

JANUARY 26, 2004

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called Session, this 26th day of January 2004, at the Justice Center in Centerville, Tennessee. Steve Gregory, County Mayor and Chairman, and Randel Totty, County Clerk, Presided. The following County Commissioners were present: Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Lyentte Harris, Brad Leeper, Susan Sullivan, Ricky Tidwell, Gerald Rochelle, Ronnie Holt, Charles Booker, Frankye ward, Steve Hethcote, Jodi Bates, Jim Rice, Mickey Bunn, Charley List, Robert Capps, Nathaniel Bates, Ronny George, and James Hassell.

AGENDA

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

HICKMAN COUNTY LEGISLATIVE BODY

JANUARY 26, 2004 - 7:00 P.M.

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 12/15/03, 1/14/04 and 1/20/04 Meetings
- F) Approval of Quarterly Reports from County Officials
- G) Special Presentations
- H) Elections/Appointments:
 - 1) Notaries
 - 2) Election of District One Constable
 - 3) Other Elections and/or Appointments (if any)
- I) Committee/Board Reports:
 - 1) Vision 21 Board
 - 2) Chamber of Commerce
 - 3) Finance Committee
 - 4) Solid Waste Committee
 - 5) County Buildings/ADA Committee
 - 6) Salary & Benefits Committee
 - 7) Beer Board
 - 8) Planning Commission
 - 9) Budget Committee
 - 10) Adequate Facilities Tax Appeals Board
 - 11) EMS Committee
 - 12) Hospital Foundation
 - 13) Sheriff & Jail Committee
 - 14) Recreation/Tourism Committee
 - 15) Other Committee/Board Reports (if any)
- J) Old Business:
 - 1) Discussion/Action of Sheriff's Lawsuit
 - 2) Other Old Business (if any)
- K) New Business:
 - 1) Resolution No. 04-02 - Amending Rules for Land Development Tax
 - 2) Resolution No. 04-03 - Adopting a Policy on Non-Discrimination
 - 3) Resolution No. 04-04 - Regarding Speed Limits on Two State Routes
 - 4) Resolution No. 04-05 - Authorizing an Application for CDBG Funds
 - 5) Resolution No. 04-06 - Encouraging a Reduction of Tobacco Use
 - 6) Resolution No. 04-07 - Setting County General Employee Raises
 - 7) Resolution No. 04-08 - Amending County Resolution No. 9628
 - 8) Other New Business (if any)
- L) Announcements (if any)
- M) Adjournment

MINUTES

Motion was made by Mickey Bunn and second by Charley List to approve Minutes from the December 15, 2003, Special called meeting January 14, 2004, and Special called meeting January 20, 2004. Motion passed by voice vote.

QUARTERLY REPORTS
FROM COUNTY OFFICIALS

Motion was made by Charley List and second by Shirley Mayberry to accept the Quarterly Reports submitted by the County Officials. Motion passed by voice vote.

NOTARIES

Motion was made by Jodie Bates and second by Charley List to approve the following Notaries on 1st reading: Marilyn Baker Arnold, Lorraine W. Bates, Betty S. Breece, Jeremy L. James, Ryan McDonald, S McGowan, and James B. Walker Jr. Motion passed by voice vote.

NOTARY BONDS

Motion was made by Steve Hellicote and second by Nathaniel Bates to approve the following applicants for a \$10,000.00 Notar Public At Large bond: Shea Mathews, Judy S. Gilbert, and Ann A. Hooten. Motion passed by voice vote.

APPOINTMENT OF CONSTABLE

Nominations for Constable in the 1st district were opened for nominations; Mark McFarlin nominated Louie Gene Blocker, Mickey Bunn Nominated Vincent Coates, And Willie Powers nominated Tim Coble. Motion was made by Mark McFarlin and second by Ricky Tidwell that all Nominations cease. Passed by voice vote. Upon roll call vote Louie Blocker received 17 votes, Vincent Coates received 2, and Tim Coble received 2. Louie Blocker was Elected Constable in the 1st District.

