

FEBRUARY 23, 2004

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session, this 23<sup>rd</sup> day of February, 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:  
Susan Sullivan, Ricky Tidwell, Gerald Rochelle, Ronnie Holt, Charles Booker, Frankye Ward, Steve Hethcote, Jodie Bates, Jim Rice, Mickey Bunn, Charley List, Robert Capps, Nathaniel Bates, Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Lenette Harris, and Brad Leeper.  
(21 Present, and 0 Absent).

AGENDA

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

**HICKMAN COUNTY LEGISLATIVE BODY**

**MONDAY, FEBRUARY 23, 2004**

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 January 26, 2004 Meeting
- F) Elections/Appointments:
  - 1) Notaries
  - 2) 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) 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)
- H) Old Business:
  - 1) Resolution No. 04-02 - Amending Rules for Land Development Tax
  - 2) Other Old Business (if any)
- I) New Business:
  - 1) Resolution No. 04-08 - Amending County Resolution No. 9628
  - 2) Resolution No. 04-09 - Regarding Methamphetamine Laws
  - 3) Resolution No. 04-10 - Amending the County Road List
  - 4) Resolution No. 04-11 - Supporting Worker's Compensation Reform
  - 5) Resolution No. 04-12 - Concerning Asphalt Plants in Tennessee
  - 6) Resolution No. 04-13 - Concerning "Friends Of East Hickman Park"
  - 7) Other New Business (if any)
- J) Announcements (if any)
- K) Adjournment

## ACCEPTING MINUTES JANUARY MEETING

Motion was made by Charley List second by Shirley Mayberry to accept the minutes from the January Meeting. Motion was passed by voice vote.

NOTARIES 1<sup>st</sup> READING

Motion was made by Steve Hethcote second by Charley List to accept notaries on first reading as follows: Eugene H. Hudspeth, and Remona B. Capps.  
Motion was passed by voice vote.

NOTARIES 2<sup>nd</sup> READING

Motion was made by Mickey Bunn second by Charley List to accept the following applicants for their Notary Bonds: Marillynn Baker-Arnold, J. B. Walker Jr., Lorraine W. Bates, Betty S. Breece. Ryan McDonal, S. McGowan, and Jeremy L. James.  
Motion was passed by voice vote.

TWO MORE COMMISSIONERS  
ON BUDGET COMMITTEE

Motion was made by Wayne Richey and second by Robert Capps to add Jodi Bates and Lenette Harris to the Budget Committee.  
Motion was passed by voice vote.

APPOINTMENT TO EAST  
SEWER COMMITTEE

Nominations were opened for a person from County Court to serve on a committee with Vision 21 for prospects of a sewer system in the East end of Hickman.

Willie Powers nominated Ricky Tidwell, Mark McFarlin nominated Ronnie George, and James Hassell nominated Gerald Rochelle.

Motion was made by Steve Hethcote and second by Ronnie Holt that all nominations cease.  
Motion was voice passed.

All three withdrew their names from nomination.

APPOINTMENT OF ALL THREE  
COMMISSIONERS

Motion was made by Jim Rice second by Steve Hethcote that all three be appointed to the East sewage Committee. Ricky Tidwell, Gerald Rochelle, and Ronny George.  
Motion was voice passed.

APPROVAL OF JANUARY  
FINANCE REPORT

Motion was by Ricky Tidwell second by Charley List to accept January Finance Report, which is on file at the County Clerks Office.  
Motion was passed voice vote.

BUDGET AMENDMENT  
04-029

Motion was made by Ricky Tidwell second by Mickey Bunn to accept the following Budget Amendment #04-029.  
Upon Roll call vote 21 Commissioners voted yes 0 no.

