc. ("J & J") made an application for approval to construct a Class IV landfill to be located near the community of Bucksnot in Hickman County on April 25, 2003; and

WHEREAS, notice of such application and notice of the opportunity to request a public hearing and submit written comments on the application by June 19, 2003, was published in the Hickman County Times on May 19, May 26 and June 2, 2003; and

WHEREAS, notice of the public hearing conducted on July 8, 2003, at 7:00 p.m., at the Hickman County Justice Center, was published in the Hickman County Times on June 23, June 30, and July 7, 2003; and

WHEREAS, said public hearing was conducted on said date, and presentations were made by all persons desiring to speak, including representatives of J & J, and representatives of the Hickman Environmental Land Protection ("HELP") Association; and

WHEREAS, transcripts of said public hearing, as well as documents entered into the public record at said hearing, have been maintained for public inspection in the Hickman County Executive's Office located in the Hickman County Courthouse; and

WHEREAS, the roads in the area of the proposed site are rural and are not constructed to facilitate the congestion or support the heavy vehicles required in transporting waste of the proposed nature; and

WHEREAS, a Class IV landfill could possibly pose a significant risk to the many wells, springs and streams in the area; and

WHEREAS, the proposed location could pose a danger to traffic on Interstate 40 because of blowing debris and the possibility of smoke from a fire restricting visibility; and

WHEREAS, as Hickman County is very rural in nature the increased risk of fire at such a facility would severely tax the county's fire fighting and emergency response resources; and

WHEREAS, because of work already in process at the site, Hickman County was forced to obtain a "Cease and Desist Order" to stop the further un-permitted excavation; and

(RESOLUTION 03-31 -- LANDFILL PERMIT)

WHEREAS, the adjoining property values have already been impacted because of the erosion, silt and debris from such un-permitted excavation; and

WHEREAS, the long record of violations that a principal owner of "J & J" has experienced with the Tennessee Department of Environment and Conservation is alarming and unacceptable; and

WHEREAS, the residents of the area would be subjected to a great increase in the chance that accidents and improper maintenance at the site would yield long-term property value decreases, thereby placing an unfair burden on other taxpayers in the County;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 21st day of July, 2003, that:

SECTION 1: Based upon information presented and received during the previously mentioned public hearing on said application as reflected in the official record thereof, and pursuant to Tennessee Code Annotated, Section 68-211-704, the requested permit is hereby denied.

SECTION 2: The County Executive is hereby directed to furnish a certified copy of this resolution to J & J Reclamation Industries, Inc. at their offices in Pegram, Tennessee.

SECTION 3: This resolution shall become effective upon passage, the public welfare requiring it.

SPONSORS:

Brad Leeper

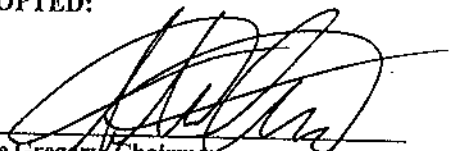
Lynette Harris

Wayne Richey


Mark McFarlin

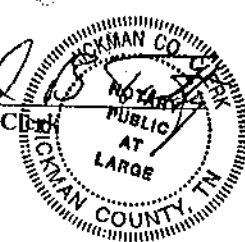
BOARD ACTION: 20 Aye 0 Nay 0 Pass 1 Absent

ADOPTED:


Steve Gregory, Chairman

ATTEST:


Randel Totty, County Clerk



APPOINT LIBRARY BOARD MEMBERS
RESOLUTION 03-32

Motion was made by Charley List and second by Mickey Bunn to approve the following Resolution 03-32, appointing Deborah Boutwell and Brian Buttrey to the Hickman County Library Board, and Beatrice Jobe to the Blue Grass Regional Library Board. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-32

APPOINTING MEMBERS TO THE BOARDS OF THE HICKMAN COUNTY PUBLIC LIBRARY AND THE BLUE GRASS REGIONAL LIBRARY

WHEREAS, Section 10-3-103 and Section 10-5-102, Tennessee Code Annotated, provides for the appointment and terms for members of a county public library and regional library systems, respectively; and

