

DECEMBER 20, 2004

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session, this 20th day of December, 2004, at the Justice Center in Centerville, Tennessee. All County Commissioners were present:
Robert Capps, Nathaniel Bates, Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, Susan Sullivan, Ricky Tidwell, Gerald Rochelle, Ronnie Holt, Charles Booker, Frankye Ward, Steve Hethcote, Jodi Bates, Mickey Bunn, and Charley List.
(20 Present; 0 Absent; 1 Vacancy).

AGENDA

Motion was made by Charley List and seconded by James Hassell to approve the following agenda, adding discussion of holding an election to allow voters to decide if the County should incur debt to construct new jail. (At least ten percent of registered voters have expressed their disapproval of such project by filing a petition with the County, requesting a referendum). Motion passed by voice vote.

The Hickman County Legislative Body shall meet in regular session at 7:00 p.m., on Monday, December 20, 2004, at the Hickman County Justice Center. This meeting is open to the public, and a tentative agenda is presented below. Persons requiring special assistance should contact the County Mayor's Office at 931-729-2492 at least 48 hours prior to the meeting.

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 November 15, 2004 Meeting
- (F) Elections/Appointment/Special Speakers:
 - (1) Notaries
 - (2) Appointment of District Two Commissioner
 - (3) Other Elections and/or Appointments (if any)
 - (4) Ed Cole-TDOT
- (G) Committee/Board Reports:
 - (1) Vision 21 Board
 - (2) Chamber of Commerce
 - (3) Finance Committee
 - (4) Solid Waste Committee
 - (5) County Building/ADA Committee
 - (6) Beer Board
 - (7) Planning Commission
 - (8) AFT Appeals Board
 - (9) EMS Committee
 - (10) Hospital Foundation Board
 - (11) Sheriff Jail Committee
 - (12) Jail Oversight Committee
 - (13) Recreation Tourism Committee
 - (14) Adult Establishment Committee
 - (15) Other Committee/Board Reports (if any)
- (H) Old Business
 - (1) 04-47 Aft Policy and Procedure
- (I) New Business
 - (1) 04-48 Imagination Library
 - (2) 04-49 Road Name Change
 - (3) 04-50 East Sewer Line
- (J) Announcements (if any)
- (K) Adjournment

Brad Leeper, Chairman, Legislative Body

MINUTES

Motion was made by Willie Powers and seconded by Mickey Bunn to approve the minutes from the November 15, 2004 meeting. Motion passed by voice vote.

DEC. 20, 2004

NOTARY PUBLIC

Motion was made by Steve Hethcote and seconded by Susan Sullivan to approve the following applicants for a Notary Public Commission from the State of Tennessee: Alisa Harrington, Georgia C. Moss, and Patty Sisk. Motion passed by voice vote.

NOTARY BONDS

Motion was made by Nathaniel Bates and seconded by Charley List to approve the following applicants for a \$10,000.00 Notary Public Bond: Letitia Allen, Angel Falls, Gwen Rogers, and Lisa L. Thompson. Motion passed by voice vote.

APPOINT DISTRICT 2 COMMISSIONER
TO FILL VACANCY

Ricky Tidwell nominated Danny Clark, and Mark McFarlin nominated Paul Taylor to fill the vacancy left by Jim Rice; as District 2 Commissioner.

Motion was made by Wayne Richey and seconded by Nathaniel Bates that all nominations cease.

Commissioners voting for Danny Clark:

Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Lynette Harris, Brad Leeper, Ricky Tidwell, Gerald Rochelle, Frankye Ward, Jodi Bates, Mickey Bunn, and Charley List. (13)

Commissioners voting for Paul Taylor:

Robert Capps, Nathaniel Bates, Mark McFarlin, Susan Sullivan, Charles Booker, and Steve Hethcote. (6)

Ronnie Holt chose to pass. Danny Clark received 13 votes; Paul Taylor received 6. Danny Clark was appointed as County Commissioner to represent District 2; effective immediately.