Budget Amendment # 04-029

HICKMAN COUNTY, TENNESSEE  
BUDGET AMENDMENTS

		<u>DEBIT</u>	<u>CREDIT</u>
<b>MISCELLANEOUS GENERAL FUND AMENDMENTS:</b>			
<b>(Miscellaneous - United Way)</b>			
101-44570	Contributions & Gifts	\$ 6,694.33	
101-39000	Undesignated Fund Balance		\$ 6,694.33
101-39000	Undesignated Fund Balance	\$ 6,694.33	
101-56900-316	Contributions		\$ 6,694.33
		\$ 13,388.66	\$ 13,388.66

REQUESTED BY: Steve Gregory

REASON: Funds donated to Hickman County for distribution by the Davidson, Dickson, Maury & Williamson County United Way Chapters.

FINANCE COMMITTEE APPROVAL:

ATTEST:

Ricky Tidwell  
Ricky Tidwell, Chairman

Betty Holland  
Betty Holland, Finance Director

DATE: 2-12-04

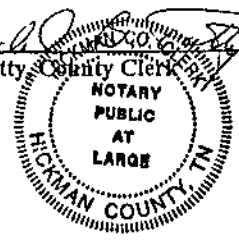
COUNTY COMMISSION APPROVAL:

ATTEST:

[Signature]  
Steve Gregory, Chairman

Randel Totty  
Randel Totty, County Clerk

DATE: 2-23-04



SETTING RULES FOR IMPACT  
FEE EXEMPTION 911 ADDRESS

Motion was made by Brad Leeper and second by Ronny George that anyone who had obtained a 911 address prior to September 1, 2003 would be exempt from paying the impact fee if the footing of the building had been pored or a house trailer anchored or underpinned before September 1, 2004, otherwise they will be taxed.  
Upon roll call vote 15 Commissioners voted yes, 3 Commissioners voted no, and 3 Commissioners passed. Commissioners voting no were Ronnie Holt, Charles Booker, and Robert Capps. Steve Hethcote, Jim Rice, and Nathaniel Bates passed.

MOTOR HOMES OR TRAVEL  
TRAILERS TRAILERS NOT BE  
EXEMPT

Motion was made by Brad Leeper and second by Ronny George that Motor Homes and travel trailers not be exempt from impact fee taxes if they are used as a residence.

MOTION TO TABLE

Motion was made by Brad Leeper and second by Charley List to table until next month. Upon roll call vote 9 Commissioners voted yes 10 Commissioners voted no and 2 passed. Commissioners voting yes were Susan Sullivan, Jodi Bates, Charley List, Ronny George, Shirley Mayberry, Willie Powers, Mark McFarlin, Lenette Harris, and Brad Leeper. Jim Rice and James Hassell passed.

ORIGINAL MOTION  
MOTOR HOMES

Upon roll call vote that motor homes and travel trailers not be exempt from impact fee, 6 Commissioners voted yes, 13 voted no, and 2 passed. Commissioners voting yes were Ricky Tidwell, Frankye Ward, Jim Rice, Charley List, Ronny George, and Wayne Richey. Susan Sullivan and Mark McFarlin passed. Motion Failed

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

Motion was made by Brad Leeper second by Mark McFarlin to accept the following Resolution No. 04-02.  
Upon roll call vote 16 Commissioners voted yes, and 5 Commissioners voted no. Commissioners voting no were Charles Booker, Steve Hethcote, Robert Capps, Nathaniel Bates, and James Hassell. Resolution passed.

**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 23<sup>rd</sup> day of February, 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.

