

SEPTEMBER 20, 2004

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session, this 20th day of September, 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:
Jodi Bates, Jim Rice, Mickey Bunn, Nathaniel Bates, Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, Susan Sullivan, Ricky Tidwell, Ronnie Holt, Charles Booker, Frankye Ward, and Steve Hethcote. The following were absent:
Charley List, Robert Capps, and Gerald Rochelle.
(18 Present; 3 Absent). ***NOTE: Charley List was present at 7:30 p.m.

AGENDA

Motion was made by Mickey Bunn and seconded by Mark McFarlin to approve the following agenda. Motion passed by voice vote.

HICKMAN COUNTY LEGISLATIVE BODY

SEPTEMBER 20, 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 August 16, 2004 Meeting
- F) Elections/Appointments:
 - 1) Election of Chairman
 - 2) Election of Chairman Pro Tempore
 - 3) Appointment of Notaries
 - 4) 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) Rescuc Squad Committee
 - 7) Beer Board
 - 8) Planning Commission
 - 9) Adequate Facilities Tax Appeals Board
 - 10) EMS Committee
 - 11) Hospital Foundation
 - 12) Sheriff & Jail Committee
 - 13) Jail Planning Committee
 - 14) Recreation/Tourism Committee
 - 15) Other Committee/Board Reports (if any)
- H) Old Business (if any):
- I) New Business:
 - 1) Approval of Bond for Assessor of Property
 - 2) Discussion/Action Regarding Stud Welding - Gail Wright Property
 - 3) Resolution No. 04-38 - Appointing a Member to the Library Board
 - 4) Resolution No. 04-39 - Regarding the new Hickman County Jail
 - 5) Other New Business (if any)
- J) Announcements (if any)
- K) Adjournment

MINUTES

Motion was made by Mickey Bunn and seconded by Jodi Bates to approve the minutes from the August 16, 2004 meeting. Motion passed.

SEPT. 20, 2004

ELECTION OF CHAIRMAN

Jim Rice nominated Brad Leeper, and Ricky Tidwell nominated Steve Gregory to serve as Chairman of the Legislative Body. Motion was made by Ricky Tidwell and seconded by Mickey Bunn that all nominations cease. Motion passed by voice vote.

The following Commissioners voted for Steve Gregory:

Mickey Bunn, Nathaniel Bates, Ronny George, Shirley Mayberry, Susan Sullivan, and Ricky Tidwell. (6)

The following Commissioners voted for Brad Leeper:

Jodi Bates, Jim Rice, James Hassell, Wayne Richey, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, Ronnie Holt, Charles Booker, Frankye Ward, and Steve Hethcote. (12)

Steve Gregory received 6 votes; Brad Leeper received 12. Therefore, Brad Leeper was elected as Chairman of the Legislative Body.

ELECTION OF VICE CHAIRMAN

Wayne Richey nominated Mark McFarlin to serve as Vice-Chairman of the Legislative Body. Motion was made by James Hassell and seconded by Nathaniel Bates that all nominations cease, and to elect Mark McFarlin by acclamation. Motion passed by voice vote. Mark McFarlin was elected as Vice-Chairman of the Legislative Body.

NOTARY PUBLIC

Motion was made by James Hassell and seconded by Nathaniel Bates to approve the following applicants for a Notary Public Commission from the State of Tennessee: Carol Jacobson, Barbara D. Lewis, Norma H. Manor, Susan A. McNabb, John W. Vaughan, and Teresa West. Motion passed by voice vote.

NOTARY BONDS

Motion was made by Susan Sullivan and seconded by Jodi Bates to approve the following applicants for a \$10,000.00 Notary Public Bond: Tamara D. Daniels, Natalie Dawson, Judy L. Gordon, Katie Jones, and Tina Truett. Motion passed by voice vote.

COMMITTEE APPOINTMENTS IN OCTOBER

Motion was made by Mark McFarlin and seconded by James Hassell to keep all committees as they are until the October meeting. Upon roll call vote, 17 commissioners voted "Yes." Ricky Tidwell voted "No." Charley List, Robert Capps, and Gerald Rochelle were absent. (17 Yes; 1 No; 3 Absent). Motion passed.