INDUSTRIAL BOARD

Motion was made by Steve Hethcote and seconded by Mark McFarlin to appoint Mr. Steve Turner of Nunnely and Mr. David Hunt of Lyles to the Hickman County Industrial Board; each to serve a six-year term. Motion passed by voice vote.

APPOINT NEW COMMISSIONER TO SAME COMMITTEES

Motion was made by Mark McFarlin and seconded by Charley List to appoint Danny Clark to the same committees that Jim Rice was appointed to; consisting of the following: Salary & Benefits, Adult Est. Board, Recreation/Tourism, and Cable Television. Motion passed by voice vote.

FINANCE REPORT

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

BUDGET AMENDMENT 05-024

Motion was made by Mark McFarlin and seconded by Shirley Mayberry to approve the following Budget Amendment 05-024. Upon roll call vote, 21 commissioners voted "Yes." Motion passed. ***This Budget Amendment appears on page 141.

REIMBURSE EDDIE COOK FOR PURCHASE

Motion was made by Ronny George and seconded by James Hassell to accept and reimburse Highway Dept. Superintendent Eddie Cook's purchase of candy from Wal-mart, without a purchase order. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

BRING JUSTICE CENTER UP TO A.D.A. STANDARDS

Motion was made by Wayne Richey and seconded by Charley List to authorize the Building Committee to proceed with simple projects to bring the Hickman County Justice Center up to A.D.A. standards. Upon roll call vote, 20 commissioners voted "Yes." Nathaniel Bates chose to pass. (20 Yes; 1 Pass). Motion passed.

APPOINT DANNY CLARK TO JAIL COMMITTEE

Motion was made by Frankye Ward and seconded by Mickey Bunn to appoint Danny Clark to the Sheriff/Jail Committee, to fill the vacancy left by Jim Rice. Motion passed by voice vote.

ADULT ORIENTATION BOARD

Motion was made by Ronnie Holt and seconded by Steve Hethcote to adopt Act 1988 7-51-1101, regarding Adult Orientation. Motion was withdrawn.

**LAND DEVELOPMENT TAX
Amend Rules & Regulations
RESOLUTION 04-47**

This Resolution was tabled at the Nov. 15th meeting. Motion was made by Mark McFarlin and seconded by Wayne Richey to approve the following Resolution 04-47. Upon roll call vote, 14 commissioners voted "Yes." Robert Capps, Nathaniel Bates, James Hassell, Gerald Rochelle, and Charles Booker voted "No." Ronnie Holt and Steve Hethcote chose to pass. (14 Yes; 5 No; 2 Pass). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-47

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

WHEREAS, the Legislative Body of Hickman County, Tennessee by Resolution No. 03-36 implemented a land development tax which became effective September 1, 2003, with Rules and Regulations for administration of this tax being adopted by this Body; and

WHEREAS, it has become necessary to amend said Rules and Regulations to authorize procedures for collection of such tax;

NOW, THEREFORE, BE IT RESOLVED by the Legislative Body of Hickman County, Tennessee, assembled in regular session this _____ day of _____, 2004 that the aforementioned Rules and Regulations be amended by addition of Section 7 authorizing litigation for the collection of said tax and the imposition of liens on the subject property for non-payment of the tax. A copy of Section 7 is attached to this Resolution.

SPONSORS:

Mark McFarlin

Wayne Richey

BOARD ACTION: 14 Aye 5 Nay 2 Pass 0 Absent

ADOPTED:

Brad Leeper
Brad Leeper, Chairman

Randel B. Totty
Randel Totty, County Clerk



7. ENFORCEMENT AND COLLECTION OF TAX: After a "Person" has exhausted the Appeal Process and It is determined by the Appeals Board that the tax is due and owing, the County Attorney shall be authorized to file suit for the collection of such tax. Court costs shall be taxed to the "Person" failing or refusing to pay. The unpaid tax, together with court costs, shall constitute a lien on the subject real property and shall be recorded in the Register of Deeds Office. The Chairman of the Appeals Board will notify the County Attorney to proceed with collection of the Tax and any unpaid costs if payment is not received within two (2) working days of the Appeals Board decision.