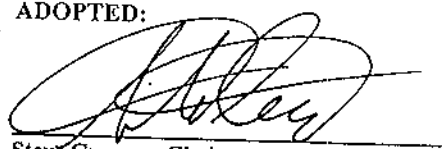
SPONSORS:


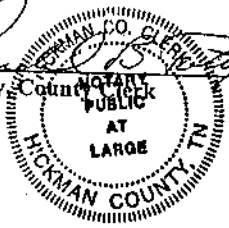
Brad Leeper Mark McFarlin

BOARD ACTION: 16 Aye 5 Nay 0 Pass 0 Absent

ADOPTED:

ATTEST:

  
Steve Gregory, Chairman

  
Randel Totty, County Clerk  


6. **APPEALS PROCESS:** - In the event that a "Person" believes that the tax levied is incorrect or not applicable, the "Building Inspector shall collect a \$25.00 processing fee and then the following appeals process shall be followed:
- A) The "Person" will be able to utilize the appeals process in one of two ways:
    - 1) The "Person" may choose to pay the tax and clearly note that the tax is being paid under protest. This will be noted by checking the section of the "Certificate" stating such. A statement shall also be recorded on the "Certificate" as to why the "Person" wishes to appeal the tax. The normal application process for the completed "Certificate" shall then be followed.
    - 2) The "Person" may choose not to pay the purposed tax. In such cases the "Building Inspector" will take the application for the "Certificate" and note the reason for the protest. The "Person" shall then receive the last copy of the "Certificate" for his/her records to be used during the appeals process. The "Building Inspector" shall retain all other copies for his/her records.
  - B) The "Building Inspector" shall be responsible for the following duties in the appeals process:
    - 1) Insuring that the "Certificate" clearly states the reason for the appeal.
    - 2) That each "Certificate" subject to appeal is forwarded to the Chairman of the Appeals Board. All such "Certificates" shall be returned to the "Building Inspector" at the conclusion of the appeals process.
    - 3) Other such duties as may be designated or required by the Appeals Board.
  - C) The "Building Inspector" shall be responsible for scheduling all appeals and shall convey such schedule to the Chairman of the Appeals Board before the Board meets. The "Building Inspector" shall also be responsible for notifying the "Person" filing the appeal as to the appropriate Board meeting date.
  - D) The "Person" shall be scheduled to appear before the Appeals Board at its next meeting, if he/she makes application at least ten calendar days prior to such meeting. Otherwise, the "Person" shall be scheduled to appear before the Appeals Board at it's next regularly scheduled meeting. If the "Person" fails to appear before the Appeals Board at the scheduled time, the Chairman will be allowed to schedule the person as time permits in the current or next meeting of the Board.
  - E) The Appeals Board will render a decision at the hearing, unless the Appeals Board has reason to contact the County Attorney for legal advise. In such cases the decision will be rendered at the next regularly scheduled meeting of the Board after the County Attorney has provided his/her opinion.

- F) In the event the Appeals Board reverses or reduces the amount of a tax which has already been paid, it will be the Chairman's responsibility to provide written documentation to the "County Trustee" authorizing a refund including the \$25.00 appeals processing fee. A copy of this letter will also be sent to and maintained on file by the "Building Inspector". This documentation shall include the following information:
- ▶ Individuals name as recorded on the "Certificate"
  - ▶ Number of the "Certificate"
  - ▶ Amount of refund
  - ▶ Reason for refund
- G) In the event the Appeals Board upholds the tax the \$25.00 appeals processing fee shall be deposited into the Adequate Facilities Tax Fund and, the Chairman will send written documentation to the "Person", with a copy sent to and to be maintained by the "Building Inspector", stating the following:
- ▶ Individual's name as recorded on the "Certificate"
  - ▶ Number of the "Certificate"
  - ▶ Reason for denying the appeal
- H) In the event an appeal is denied on a "Certificate" where no tax has been paid, the "Person" shall again appear before the "Building Inspector" who will start the application process over with a new "Certificate".

RESOLUTION NO. 04-08  
KEYS BRANCH ROAD

Motion was made by Jim Rice and second by Ronnie Holt and Mickey Bunn to accept Resolution No. 04-08.  
Upon roll call vote 15 Commissioners voted yes, 3 Commissioners voted no, and 3 Commissioners passed. Commissioners voting no were Ricky Tidwell, Charles Booker, and Lenette Harris. Robert Capps, Nathaniel Bates, and Ronny George passed.