FINANCE REPORT

Motion was made by Mark McFarlin and seconded by Jodi Bates to approve the Finance Report for August, 2004. Motion passed by voice vote.

BUDGET AMENDMENT 05-009

Motion was made by Mark McFarlin and seconded by James Hassell to approve the following Budget Amendment 05-009. Upon roll call vote, 18 commissioners voted "Yes." Charley List, Robert Capps, and Gerald Rochelle were absent. (18 Yes; 3 Abs). Motion passed.

*****NOTE: Charley List came in at 7:30 p.m.

Acct Number	Description	DEBIT	CREDIT
46520	School Food Service	\$3,700.00 *	
46990	Other State Grants	\$39,100.00 **	
47139	Revenue	\$26,000.00 ***	
39000	Fund Balance	\$100,000.00 ****	
71300-116-84002	Teachers		\$11,500.00
71300-399-84002	Other Contracted Services		\$8,625.00
71300-499-84002	Other Supplies & Materials		\$3,000.00
71300-599-84002	Other Charges		\$2,875.00
73100-105	Supervisor		\$3,700.00
73300-189-FRC	Other Salaries & Wages		\$12,500.00
73300-201-FRC	Social Security		\$1,100.00
73300-204-FRC	Retirement		\$1,300.00
73300-207-FRC	Medical Insurance		\$1,200.00
73300-355-FRC	Travel		\$1,000.00
73300-355-FRE	Travel		\$1,000.00
73300-499-FRC	Other Supplies & Materials		\$7,000.00
73300-499-FRE	Other Supplies & Materials		\$7,000.00
73300-599-FRC	Other Charges		\$2,000.00
73300-599-FRE	Other Charges		\$2,000.00
73300-790-FRC	Equipment		\$1,500.00
73300-790-FRE	Equipment		\$1,500.00
76100-799	Other Capital Outlay		\$100,000.00
	Total	\$168,800.00	\$168,800.00

* Increase in State Revenue
 ** State Restoration of Family Resource Center Funding
 *** Special Vocational Grant from State
 **** Replacement of Cooling Tower and Controls at HCMS (unit failed in / Cooling tower Repair at EHMS (replace missing parts and damaged parts)

Approved:

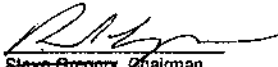
Attest:

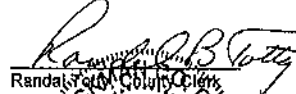
Chairman, Finance Committee


Finance Director

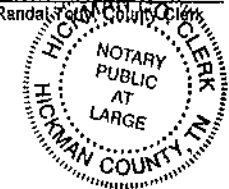
Approved:

Attest:


 Steve Gregory, Chairman
 Brad Leeper


 Randal Felt, County Clerk

Approved: 9-24-04




Hickman County Board of Education
 Budget Amendment # 1
 General Purpose School
 30-Aug-04

Page 1 of 1

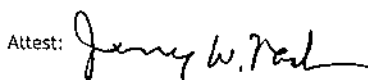
Requires: Board Approval
 Legislative Body Approval

account	description	debit	credit
46520	Revenue	*3700.00	
46990	Revenue	**39100.00	
47139	Revenue	***26000.00	
39000	Fund Balance	****100,000.00	
71300-116-84002	Teachers		\$11,500.00
71300-399-84002	Other Contracted Services		\$8,625.00
71300-499-84002	Other Supplies & Materials		\$3,000.00
71300-599-84002	Other Charges		\$2,875.00
73100-105	Supervisor		\$3,700.00
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73300-599-FRC	Other Charges		\$2,000.00
73300-599-FRE	Other Charges		\$2,000.00
73300-790-FRC	Equipment		\$1,500.00
73300-790-FRE	Equipment		\$1,500.00
76100-799			\$100,000.00
	Total	\$168,800.00	\$168,800.00