**DOLLY PARTON IMAGINATION LIBRARY PROJECT
RESOLUTION 04-48**

Motion was made by Mickey Bunn and seconded by Jodi Bates to approve the following Resolution 04-48, approving Hickman County's participation in the Dolly Parton Imagination Library Project. Upon roll call vote, 21 commissioners voted "Yes." Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-48

**APPROVING THE PARTICIPATION OF HICKMAN COUNTY
IN THE DOLLY PARTON IMAGINATION LIBRARY PROJECT**

WHEREAS, Governor Phil Bredesen has set a goal for the State of Tennessee that every Tennessee child should be given a new book every month from their birth until they reach five years of age; and

WHEREAS, The Dollywood Foundation, a Tennessee nonprofit corporation, has created the Dolly Parton Imagination Library to promote early childhood educational development in communities across the United States that have agreed to join the Dolly Parton Imagination Library; and

WHEREAS, in those participating communities, The Dollywood Foundation mails a book each month to every child under the age of five whose parent or guardian has registered them to participate in the Dolly Parton Imagination Library; and

WHEREAS, in response to Governor Phil Bredesen's request and in furtherance of his early reading initiative that includes the expansion of the Dolly Parton Imagination Library to all counties in Tennessee, the Tennessee General Assembly appropriated \$2,000,000 in the 2004-05 fiscal year budget for the purpose of funding the initial costs associated with the expansion of the Dolly Parton Imagination Library to all counties in Tennessee; and

WHEREAS, the Governor's Books From Birth Foundation (the "Governor's Foundation") has been organized as a private nonprofit corporation under the laws of the State of Tennessee for the purpose of the promotion and encouragement of reading by the children of the State of Tennessee; and

WHEREAS, the Governor's Foundation intends to seek grants from the State of Tennessee and donations from the citizens of Tennessee for the purpose of partnering with local sponsoring organizations in each county to offer the benefits of the Dolly Parton Imagination Library to all of the children of the State of Tennessee that are under the age of five; and

WHEREAS, prior to the award of such grants to the Governor's Foundation, the Tennessee Department of Education will manage the funds appropriated by the State of Tennessee for the purpose of funding the initial costs associated with the expansion of the Dolly Parton Imagination Library to all counties in Tennessee; and

WHEREAS, the Board of County Commissioners of Hickman County would like to promote the early childhood educational development of all children in Hickman County by participating in the Dolly Parton Imagination Library; and

WHEREAS, the Governor's Foundation, the State of Tennessee and Hickman County desire to set forth the terms under which the eligible children of Hickman County will receive the benefits of the Dolly Parton Imagination Library.

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

SECTION 1: The Board of County Commissioners of Hickman County hereby approves of the participation of Hickman County in the Dolly Parton Imagination Library on the following terms and conditions:

1. **Description of the Program.** Every child that resides in Hickman County and that is under the age of five shall be eligible to receive a new book each month from the Dolly Parton Imagination Library (the "Imagination Library") after such child has been registered to participate in the Imagination Library so long as the requirements set forth herein are satisfied.
2. **Local Sponsoring Organizations.** Hickman County will arrange for the funding of one-half (½) of the costs of implementing the Imagination Library in Hickman County by contacting civic organizations, local businesses and governments, and other potential sources of funding within the County ("Sponsoring Organizations").

3. Shared Payment Responsibilities. The Dollywood Foundation will charge a fixed amount per child, per month for each child participating in the Imagination Library. The Governor's Foundation will be responsible for funding one-half (1/2) of the total monthly amount payable to The Dollywood Foundation for the monthly cost of providing books to the eligible and registered children of Hickman County. The Sponsoring Organizations will be responsible for funding the remaining one-half (1/2) of the total amount payable to The Dollywood Foundation for the monthly cost of providing books to the eligible and registered children of Hickman County. Notwithstanding the foregoing, prior to the Governor's Foundation receiving grants from the State of Tennessee, the Tennessee Department of Education will fund the one-half (1/2) amount otherwise payable by the Governor's Foundation.