WHEREAS, as recorded in Minute Book 23, page 264, the Hickman County Court, on July 5, 1948, provided for a Hickman County Library and membership as part of the statewide regional library system; and

WHEREAS, the terms of Larry Leeper and Edwinter Myles on the Hickman County Public Library Board expired on June 30, 2003, and both are not eligible for re-election, and the term of Regional Trustee Len Womack has expired on the Blue Grass Regional Library Board, and he has asked not to be re-appointed, thereby creating vacancies on each Board; and

WHEREAS, the Hickman County Public Library Board, meeting in May, 2003, and by unanimous vote, asked that Deborah Boutwell and Brian Buttrey be appointed for three-year terms on the Hickman County Public Library Board, and that Beatrice Jobe be appointed to a three-year term on the Blue Grass Regional Library Board; and

WHEREAS, the Hickman County Board of County Commissioners is desirous of making such appointments;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 21st day of July, 2003, that:

SECTION 1: Deborah Boutwell and Brian Buttrey are hereby appointed to three-year terms on the Board of the Hickman County Public Library, and Beatrice Jobe is hereby appointed to a three-year term of the Board of the Blue Grass Regional Library.

SECTION 2: The provisions of this resolution shall take effect from and after its passage, the public welfare requiring it.

SPONSORS:

Charley List Mickey Bunn

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:

[Signature]
Steve Gregory, Chairman

ATTEST:

Randel B. Totty
Randel Totty, County Clerk



**HICKMAN COUNTY 911 OPERATING BUDGET
FY 2003-2004**

Motion was made by Anthony McFarlin and second by Charley List to approve the following Hickman County 911 Proposed Operating Budget. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

**HICKMAN COUNTY 911
PROPOSED OPERATING BUDGET
FISCAL 2003-2004**

ESTIMATED INCOME:	MONTHLY	ANNUAL
3001 Bell South - Direct	\$8,200.00	\$98,400.00
3002 State E.C.B. Wireless	\$3,800.00	\$22,800.00
3003 Interest on Accounts	\$85.00	\$780.00
_____ State E.C.B. Reimbursement		<u>\$50,000.00</u>
Total Estimated Income:		\$171,980.00
Estimated Carryover from FY03:		<u>\$36,000.00</u>
Total Available:		<u><u>\$207,980.00</u></u>

ESTIMATED EXPENDITURES:

4001 Salary on Director		\$24,960.00
4003 Dispatcher Compensation		\$4,500.00
4101 Social Security		\$1,900.00
4199 Longitiny 110.00 Per Year		\$1,100.00
4202 Advertising		\$500.00
4203 Audit Services		\$900.00
4204 Accounting Services		\$500.00
4227 Communication Equipment	\$1,564.50	\$18,774.00
4228 Rent	\$200.00	\$2,400.00
4234 Office Equipment		\$1,000.00
4235 Car/Vehicles		\$2,500.00
4301 Office Supplies		\$500.00
4304 Postage		\$250.00
4305 Small Equipment Purchases		\$1,800.00
4308 Gasoline	\$100.00	\$1,200.00
4310 Telephone Lines	\$1,400.00	\$16,800.00
4311 Cell Phones & Pagers	\$50.00	\$600.00
4401 Bank Charges		\$100.00
4402 Board Meeting Expenses		\$1,000.00
4405 Dues and Memberships		\$500.00
4406 Employee Testing and Exams		\$500.00
4412 Legal Notices		\$100.00
4413 Licenses and Fees		\$500.00
4414 Permiums on Surety Bonds		\$375.00
4415 Public Education		\$1,000.00
4418 Training Expenses		\$2,000.00
4419 Travel Expenses		\$5,000.00
4500 Depreciation		\$11,000.00
5006 State E.C.B. Contract		<u>\$50,000.00</u>
Total Estimated Expenditures:		\$152,259.00
Estimated Carryover to FY05:		<u>\$55,721.00</u>
Total Disbursements:		<u><u>\$207,980.00</u></u>

ADJOURN

Minutes Prepared By: Penny Stewart, Deputy County Clerk