

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session, this 19th day of September, 2005, at the Justice Center in Centerville, Tennessee. Brad Leeper, Chairman, and Randel Totty, County Clerk, presided.

The following County Commissioners were present:

Brad Leeper, Susan Sullivan, Ricky Tidwell, Ronnie Holt, Charles Booker, Frankye Ward, Steve Hethcote, Jodi Bates, Mickey Bunn, Charley List, Danny Clark, Robert Capps, Nathaniel Bates, Ronny George, James Hassell, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, and Lynette Harris. Gerald Rochelle was absent. (20 Present; 1 Absent).

AGENDA

Motion was made by Mark McFarlin and seconded by Shirley Mayberry to amend the following agenda by electing a Chairman and Pro Temp Chairman immediately. Motion to amend and approve the agenda passed by voice vote.

The Hickman County Legislative Body shall meet in regular session at 7:00 p.m., on Monday, September 19, 2005 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.

September 2005 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 15, 2005 Meeting
- (F) Elections/Appointment/Guest Speakers
 - (1) Notaries
 - (2) Elections and/or Appointments
 - (3) Guest Speaker, (If Any)
- (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 (if needed)
 - (8) AFT Appeals Board
 - (9) EMS Committee
 - (10) Hospital Foundation Board
 - (11) Sheriff Jail Committee
 - (12) Jail Over Site Committee (if needed)
 - (13) Recreation Tourism Committee
 - (14) Adult Establishment Committee (if needed)
 - (15) Budget Committee (if needed)
 - (16) Salary and Benefit Committee (if needed)
 - (17) Other Committee/Board Reports (if needed)
- (H) Old Business
- (I) New Business
 - (1) 05-36 Setting Speed Limits on County Roads
 - (2) 05-37 Authorization for \$2,000,000 Sewer Loan
 - (3) 05-38 Authorizing Reimbursement Expenses for Sewer Const.
 - (4) 05-39 Approval of Borrowing \$2,000,000 Sewer Const.

ELECTION OF CHAIRMAN AND PRO-TEMP

Wayne Richey nominated Brad Leeper. Motion was made by Ricky Tidwell and seconded by Mark McFarlin that all nominations cease, and to elect Brad Leeper by acclamation. Motion passed by voice vote.

Brad Leeper was elected to serve as Chairman of the Legislative Body.

Pro-Temp (Vice Chairman)

James Hassell nominated Mark McFarlin. Motion was made by Wayne Richey and seconded by Charley List that all nominations cease, and to elect Mark McFarlin by acclamation. Motion passed by voice vote.

Mark McFarlin was elected to serve as Chairman Pro-Temp of the Legislative Body.

MINUTES

Motion was made by Wayne Richey and seconded by Mickey Bunn to approve the minutes from the August 15, 2005 meeting. Motion passed by voice vote.

NOTARY PUBLIC

Motion was made by Jodi Bates and seconded by Nathaniel Bates to approve the following applicant for a Notary Public Commission from the State of Tennessee: Joan Baker. Motion passed by voice vote.

NOTARY BONDS

Motion was made by Susan Sullivan and seconded by Steve Hethcote to approve the following applicants for a \$10,000.00 Notary Public Bond: June T. Aydelott, Fay L. Bowen, and Jennifer Jacobs. Motion passed by voice vote.

FINANCE REPORT

Motion was made by Lynette Harris and seconded by Mark McFarlin to approve the Finance Report for August, 2005. Motion passed by voice vote.

HIRE DEPUTY SHERIFF FOR JUSTICE CENTER

Motion was made by Frankye Ward and seconded by Mickey Bunn to hire one full-time Deputy Sheriff to manage the front door and metal detectors of the Justice Center; at \$22,000.00 annual salary, plus benefits.

Motion was made by Wayne Richey and seconded by James Hassell to table this motion. Upon roll call vote, 20 commissioners voted "Yes." Gerald Rochelle was absent. (20 Yes; 1 Absent). Motion to table passed.

**BUFORD MCCORD PARK
(Walking Trail)**

Motion was made by Mark McFarlin and seconded by Charley List to allow the committee over the East Hickman Buford McCord Park to continue with plans for a two-mile walking trail. Motion passed by voice vote.

A.F.T. COMMITTEE

Motion was made by Wayne Richey and seconded by Charley List to extend the A.F.T. (Adequate Facilities Tax) Committee for 30 days; with reappointments in October. Motion passed by voice vote.

**SPEED LIMIT ON PINWOOD-LYLES ROAD
RESOLUTION 05-36**

Motion was made by Ronny George and seconded by Steve Hethcote to approve the following Resolution 05-36, setting the speed limit on Pinewood-Lyles Road at 50 mph. Upon roll call vote, Steve Hethcote and Ronny George voted "Yes." The remaining commissioners voted "No." Gerald Rochelle was absent. (2 Yes; 18 No; 1 Absent). Motion failed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-36

**SETTING THE SPEED LIMIT ON VARIOUS COUNTY ROADS
IN HICKMAN COUNTY, TENNESSEE**

WHEREAS, Tennessee Code Annotated, s 55-8-153(d), provides that a county legislative body has the authority to prescribe such lower speed limits as it may deem appropriate on any road being maintained by such county and shall erect appropriate signs and traffic signals; and

WHEREAS, the Hickman County Highway Commission, meeting in regular session on September 12, 2005, voted to request that the speed limits on certain county roads be higher and posted accordingly; and

WHEREAS, the Hickman County Legislative Body is desirous of acting favorably on such request;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of September, 2005, that:

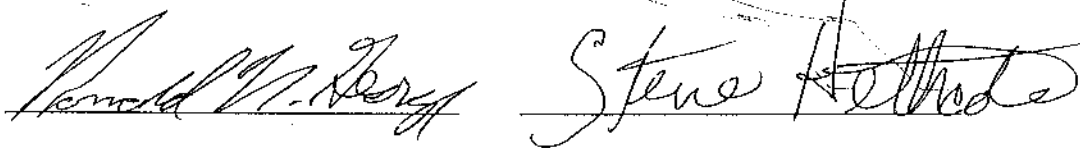
SECTION 1: The speed limit on the county road listed below shall be set as follows:

Pinewood-Lyles Road - 50 mph

SECTION 2: The Hickman County Highway Department is hereby directed to erect suitable speed limit signs at appropriate locations on the above stated road.