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 04-08**

AMENDMENDING COUNTY RESOLUTION NO. 9628  
ADOPTED ON APRIL 15, 1996 AS IT APPLIES TO KEYS BRANCH ROAD,  
HICKORY HOLLOW COURT, KEVIN'S RIDGE, HIGH MEADOW COURT,  
AND WOODLAND TRAIL TOTALING 5.1 MILES OF ROAD

WHEREAS, The Hickman County Legislative Body meets from time to time with the need to amend certain rules, regulations, and committee appointments; and

WHEREAS, The Hickman County Legislative Body has certain authorities established by the State of Tennessee; and

WHEREAS, From time to time it becomes necessary to utilize special laws that have been adopted to fix special circumstances that exists within the boundaries of our county; and

WHEREAS, The State of Tennessee under TCA 54-7-202 gives authority to the Hickman County Legislative Body, stated in the following caption: "Private use of equipment and materials prohibited-Penalty-Work for governmental entities authorized"; and

WHEREAS, Under TCA 54-7-202 (g) (1), at the written request of the United State's Postal Authority or the appropriate school board, the county may use county vehicles, equipment and supplies to maintain areas for the purpose of providing public school buses and postal vehicles with a route and turnaround area, even though such areas may not be on the official road map; and

WHEREAS, the attached letters from the United States Postal Service and the Board of Education have expressed their desires for these roads to be upgraded for the protection, safety, and maintenance of their respective agencies vehicles; and

WHEREAS, On the 15<sup>th</sup> day of April in 1996, the legislative body by a vote of 18-1 with one absent passed resolution 9628 bringing certain roads that were in existence prior to 1989 but were not up to county roads specifications in Hickman County; and

**WHEREAS**, The cost was to be shared equally by the Hickman County Highway Department and the Hickman County General Fund; and

**WHEREAS**, In the event the residents of such roads wanted the roads to be double sealed, the extra cost shall be funded through a special assessment not to exceed ten (10) years; and

**WHEREAS**, Section 1: states "Private roads that were in existence prior to 1989 will be accepted as county roads after improvements are made, pursuant to a five-year plan developed by the Hickman County Highway Department and the special Road Study Committee of the Hickman County Legislative Body; and

**WHEREAS**, This resolution was properly passed and went into effect on the 15<sup>th</sup> day of April 1996; and

**WHEREAS**, All private roads in existence prior to 1989 would and should have been included in the five-year plan; and

**WHEREAS**, Unfortunately, minutes do not exist of the Special Road Committee of the Hickman County Legislative Body nor the minutes of this Honorable Court reflect the list of roads included in the five-year plan; and

**WHEREAS**, It is undisputed that the Keys Branch Road and its tributaries were in existence prior to 1989 and were most likely included in the plan; and

**WHEREAS**, The residents of this area along with the Hickman County Board of Education and the United States Postal Service are all in agreement and are willing to allow the use of the county vehicles and supplies to be used on these private roads under TCA 54-7-202 (g) (1); and

**WHEREAS**, Due to a legal problem with the funding of this project as pointed out by the auditors for the State of Tennessee, this project was never pursued or funded properly by the Hickman County Legislative Body; and

**WHEREAS**, The sponsors of this resolution and the residents of the Keys Branch area agree that the resolution adopted in 1996 is valid and should be pursued at this time with proper funding; and

**WHEREAS**, The sponsors of this resolution and the residents of the Keys Branch area realize the County Highway Department, due to a shortfall in funding for the last several years, is unable to fulfill their commitment made in 1996; and

**WHEREAS**, The sponsors of this resolution and the residents of the Keys Branch area realize that our county since 1996, has not been able to adequately fund this project;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23<sup>rd</sup> day of February, 2004, that:

**SECTION 1:** The aforementioned roads be brought up to suitable conditions to satisfy the safety and good maintenance of the vehicles used by the Board of Education and the U.S. Postal Service. Suitable at this time would be chert roads.