ADDING TWO COMMISSIONER TO
BUDGET COMMITTEE

Motion was made by James Hassell and second by Frankye Ward 2 additional Commissioner to the Budget Committee. Upon roll call vote 14 Commissioners voted yes 7 voted no. Commissioners voting no Brad Leeper, Charles Booker, Steve Hellicote, Jodie Bates, Robert Capps, Nathaniel Bates, and Mark McFarlin.

FUNDING FOR VISION 21

Motion was made by Willie Powers and second by Mickey Bunn second 1/3 fund held by the County for Vision 21 as Amended. Upon roll call vote 16 Commissioners voted yes, 5 Commissioners voted no. Commissioners voting no were Ricky Tidwell, Ronnie Holt, Steve Hellicote, Robert Capps, Nathaniel Bates. Motion as Amended passed.

AMENDMENT

Motion was made by Charlie List second by Mickey Bunn to fund the full amount that is being held by County. Roll call vote 16 Commissioners voted yes, 5 Commissioners voted no. Commissioners voting no were Ricky Tidwell, Ronnie Holt, Steve Hellicote, Robert Capps, and Nathaniel Bates. Amendment Passed!

BUDGET AMENDMENT
UPDATING COMPUTER FOR
CHANCERY COURT

Motion was made by Ricky Tidwell second by Mark McFarlin to accept Budget Amendment 04-027. Upon Roll call vote 19 Commissioners voted yes 2 voted no Motion Passed. Commissioners voting no were Charles Booker and Nathaniel Bates.

BUDGET AMENDMENT NO. 04-027
HICKMAN COUNTY, TENNESSEE
COUNTY GENERAL FUND 101
DATE JANUARY 28, 2004

	DESCRIPTION	DEBIT	CREDIT
	Chancery Court		
34166	Reserve for Automation-Chancery	\$1,392.50	
42530	Data Fee-Chancery Court	\$729.00	
53400-169	Part time Personnel	\$1,000.00	
53400-355	Travel	\$500.00	
53400-435	Office Supplies	\$2,000.00	
53400-719	Office Equipment	\$1,000.00	
39000	Undesignated Fund Balance	\$3,378.50	
53400-317	Data Processing		\$10,000.00

Updating Computer Services for Chancery Court
Next Year's Budget will be cut by the amount
that comes from Fund Balance

Total \$10,000.00 \$10,000.00

Approved:

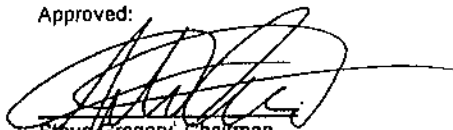
Attest:

Chairman, Finance Committee

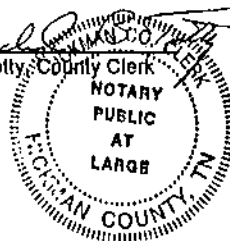
Finance Director

Approved:

Attest:


Steve Gregory, Chairman


Randal Totty, County Clerk



APPROVAL OF FINANCE REPORT

Motion was made by Ricky Tidwell and second by Mickey Bunn to approve the December Finance Report. Motion passed by voice vote.

SET ASIDE AGENDA

Motion was made by Ricky Tidwell and second by Charlie List to set aside Agenda and take up K-5-Resolution No. 04-06. Motion was voice passed.