Approved:

Attest:





Justification:

* Increase in State Revenue
 ** State Restoration of Family Resource Center Funding
 *** Special Vocational Grant from State
 **** Replacement of Cooling Tower and Controls at HCMS (unit failed in August)
 Cooling Tower Repair at EHMS (replace missing parts and damaged parts)

SEPT. 20, 2004

BUDGET AMENDMENT 05-010

Motion was made by Jim Rice and seconded by Mickey Bunn to approve the following Budget Amendment 05-010, to transfer \$1,000.00 from General Sessions Travel Fund to Other Contracted Services. Upon roll call vote, 19 commissioners voted "Yes." Robert Capps and Gerald Rochelle were absent. Motion passed.

Budget Amendment # 05-010

HICKMAN COUNTY, TENNESSEE
BUDGET AMENDMENTS

		<u>DEBIT</u>	<u>CREDIT</u>
MISCELLANEOUS GENERAL FUND AMENDMENTS:			
(General Sessions Court)			
101-53300-355	Travel	\$ 1,000.00	
101-53300-399	Other Contracted Services		\$ 1,000.00
		\$ 1,000.00	\$ 1,000.00

REQUESTED BY: Sam Smith, Judge

REASON: Juvenile Lockups

FINANCE COMMITTEE APPROVAL:

ATTEST:

Ricky Tidwell, Chairman

Betty Holland, Finance Director

DATE: _____

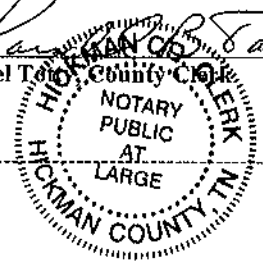
COUNTY COMMISSION APPROVAL:

ATTEST:

Brad Leeper, Chairman

Randel Tolson, County Clerk

DATE: R. L. Bunn



COUNTY MAYOR'S APPROVAL / DISAPPROVAL:

Steve Gregory, County Mayor

DATE: 9-24-04

**DIRECT DEPOSIT PAYCHECKS
ALL COUNTY EMPLOYEES**

Motion was made by Mark McFarlin and seconded by Jodi Bates that in order to save the County time and the expense of printing checks, to pay all county employees by direct deposit to First National Bank in Centerville, Tennessee; beginning January 1, 2005. Upon roll call vote, 19 commissioners voted "Yes." Robert Capps and Gerald Rochelle were absent. (19 Yes; 2 Absent). Motion passed.

SOLID WASTE DIRECTOR APPOINTMENT

Motion was made by Willie Powers and seconded by Jodi Bates to appoint Marty Turbeville as the Director of the Hickman County Solid Waste Department; replacing Jamie Nelms, who resigned. Motion passed by voice vote. (Minute Book 34, Page 469, April 21, 2003 Meeting).

COURTHOUSE IMPROVEMENTS

Motion was made by Wayne Richey and seconded by James Hassell regarding improvements to the Courthouse:

- to authorize \$35.00 per hour for Harvey Moore to install electrical boxes for the new central heat & air unit.
- to authorize an auction for items found in basement; and
- to allocate \$600.00 for Harvey Moore to install heat & air vents to additional rooms in basement.

Upon roll call vote, 16 commissioners voted "Yes." Mickey Bunn and Ronny George voted "No." Steve Hethcote chose to pass. Robert Capps and Gerald Rochelle were absent. (16 Yes; 2 No; 1 Pass; 2 Absent). Motion passed.

RESCUE SQUAD REPORT

Motion was made by Mark McFarlin and seconded by Steve Hethcote to accept the report by the Rescue Squad Committee. Motion passed by voice vote.

**SOUTHBUILD (COUNTY JAIL)
APPOINT SPECIAL COMMITTEE**

Motion was made by Frankye Ward and seconded by Wayne Richey to appoint a special committee to work out the details with Southbuild Professional Services; regarding a new county jail. The following were appointed to serve on this committee: Jim Rice, James Hassell, Steve Hethcote, Wayne Richey, Frankye Ward, and Mayor Steve Gregory.