**SECTION 2:** Keys Branch and its tributaries were in existence prior to 1989 and should have been included in this project.

**SECTION 3:** The residents of the Keys Branch area and its tributaries realize the financial condition of the county and do not expect these roads brought up beyond suitable conditions except through a special assessment.

**SECTION 4:** The attachment of "Road Petitions" filed with the County Mayor is evidence that the residents of Keys Branch and its tributaries are in support beyond the 2/3 requirement of Resolution 9628.

**SECTION 5:** The residents of Keys Branch and its tributaries are currently unable to financially bear the burden of bringing these roads up to minimum standards existing in 1989.

**SECTION 6:** The residents of Keys Branch and its tributaries realize that neither the County nor the Highway Department are able to bring these roads up to minimum standards existing in 1989.

**SECTION 7:** The residents of Keys Branch and its tributaries shall be specifically named as follows: Hickory Hollow Court, Kevin's Ridge, High Meadow Court, Woodland Trail and Keys Branch Road. They request and have presented signed documents to utilize TCA 7-32-118 to

SECTION 8: This special assessment (approximately \$60,000.00) shall be for 10 years and shall include 18 ft. width of crush and run road bed. It shall include the cost of maintenance for three years as determined by the Hickman County Highway Department Superintendent, the County Mayor and a representative from the Keys Branch Association.

SECTION 9: Funding shall be made in accordance with TCA 7-32-118 as attached.

SECTION 10: Hickory Hollow Court, Kevin's Ridge, High Meadow Court, Woodland Trail, and Keys Branch shall be deemed county roads after improvements are made and after the special assessment has been levied.

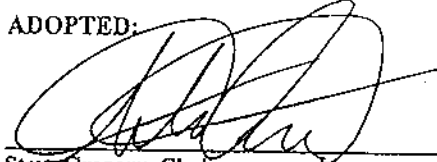
SECTION 11: The provisions of this resolution shall become effective immediately upon passage, the public welfare requiring it.

SPONSORS:


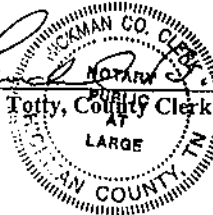
Jim Rice  
Ronnie Holt  
Mickey Bunn

BOARD ACTION: 15 Aye 3 Nay 3 Pass 0 Absent

ADOPTED:

  
Steve Gregory, Chairman

ATTEST:

  
Randel Totty, County Clerk  


RESOLUTION NO. 04-09  
RECOGNIZING METHAMPHETAMINE

Motion was made by James Hassell and second by Mickey Bunn to accept Resolution No. 04-09.  
Upon roll call vote 20 Commissioner voted yes 1 Commissioner passed.  
Commissioner who passed was Steve Hethcote.

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 04-09**

**RECOGNIZING METHAMPHETAMINE AS THE SECOND MOST WIDELY USED ILLICIT DRUG IN THE WORLD**

WHEREAS, Methamphetamine is the most prevalent synthetic drug manufactured in the United States of America; and

WHEREAS, Methamphetamine is a highly addictive stimulant that can be smoked, snorted, injected or taken orally; and

WHEREAS, Methamphetamine is a powerfully violent drug, and its use can result in fatal disorders, brain damage, liver damage, chronic depression, paranoia and other physical and mental problems; and

WHEREAS, The use of illegal Methamphetamine also results in the destruction of families and forces excess costs upon society; and

WHEREAS, it would be in the best interested of Hickman County, as well as all counties in the state of Tennessee, for the Tennessee General Assembly to stiffen the penalties for manufacturing, possessing and selling Methamphetamine and punish violators to the fullest extent of the law including mandatory jail time to those convicted;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23<sup>rd</sup> day of February, 2004, that:

SECTION 1: The General Assembly of the State of Tennessee is hereby advised of the Hickman County Board of County Commissioner's concern over the abuse of Methamphetamine and its harmful effects on individuals, families and county governments.