RESOLUTION 04-06
INCOURAGING THE REDUCTION OF
TOBACCO USE IN THE STATE OF TENNESSEE

Motion was made by Charlie List and Second Susan Sullivan to accept Resolution 04-06
Upon roll call vote 3 Commissioners voted yes 17 voted no, and 1 passed.
Commissioners voting yes were: Susan Sullivan, Charlie List, and Wayne Richey. Jim
Rice passed. The remaining Commissioners voted no.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-06

ENCOURAGING THE REDUCTION OF TOBACCO USE IN THE STATE OF TENNESSEE

WHEREAS, nearly 10,000 Tennesseans die every year from tobacco use and an additional 15,000 Tennessee children become addicted to tobacco; and

WHEREAS, current annual health care costs in Tennessee directly caused by smoking total almost \$1.7 billion and the State of Tennessee spends \$531 million annually for smoking related illnesses in Tennessee's Medicaid population; and

WHEREAS, tobacco use disproportionately harms the health and well-being of minority populations in Tennessee; and

WHEREAS, raising state tobacco taxes always reduces tobacco use and always increases state revenues; and

WHEREAS, increasing the cost of cigarettes is the single most effective way to lower the number of children who smoke;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 26th day of January, 2004, that:

SECTION 1: We hereby endorse the initiative to significantly increase the excise tax on cigarettes and extend a tax to other tobacco products, and ask the Governor and General Assembly of the State of Tennessee to use such additional revenue to provide new funding sources for statewide initiatives to promote public health and health care.

SECTION 2: This resolutions shall become effective upon passage, the public health and welfare requiring it.

SPONSORS:

Charley King Susan Sullivan

BOARD ACTION: 3 Aye 17 Nay 1 Pass 0 Absent

ADOPTED:

ATTEST:

Steve Gregory, Chairman

Randel Totty, County Clerk

LAND DEVELOPMENT TAX PERTAINING TO 911 ADDRESS

Motion was Made by Nathaniel Bates and second by James Hassell that any Property having a 911 address prier to September 1, 2003 will be exempt from Land Development Tax.

AMENDMENT

Motion was made by Steve Helhcote and second by Ronnie Holt allowing someone who received a 911 address prier to September 1, 2003 until September 1, 2005. After that date they would be responsible and would have to pay the Land Development Tax.. Amendment was withdrawn by.

AMENDMENT

Motion was made by Brad Leeper and second by Mark McFarlin to change the cut off date to September 1, 2004, giving them one year instead of two. Motion was withdrawn.

MOTION TO TABLE LAND
DEVELOPMENT TAX EXEMPTION
WITH 911 ADDRESS

Motion was made by Ricky Tidwell and second by Charley List to table motion.
Motion was voice passed.

RESOLUTION NO. 04-02
AMENDING THE RULES AND
REGULATIONS OF THE LAND DEVELOPMENT TAX

Motion was made by Brad Leeper and second by Mark McFarlin to accept Res. 04-02.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-02

**AMENDING THE RULES AND REGULATIONS OF THE LAND
DEVELOPMENT TAX OF HICKMAN COUNTY, TENNESSEE**

WHEREAS, the Board of County Commissioners for Hickman County, via Resolution No. 03-36, implemented a land development tax which went into effect on September 1, 2003, and

WHEREAS, at the same time, a set of Rules and Regulations for administering this tax program was adopted; and

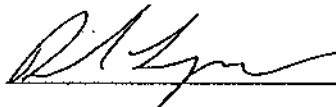
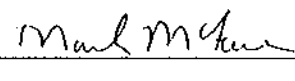
WHEREAS, it now become necessary to amend said Rules and Regulations;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 26th day of January, 2004, that:

SECTION 1: The aforementioned Rules and Regulations are hereby amended by including language in Section 6 which would provide for a "\$25.00 Appeals Processing Fee". An amended Section 6, showing this change, is attached to this resolution.

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

SPONSORS:

 _____  _____

BOARD ACTION: _____ Aye _____ Nny _____ Pass _____ Absent

ADOPTED:

ATTEST:

Steve Gregory, Chairman

Randel Totty, County Clerk

TABLE RES. NO 04-02

Motion was made by Steve Hethcote and second by James Hassell to table Res. No. 04-02. Upon Roll call vote 9 Commissioners voted yes 12 Commissioners voted no. Commissioners voting yes were: Susan Sullivan, Gerald Rochelle, Ronnie Holt, Charles Booker, Frankye Ward, Steve Hethcote, Robert Capps, Nathaniel Bates, and James Hassell. The remaining Commissioners voted no. Motion failed.