Motion was made by Ricky Tidwell and seconded by Mickey Bunn to table this committee appointment until next month's meeting. Upon roll call vote, Jodi Bates, Mickey Bunn, Charley List, Nathaniel Bates, Ronny George, Shirley Mayberry, Brad Leeper, and Ricky Tidwell voted "Yes." The remaining 11 commissioners voted "No." (8 Yes; 11 No; 2 Abs). Motion to table failed.

Motion was made by Mark McFarlin and seconded by James Hassell to amend that this special committee shall be exempt from the previously approved motion that the committee appointments will be at the October meeting. Upon roll call vote, 18 commissioners voted "Yes." Ricky Tidwell voted "No." (18 Yes; 1 No; 2 Abs). Motion to amend passed.

On the original motion, as amended, upon roll call vote, 18 commissioners voted "Yes." Ricky Tidwell voted "No." Robert Capps and Gerald Rochelle were absent. (18 Yes; 1 No; 2 Absent). Motion passed.

PROPERTY ASSESSOR BOND

Motion was made by Steve Hethcote and seconded by Nathaniel Bates to approve the bond for Delton Mayberry, the new Assessor of Property. Motion passed by voice vote.

STUD WELDING - GAIL WRIGHT PROPERTY

Motion was made by Steve Hethcote and seconded by James Hassell to give to Ms. Gail Wright the strip of land adjoining her property to Stud Welding, Inc. Upon roll call vote, 19 commissioners voted "Yes." Robert Capps and Gerald Rochelle were absent. (19 Yes; 2 Absent). Motion passed.

SEPT. 20, 2004

Attorneys	Law Office	Telephone
Dye & Vander Horst, P.C.		
Dana Dye	P.O. Box 11, 105 West End Avenue	(931) 729-3531
Allston Vander Horst	Centerville, Tennessee 37033	Fax (931) 729-3532

September 16, 2004

Honorable Steve Gregory
County Mayor
Hickman County Courthouse
Centerville, TN 37033

RECEIVED
SEP 18 2004
BY: _____

Re: Stud Welding/Gail Wright land

Dear Steve:

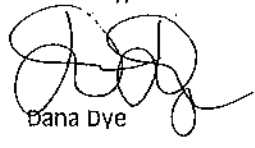
I took the plat out to Coble realty and asked them to either give us an estimated value for the strip of land adjoining Gail Wright's property or, in the alternative, confirm that it had no marketable value.

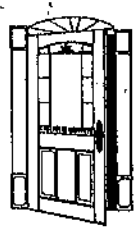
Enclosed is a letter from Anita Arnold confirming that the land has no marketable value.

Given that the land has no value, I see no problem with the County deeding it to Ms. Wright.

If you have any questions, please feel free to give me a call.

Sincerely,


Dana Dye



COBLE REALTY
and ASSOCIATES

"Let us Open Doors for You"

1180 HIGHWAY 100
CENTERVILLE, TN 37033
(931) 729-3533
FAX (931) 729-0810




September 16, 2004

Dear Mayor,

I was asked to look at a small strip of land between Stud Welding, Inc. and Gail Wright and to give it a marketable value. After looking at the strip of land and the plat, it is my opinion that the property has no value. The best use of the property would be to quit claim it to the adjoining land owner.

Sincerely,


Anita Arnold
Broker of Coble Realty & Assoc.

PUBLIC LIBRARY BOARD OF TRUSTEES
RESOLUTION 04-38

Motion was made by James Hassell and seconded by Mark McFarlin to approve the following Resolution 04-38, appointing Ms. Carol Mayberry to the Board of Trustees for the Hickman County Public Library. Motion passed by voice vote.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-38

APPOINTING MEMBERS TO THE BOARDS OF TRUSTEES
FOR THE HICKMAN COUNTY PUBLIC 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 term of Trustee Len Womack expired on June 30, 2004, and he is not eligible for re-election, therefore a vacancy has been created; and

WHEREAS, the Hickman County Public Library Board, meeting on July 22, 2004, and by unanimous vote, asked that Carol Mayberry be appointed for a full three-year term on the Hickman County Public Library Board of Trustees to replace the retiring trustee; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 20th day of September, 2004, that:

SECTION 1: Carol Mayberry is hereby appointed to three-year term on the Board of Trustees for the Hickman County Public Library, with the term to expire on June 30, 2007.