SECTION 2: We hereby request the General Assembly of the State of Tennessee to enact new laws which will enhance the punishment for the manufacture, possession and distribution of Methamphetamine, and to provide mandatory jail time.

SECTION 3: The District Attorney General serving Hickman County be advised of the Board's action so that they will understand our concern and know of our desire to have violators of Methamphetamine laws to be punished to the fullest extent of the law.

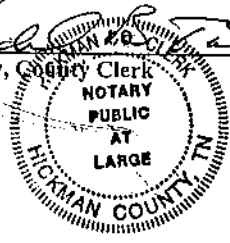
SECTION 4: This resolution shall become effective upon its passage, the public welfare requiring it.

SPONSORS:

*James Hassell*      *Ronny George*

BOARD ACTION:    20 Aye    0 Nay    1 Pass    0 Absent

ADOPTED: *[Signature]*  
Steve Gregory, Chairman

ATTEST: *[Signature]*  
Randel Totty, County Clerk  


RESOLUTION NO. 04-10  
PIPER ROAD IN THE PLAINSVILLE  
SUBDIVISION

Motion was made by James Hassell and second by Ronny George to accept Resolution No. 04-10.  
Upon roll call vote 21 Commissioner voted yes.

# HICKMAN COUNTY, TENNESSEE

## RESOLUTION NO. 04-10

### TO ADD A ROAD TO THE OFFICIAL ROAD LIST OF HICKMAN COUNTY, TENNESSEE

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

WHEREAS, the Hickman County Highway Commission has, at their regularly scheduled meeting on February 2, 2004, voted to accept a new road and add it to the official county road list of Hickman County; and

WHEREAS, the Hickman County Legislative Body is desirous of adding such road;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23<sup>rd</sup> day of February, 2004, that:

SECTION 1: The following road is hereby designated to be a county road and shall be formally added to the official road list of Hickman County:

Piper Road in the Plainsville Subdivision - 2116.9 feet

SECTION 2: This resolution shall become effective upon its passage, the public welfare requiring it.

SPONSORS:

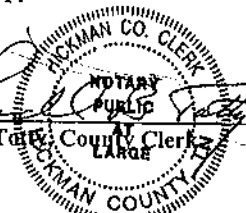
James Hassell                      Ronny George

BOARD ACTION:    21 Aye    0 Nay    0 Pass    0 Absent

ADOPTED:

Steve Gregory  
Steve Gregory, Chairman

ATTEST:

Randel Tate  
Randel Tate, County Clerk  


### RESOLUTION NO. 04-11 SUPPORTING WORKER'S COMPENSATION REFORM

Motion was made by Willie Powers and second by Mickey Bunn to accept Resolution No. 04-11.

Upon roll call vote 12 Commissioners voted yes 5 Commissioner voted no and 4 Commissioners passed. Commissioners voting no were Gerald Rochelle, Charles Booker, Robert Capps, Nathaniel Bates, and James Hassell. Commissioners that passed were Susan Sullivan, Ronnie Holt, Frankye Ward, and Mark McFarlin.

# HICKMAN COUNTY, TENNESSEE

## RESOLUTION NO. 04-11

### SUPPORTING WORKER'S COMPENSATION REFORM IN THE STATE OF TENNESSEE

WHEREAS, a healthy and viable business community in Hickman County and in Tennessee is critical to the economic health of our county and state; and

WHEREAS, a strong and competitive business climate is the key to job creation in Hickman County and across the state; and

WHEREAS, we support the safety, health and well-being of all Hickman County's and Tennessee's employees; and

WHEREAS, we understand that any business in Hickman County and Tennessee with five or more employees is required by law to have worker's compensation insurance; and

WHEREAS, we support worker's compensation as a system to assure medical treatment and income continuation to employees with work-related injuries; and

WHEREAS, the cost of the insurance and the system that supports it impacts the growth and development of all businesses; and

WHEREAS, based upon data and information provided by state and local government officials, area economic developers, and individual businesses and manufacturers, we recognize that an unfavorable situation exists in the Tennessee worker's compensation system;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23<sup>rd</sup> day of February, 2004, that:

SECTION 1: We hereby go on record as supporting worker's compensation reform in Tennessee, and pray that it will come during the 2004 session of the Tennessee General Assembly.