4. Invoicing. Prior to the Governor's Foundation receiving grants from the State of Tennessee, The Dollywood Foundation will invoice the Sponsoring Organizations for their one-half (1/2) share of the monthly cost of Hickman County participating in the Imagination Library and will invoice the Tennessee Department of Education for the remaining one-half (1/2) share of such cost. Once the Governor's Foundation has received grants from the State of Tennessee, The Dollywood Foundation will invoice the Governor's Foundation for one hundred percent (100%) of the monthly cost of Hickman County's participation in the Imagination Library and the Governor's Foundation will invoice the Sponsoring Organizations in Hickman County for their one-half (1/2) share of such costs.

5. Payment. The Sponsoring Organizations shall remit payment to The Dollywood Foundation or the Governor's Foundation, as the case may be, by electronic funds transfer no later than the 25th day of each month.

6. Registration of Participants. The Sponsoring Organizations will be responsible for organizing and coordinating the registration of the eligible children of Hickman County to participate in the Imagination Library. The Sponsoring Organizations also will be responsible for arranging for the establishment and maintenance of a database that includes the name and address of each child in Hickman County that is registered to participate in the Imagination Library and for monitoring the eligibility of registered participants in Hickman County.

7. Delivery of Books. Prior to the 9th day of each month, the Sponsoring Organizations will provide The Dollywood Foundation with a written list of the names and addresses of all eligible children that are registered to participate in the Imagination Library for the following month. The Dollywood Foundation will arrange for the delivery of one book to each child so identified.

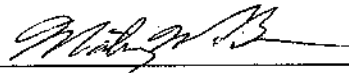

8. Returned Books. From time to time, a book addressed to a registered Imagination Library participant may be undeliverable due to an unknown addressee, or other reasons. The Sponsoring Organizations are responsible for ensuring that all Imagination Library books that are returned to a U.S. Post Office in Hickman County as undeliverable are picked up on a regular basis, not less than monthly, and arranging for the delivery of such books to the appropriate Imagination Library participant, or if all delivery efforts have proved unsuccessful, taking possession of such undeliverable books and disposing of such books in a charitable manner that furthers early childhood development.

9. Default by Sponsoring Organizations. If the Sponsoring Organizations fail to provide a written list to The Dollywood Foundation prior to the 9th day of any month, the children of Hickman County otherwise eligible to receive a book from the Imagination Library will not receive a book for the month following such failure. If the Sponsoring Organizations fail to remit the payment required of them by the 25th day of any month, the children of Hickman County otherwise eligible to receive a book from the Imagination Library will not receive a book for the month following such failure. If any payment required of the Sponsoring Organizations has not been timely made for any month, the Governor's Foundation may, in its sole and absolute discretion, terminate the participation of Hickman County in the Imagination Library. If the Sponsoring Organizations fail to fulfill their payment obligations as specified herein, Hickman County will use its best efforts to arrange for payment from other Sponsoring Organizations.

SECTION 2: BE IT FURTHER RESOLVED, that all resolutions of the county legislative body of Hickman County, Tennessee that are in conflict with this resolution are hereby repealed.

SECTION 3: BE IT FURTHER RESOLVED, that this Resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the county legislative body.

SPONSORS:

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:


ATTEST:

BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

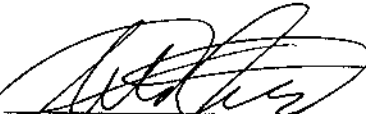
ADOPTED:

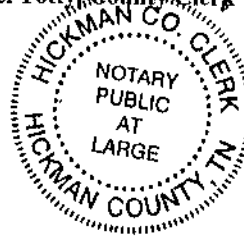
ATTEST:


Brad Leeper, Chairman


Randel Totty, County Clerk

APPROVED/DISAPPROVED:


Steve Gregory, County Mayor



ROAD NAME CHANGE: ELKINS TO CHANDLER
RESOLUTION 04-49

Motion was made by Nathaniel Bates and seconded by Willic Powers to approve the following Resolution 04-49, to change the name of a road in Pleasantville from *Elkins Road* to *Chandler Road*. Motion passed by voice vote.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 04-49