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

SPONSORS:

Shirley Mayberry

Willie Powers

BOARD ACTION: 19 Aye 0 Nay 0 Pass 2 Absent

ADOPTED:

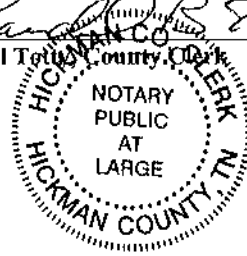
ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randel T. Fathy
Randel T. Fathy, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory
Steve Gregory, County Mayor



SEPT. 20, 2004

**NEW JAIL CONSTRUCTION
RESOLUTION 04-39**

Motion was made by Sponsors Wayne Richey, Frankye Ward, Steve Hethcote, and Jim Rice, and seconded by Sponsor James Hassell to approve the following Resolution 04-39, authorizing the construction of a new jail for Hickman County.
Upon roll call vote, Jodi Bates, Jim Rice, Mickey Bunn, Charley List, Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, Susan Sullivan, and Frankye Ward voted "Yes." Nathaniel Bates, Ricky Tidwell, Ronnie Holt, Charles Booker, and Steve Hethcote voted "No." Robert Capps and Gerald Rochelle were absent. (14 Yes; 5 No; 2 Absent).
Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-39

**AUTHORIZING CONSTRUCTION OF A NEW JAIL
FOR HICKMAN COUNTY, TENNESSEE**

WHEREAS, the Hickman County Legislative Body meets from time to time with the need to adopt resolutions for the benefit of Hickman County; and

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

WHEREAS, a joint meeting between the Sheriff and Jail Committee and the Special Jail Building Committee resulted in the following nine (9) point agreement as to the wording of this resolution for the Legislative Body's consideration:

- 1) The construction of the new jail shall begin on 7-1-05 or earlier if possible.
- 2) The new jail is to be constructed behind the Hickman County Justice Center.
- 3) Southbuild Professional Services shall be hired to let bids, manage construction and manage the jail project from start to finish.
- 4) The County Mayor shall be authorized to sign contracts on behalf of Hickman County with Southbuild Professional Services to let bids, manage construction and manage the jail project from start to finish.
- 5) The County Mayor shall be authorized to conduct meetings with any and all agencies that currently provide funding for or will provide funding for this jail project at the best possible rates available.
- 6) The overall cost of the jail shall not exceed \$6,458,908.00.
- 7) The Hickman County Finance Director shall set up a project fund account with a separate chart of accounts for this project.
- 8) The County shall authorize the purchase of a program for the Finance Director to utilize "Project Accounting" from funds previously authorized by the Legislative Body from the Jail Building Fund account.
- 9) All funds borrowed for the Jail Building Project are to be used for the building of the new jail and no funds are to be used for any other purpose or project.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 20th day of September, 2004, that:

SECTION ONE: The provisions of this resolution, as stated above, are hereby adopted.

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

SPONSORS:

Wayne Richey

James Hassell

Frankye Ward

Jim Rice

Steve Hethcote

BOARD ACTION: 14 Aye 5 Nay 0 Pass 0 Absent

ADOPTED:

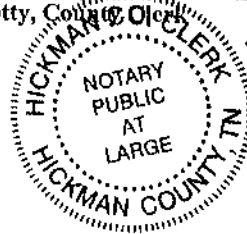
ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randel Totty
Randel Totty, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory, County Mayor



ADJOURN

Motion was made by Steve Hethcote and seconded by Shirley Mayberry to adjourn this meeting. Motion passed by voice vote.

Minutes Prepared By: Penny Stewart, Deputy County Clerk

PS