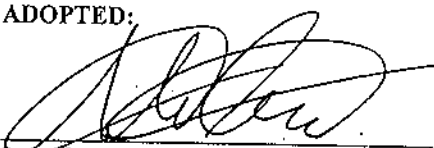
SECTION 2: We hereby encourage the members of the Tennessee General Assembly and the Governor of Tennessee to work together to enact meaningful worker's compensation reform legislation in 2004 that is fair and equitable to both the business community and employees in Hickman County and the State of Tennessee.


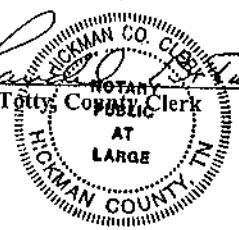
SECTION 3: This resolution shall become effective upon passage, the public welfare requiring it.

SPONSORS:

BOARD ACTION: 12 Aye 5 Nay 4 Pass 0 Absent

ADOPTED:   
Steve Gregory, Chairman

ATTEST:   
Randel Totty, County Clerk  


RESOLUTION NO. 04-12  
COUNTIES OPERING ASPHALT PLANTS

Motion was made by Mickey Bunn and second by Willie Powers to accept Resolution No. 04-12.  
Upon roll call vote 21 Commissioners voted yes.

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 04-12**

**TO URGE THE TENNESSEE GENERAL ASSEMBLY TO AMEND  
THE GENERAL LAW TO ALLOW COUNTIES AND MUNICIPALITIES  
THE CHOICE OF WHETHER OR NOT TO OPERATE HOT MIX  
ASPHALT PLANTS**

**WHEREAS**, counties and municipalities across this state, including Hickman County, annually expend large sums of taxpayer money purchasing hot mix asphalt for the improvement and repair of county roads and city streets; and

**WHEREAS**, counties and municipalities often are unable to obtain hot mix asphalt at reasonable prices from private companies due to the lack of competition in this industry which is dominated by a few large companies; and

**WHEREAS**, most county highway departments and municipal public works departments in Tennessee are regularly and unfairly shackled in their attempts to obtain hot mix asphalt at a reasonable price by two factors: the actions of the hot mix asphalt producing companies (often receiving only one bid at an exorbitant price) coupled with the general law prohibiting most local governments from operating hot mix asphalt plants; and

**WHEREAS**, this uncompetitive and restrictive situation causes substantial waste of tax dollars earmarked for the improvement and repair of county roads and city streets; and

**WHEREAS**, the only clear solution to this intolerable waste is for counties and municipalities to be granted the authority to choose whether the county or municipality, singly or jointly with one or more local governments in a regional facility, should operate a hot mix asphalt plant for the use and benefit of their citizens; and

**WHEREAS**, if given a choice of whether or not to operate a hot mix asphalt plant, counties and municipalities would have new leverage to negotiate better prices even without operating a plant, but if such leverage is insufficient to lower prices to the level needed, the local governments could produce hot mix asphalt at a reasonable cost to the taxpayers; and

**WHEREAS**, under current law at T.C.A. § 12-8-101, the vast majority of counties and municipal governments are prohibited from operating hot mix asphalt plants; and

**WHEREAS**, this statutory prohibition on county and municipal choice is an unreasonable infringement on the ability of local governments to provide paved roads and streets to their citizens at a reasonable cost;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23<sup>rd</sup> day of February, 2004, that:

**SECTION 1:** The General Assembly of the State of Tennessee is strongly urged to amend Tennessee Code Annotated, Section 12-8-101, and such other statutes as may be necessary, so as to allow county and municipal legislative bodies to have the choice of whether or not to operate hot mix asphalt plants for the use and benefit of their citizens, whether singly or jointly with other local governments.