AMENDMENT TO RES. NO 0402

Motion was made by Sausan Sullivan and second by James Hassell to exempt those having a 911 address prior to September 1, 2003 from having to pay the \$25.00 appeal fee. AMENDMENT WITHDRAWN!

RECONSIDER THE MOTION TO
TABLE RES. NO 04-02

Motion was made by Ricky Tidwell and second by James Hassell to Reconsider the motion to table Res. No. 04-02.. Upon roll call vote 20 Commissioners, 1 Commissioner voted no. Commissioner voting no was Mark McFarlin.

TABLE RES. NO. 04-02

Upon Roll call vote 20 Commissioner voted yes 1 Commissioner voted no. Commissioner voting no was Mark McFarlin.

RESOLUTION NO. 04-03
LANGUAGE IN ALL CONTRACTS AND
BID SPECIFICATIONS

Motion was made by Mickey Bunn and second by Susan Sullivan to accept Res. No. 04-03. Upon roll call vote 21 Commissioners voted yes.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-03

**ADOPTING A POLICY STATEMENT AND SPECIFYING CERTAIN
LANGUAGE TO BE INCLUDED IN ALL CONTRACTS, BID
SPECIFICATIONS AND LEGAL PUBLICATIONS OF HICKMAN
COUNTY WITH RESPECT TO TITLE VI OF THE
CIVIL RIGHTS ACT OF 1964**

WHEREAS, Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, in order to assure Title VI compliance by all departments and agencies of Hickman County Government, it becomes necessary to re-affirm and adopt a formal policy statement and implement certain procedures in our bidding and contracting requirements for all such departments and agencies;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 26th day of January, 2004, that:

SECTION 1: The following shall hereby become the official policy statement of Hickman County, Tennessee, with respect to Title VI compliance:

"Hickman County Government assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Hickman County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that Hickman County Distributes federal aid fund to another governmental entity, Hickman County will include Title VI language in all written agreements and will monitor for compliance.

Hickman County's Title VI Coordinator shall be responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 Code of Federal Regulation 21."

SECTION 2: The following language shall be included in all vendor contracts issued by all departments or agencies of Hickman County:

"It is the policy of _____ not to discriminate on the basis of race, color, national origin, age, sex or disability in its hiring and employment practices, or in admission to, access to, or operation of its programs, services and activities. With regard to all aspects of this contract, Contractor certifies and warrants it will comply with this policy."

SECTION 3: The following statement shall be included in all requests for bids by all departments and agencies of Hickman County:

"It is the policy of _____ to ensure compliance with Title VI of the Civil Rights Act of 1964 (49 CFR, Part 21) related statutes and regulations to that end that no person shall be excluded from participation in or be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or any other funding source on the grounds of race, color, national origin, or sex. By virtue of submitting a response to this solicitation, bidders agree to comply with the same non-discrimination policy."

SECTION 4: The following language shall be included in all legal publications of all departments and agencies of Hickman County:

"_____ does not discriminate based on race, color, national origin, or sex in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d)."

SECTION 5: The following public notice shall be placed annually in a newspaper of general circulation in Hickman County and shall be posted on various bulletin boards which are maintained by a Hickman County department or agency:

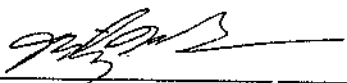
"Hickman County Government hereby gives public notice that it is the policy of all its departments and agencies to assure full compliance with Title VI of the Civil Rights Act of 1964, in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Hickman County received Federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Hickman County. Any such complaint must be in writing and filed with the Hickman County Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination

Complaint Forms may be obtained from Hickman County at no charge by contacting the County Mayor's Office, mayor@hickmanco.com, or by calling 931-729-2492, or downloading directly from Hickman County's web site located at www.hickmanco.com."