REGARDING A NAME CHANGE FOR A COUNTY ROAD
IN HICKMAN COUNTY, TENNESSEE

WHEREAS, a county legislative body had the duty to designate the public roads of the county which are to be maintained by the county highway department; and

WHEREAS, the Hickman County Board of Highway Commissioners, meeting in regular session on December 6, 2004, voted to change the name of one road already serviced by Hickman County, provided all adjacent land owners agreed; and

WHEREAS, the Hickman County Legislative Body now wishes to concur with the Board of Highway Commissioners and approve this name change;

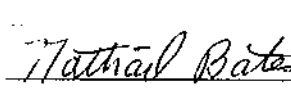
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 20th day of December, 2004, that:

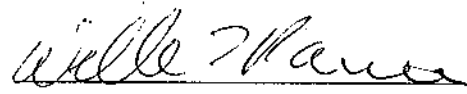
SECTION 1: The name of the following road shall be changed as noted below, provided that all adjacent land owners agree with such change:

Elkins Road in Pleasantville shall be changed to Chandler Road

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

SPONSORS:




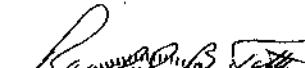


BOARD ACTION: 21 Aye 0 Nay 0 Pass 0 Absent

ADOPTED:

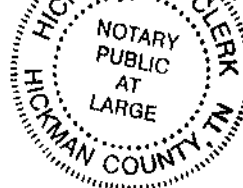
ATTEST:


Brad Leeper, Chairman


Randel Totty, County Clerk

APPROVED/DISAPPROVED:


Steve Gregory, County Mayor



**SEWER SERVICE TO EAST HICKMAN COUNTY
RESOLUTION 04-50**

Motion was made by Ronny George and seconded by Ricky Tidwell to approve Resolution 04-50, authorizing an inter-local agreement with Dickson County's Water Authority, to supply sewer service to East Hickman County.

Motion was made by Ricky Tidwell and seconded by Nathaniel Bates to table this resolution until the next meeting. Motion to table passed by voice vote.

**EAST HICKMAN EMERGENCY BUILDING
APPOINT SPECIAL COMMITTEE**

Motion was made by Wayne Richey and seconded by Mark McFarlin to appoint the following special committee to work on the East Hickman EMS Building project: Charles Booker, Charley List, Mark McFarlin, Steve Hethcote, and Jim Rice. Upon roll call vote, Wayne Richey, Mark McFarlin, Brad Leeper, Ronnie Holt, and Charles Booker voted "Yes." The remaining commissioners voted "No," except Steve Hethcote, who chose to pass. (5 Yes; 15 No; 1 Pass). Motion failed.

ADJOURN

Motion was made by Willie Powers and seconded by Mickey Bunn to adjourn. Motion passed by voice vote.

Budget Amendment # 05-024

HICKMAN COUNTY, TENNESSEE

BUDGET AMENDMENTS

	<u>DEBIT</u>	<u>CREDIT</u>
MISCELLANEOUS GENERAL FUND AMENDMENTS:		
(County Buildings)		
101-44540 Sale of Property (auction)	\$ 543.67	
101-44540 Sale of Property (pipes)	\$ 90.18	
101-39000 Undesignated Fund Balance		\$ 633.85
101-39000 Undesignated Fund Balance	\$ 633.85	
101-51800-335 Maintenance & Repair -Buildings		\$ 633.85
	\$ 1,267.70	\$ 1,267.70

REQUESTED BY: Building Committee

REASON: Various

FINANCE COMMITTEE APPROVAL:

ATTEST:

Lynette Harris
Lynette Harris, Chairman

Betty Holland
Betty Holland, Finance Director

DATE: 12/20/04

COUNTY COMMISSION ADOPTION:

ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randel Totty
Randel Totty, County Clerk

DATE: 12-20-04

COUNTY MAYOR'S APPROVAL/DISAPPROVAL:

Steve Gregory
Steve Gregory, County Mayor

DATE: 1-5-05