**SECTION 2:** The county clerk of Hickman County is hereby directed to furnish certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Hickman County and to the Honorable Phil Bredesen, Governor of the State of Tennessee.

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

SPONSORS:


W. B. [Signature]      Wells [Signature]

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:

[Signature]  
Steve Gregory, Chairman

ATTEST:

[Signature]  
Randel Totty, County Clerk  


RESOLUTION NO. 04-13  
GRANTING AUTHORITY TO THE  
FRIENDS OF THE EAST HICKMAN PARK

Motion was made by Lenette Harris and second by Jodi Bates to accept Resolution No. 04-13.  
Upon roll call vote 21 Commissioners voted yes.

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 04-13**

**RECOGNIZING AND GRANTING CERTAIN AUTHORITY TO  
THE "FRIENDS OF THE EAST HICKMAN PARK"**

WHEREAS, some years ago approximately twenty-one (21) acres of property was generously donated to Hickman County for use as a recreational park; and

WHEREAS, the County currently lacks the revenue and resources necessary to develop the property, and a group of concerned citizens, namely the "Friends of the East Hickman Park", have asked for permission to take on such funding and development; and

WHEREAS, we are desirous of granting such permission with some stipulations;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 23<sup>rd</sup> day of February, 2004, that:

SECTION 1: The "Friends of the East Hickman Park" is hereby recognized as a group of concerned citizens with an eleven member Board of Directors, and shall have the authority to plan, implement and work toward development of the aforementioned property. Said group shall make reports on its activities at least quarterly to the Recreation/Tourism Committee of Hickman County's Board of County Commissioners.

SECTION 2: The "Friends of the East Hickman Park" shall apply for a Charter with the State of Tennessee, apply for and maintain status as a non-profit, 501(c)(3) corporation as recognized by the Internal Revenue Service, and develop and maintain a set of by-laws to conduct the business of such corporation. Additionally, the Treasure of said corporation shall be bonded in an amount not to exceed the anticipated annual gross revenues of the corporation.

SECTION 3: The "Friends of the East Hickman Park" shall have the authority to raise and expend funds for such planning and development as mentioned in Section 1, however, all development must have prior approval from the Board of County Commissioners of Hickman County acting on recommendations from it's own Recreation/Tourism Committee before any development commences.

SECTION 4: Hickman County Governments shall not maintain the financial resources of the "Friends of the East Hickman Park" except in the case where state or federal grants are applied for by, and awarded to, the County.

SECTION 5: The provisions of this resolution shall become effective upon its passage, the public welfare requiring it.

SPONSORS:

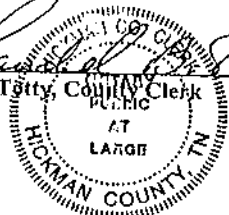
John Bates                      Synette Harris

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:

[Signature]  
Steve Gregory, Chairman

ATTEST:

[Signature]  
Randel Totty, County Clerk  
The seal of Hickman County, Tennessee, is circular with the text "HICKMAN COUNTY, TN" around the perimeter. In the center, it says "CLERK OF COUNTY" and "AT LARGE".

SUPPORTING COUNTY COMMISSIONERS  
ON VETO VOTE

Motion was made by Steve Hethcote and second by Gerald Rochelle to Support the County Commission Association to be able to over ride a veto by County Mayor by a simple majority vote.  
Motion was voice passed

ADJOURN

Motion was made by James Hassell and second by Steve Hethcote to adjourn.  
Motion was voice passed.