SECTION 6: The County Mayor of Hickman County shall develop a grievance procedure and forms for individuals who feel they have been discriminated against with respect to the provisions of Title VI and shall maintain a log of such complaints.

SECTION 7: This provisions of this resolution shall become effective immediately upon passage, the public welfare requiring it.

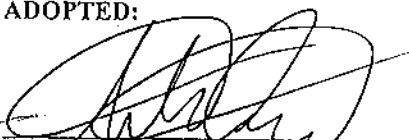
SPONSORS:



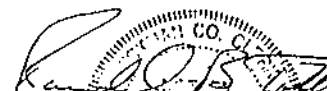
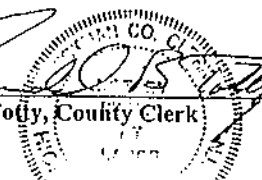


BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:


Steve Gregory, Chairman

ATTEST:


Randel Tolly, County Clerk


RESOLUTION NO. 04-04
SPEED LIMIT INCREASE ON TWO STATE ROUTES
STATE ROUTE HWY 50 AND STATE ROUTE 7

Motion was made by Nathaniel Bates second By Robert Capps to accept Res. No. 04-04. Upon roll call vote 14 Commissioners voted yes, 6 Commissioners voted no 1 Commissioner passed. Commissioners voting no were Ricky Tidwell, Frankye Ward, Mickey Bunn, Charley List, Mark McFarlin, and Lenette Harris. Jim Rice Passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-04

**RECOMMENDING INCREASED SPEED LIMITS ON TWO
STATE ROUTES IN HICKMAN COUNTY, TENNESSEE**

WHEREAS, circumstances have arisen in Hickman County that State Routes and County Roads need the speed limit adjusted; and

WHEREAS, the Hickman County Highway Commission has voted to request that the speed limits on certain State Routes be increased and posted accordingly; and

WHEREAS, the Hickman County Legislative Body is desirous of acting favorably on said recommendations and making such recommendations known to the Tennessee Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 26th day of January, 2004, that:

SECTION 1: The speed limit on State Route 50 West, from the Charlie Thompson Memorial Bridge to Interstate Forty needs to be increased from 55 miles per hour to 65 miles per hour due to the excellent condition of the road and the low volume of traffic.

SECTION 2: The speed limit on State Route 7 South, from Brown Hollow Road to the Hickman-Maury County Line, should be increased from 55 miles per hour to 60 miles per hour due to the excellent condition of the road and the low volume of traffic.

SECTION 3: The Tennessee Department of Transportation is hereby encouraged to act favorably on these recommendations and erect suitable speed limit signs at appropriate locations on the above-stated routes.

SECTION 4: The County Clerk of Hickman County is hereby directed to furnish a certified copy of this resolution to Gerald Nicely, Commissioner of the Tennessee Department of Transportation at his office in Nashville, Tennessee.

SECTION 5: This resolution shall become effective upon passage, the public welfare requiring it.

SPONSORS:

Mathaniel Bates

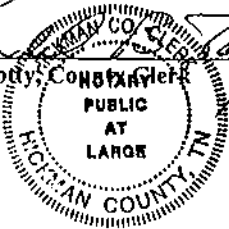
Robert Capps

BOARD ACTION: 14 Aye 6 Nay 1 Pass 0 Absent

ADOPTED:

ATTEST:

[Signature]
Steve Gregory, Chairman

[Signature]
Randel Totty, County Clerk


RESOLUTION NO. 04-05
BLOCK GRANT FUNDS FOR COMMUNITY
DEVELOPMENT

Motion was made by Mickey Bunn second by James Hassell to accept Res. No. 04-05. Upon roll call vote 18 Commissioners voted yes, 3 passed. Commissioners passing were Steve Hethcote, Robert Capps, and Mathaniel Bates. Resolution passed

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-05

**AUTHORIZING AN APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, Hickman County, Tennessee, is eligible for funding through the Community Development Block Grant Program (CDBG) administered by the Tennessee Department of Economic and Community Development; and

WHEREAS, there exists a need to construct an emergency operations facility to service Hickman County during all emergency situations; and

WHEREAS, Hickman County desires to make an application for said project;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 26th day of January, 2004, that:

SECTION 1: The County Mayor is hereby authorized and directed to execute and submit an application for funds to the Tennessee Department of Economic and Community Development in the amount of \$300,000 of the total project costs.

SECTION 2: The County Mayor is hereby directed and authorized to enter into all necessary agreements to receive and administer such grant funds.

SECTION 3: The total cost of the project is estimated to be 585,000. The balance of \$285,000 in local matching funds shall be provided by funds of the County.

SECTION 4: This resolution shall become effective upon passage, the public welfare requiring it.

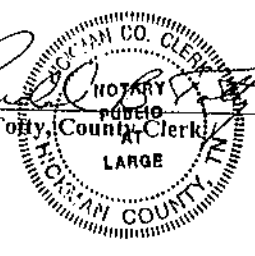
SPONSORS:

Shirley W. Berry Ronnie Holt

BOARD ACTION: 18 Aye 0 Nay 3 Pass 0 Absent

ADOPTED: [Signature]
Steve Gregory, Chairman

ATTEST: [Signature]
Randel Tolly, County Clerk



RESOLUTION NO. 04-07
SETTING COUNTY GENERAL EMPLOYEE
RAISES BASED ON TCA 8-24-102 AS
APPLIES TO COUNTY OFFICIALS

Motion was made by Ronnie George second by Shirley Mayberry to accept Res. No. 04-07. Upon roll call vote 15 Commissioners voted yes, 4 Commissioners voted no 2 passed. Commissioners voting no were Ronnie Holt, Charles Booker, Wayne Richey, and Mark McFarlin. Robert Capps and Nathaniel Bates passed. Motion Passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-07

**SETTING COUNTY GENERAL EMPLOYEE RAISES BASED
ON TCA 8-24-102 (d) AS IT APPLIES TO COUNTY OFFICIALS**

WHEREAS, The Legislative Body of Hickman County meets from time to time to adopt certain rules and regulations; and

WHEREAS, The County Officials of Hickman County are desirous at this time to establish a system of raises for their employees; and

WHEREAS, The Tennessee State Legislature established guidelines for raises for County Officials in 2001 by enacting TCA 8-24-102 (d) calling for raises to be tied to state employees; and

WHEREAS, The County Officials of Hickman County at this time would ask the members of the Hickman County Legislative Body to adopt similar language;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 26th day of January, 1004, that:

SECTION 1: On July 1, 2004, and each July thereafter, the minimum compensation for Hickman County General Employees, shall be increased by a dollar amount equal to the average annualized general increase in state employees' compensation, including the equivalent percentage increase in average state employees' salaries represented by appropriated funds made available to address classification compensation issues as it applies to county officials, during the prior fiscal year multiplied by the compensation established herein for the county officials of the county with the median population of all counties provided, however, that the annualized general increase tied to the increase in state employees compensation shall not exceed five percent (5%) in any given year. On or before May 1 of each year, the commissioner of finance and administration shall certify to the comptroller of the treasure the average annualized general increase in state employee's compensation during that fiscal year. "Average annualized general increase in state employee's compensation" means the average percentage increase in base salaries for state employees, plus the equivalent percentage increase in average state employees' salaries represented by recurring appropriation amounts provided to improve the level of retirement benefits, longevity benefits, and deferred compensation benefits or other similar benefits that are made available to state employees, not including health insurance benefits.