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

SPONSORS:



BOARD ACTION: 2 Aye 18 Nay Pass 1 Absent

ADOPTED:

ATTEST:

Brad Leeper, Chairman

Randel Totty, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory, County Mayor

**SEWER SYSTEM
RESOLUTION 05-37**

Motion was made by Mickey Bunn and seconded by Mark McFarlin to approve the following Resolution 05-37, to authorize the incurrence of indebtedness by Hickman County, not to exceed \$2,000,000.00 (two million dollars); for the purpose of financing certain public works projects, consisting of improving the County's sewer system. Upon roll call vote, 18 commissioners voted "Yes." Robert Capps voted "No." Nathaniel Bates chose to pass. Gerald Rochelle was absent. (18 Yes; 1 No; 1 Pass; 1 Absent). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-37

INITIAL RESOLUTION AUTHORIZING THE INCURRENCE OF INDEBTEDNESS BY HICKMAN COUNTY, TENNESSEE, OF NOT TO EXCEED \$2,000,000, BY THE EXECUTION WITH A PUBLIC BUILDING AUTHORITY OF A LOAN AGREEMENT OR OTHER INSTRUMENT EVIDENCING SUCH INDEBTEDNESS, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS, AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

WHEREAS, it is necessary and in the public interest of Hickman County, Tennessee (the "County"), to incur indebtedness (the "Indebtedness"), through the execution with The Public Building Authority of the County of Montgomery, Tennessee or The Public Building Authority of the City of Clarksville, Tennessee (the "Authority"), of a loan agreement or other instrument evidencing such Indebtedness (a "Loan Agreement"), for the purpose of financing certain public works projects, as hereinafter more fully described, and to pay legal, fiscal, administrative, and engineering costs, and costs incident to the financing thereof;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of September, 2005, that:

Section 1. For the purpose of financing all or a portion of the costs of certain public works projects, consisting of the extension, construction, improvement, and equipping of the sewer system of the County, including the installation of a new sewer line and the acquisition of property in connection therewith, the acquisition of all property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs incident thereto, and costs incident to incurring the Indebtedness (collectively, the "Project"), the County is hereby authorized to incur Indebtedness in the amount of not to exceed Two Million Dollars (\$2,000,000), for the financing of the Project through the execution of a Loan Agreement with the Authority. The rate of interest payable pursuant to the provisions of a Loan Agreement shall be a variable rate which rate shall not exceed the maximum rate of interest permitted under the laws of the State of Tennessee.

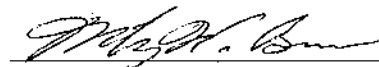
Section 2. The indebtedness evidenced by the Loan Agreement shall be payable from funds of the County legally available therefor and to the extent necessary from ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the County, without limitation as to time, rate, and amount and for the punctual payment of said principal of, premium, if any, and interest on, the Loan Agreement, the full faith and credit of the County will be irrevocably pledged.

Section 3. The Loan Agreement shall be executed pursuant to the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended (the "Act"), and Title 12, Chapter 10, Tennessee Code Annotated, as amended.

Section 4. After the adoption of this Resolution, the County Clerk is directed to cause this Resolution, with the notice prescribed by the Act, to be published in full once in a newspaper published and having general circulation in the County.

Section 5. This Resolution shall take effect from and after its adoption, the welfare of the County requiring it.

SPONSORS:





SPONSORS:

[Signature] [Signature]

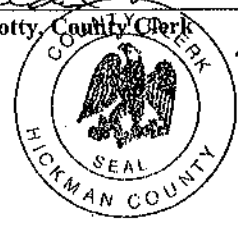
BOARD ACTION: 18 Aye 1 Nay 1 Pass 1 Absent

ADOPTED:

ATTEST:

[Signature]
Brad Leeper, Chairman

[Signature]
Randel Totty, County Clerk



APPROVED/DISAPPROVED:

[Signature]
Steve Gregory, County Mayor

NOTICE

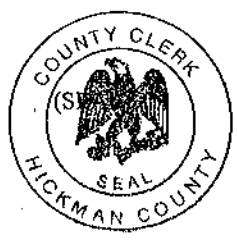
The foregoing Resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition, signed by at least ten percent (10%) of the registered voters of Hickman County, Tennessee, shall have been filed with the County Clerk of Hickman County, Tennessee, protesting the incurrence of the indebtedness by the execution of the Loan Agreement, such Loan Agreement will be executed, as proposed.

STATE OF TENNESSEE)
COUNTY OF HICKMAN)

I, Randell B. Totty, hereby certify that I am the duly qualified and acting County Clerk of Hickman County, Tennessee (the "County"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of a resolution excerpted from the minutes of the meeting of the Board of Commissioners (the "Board") of said County held on September 19, 2005; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct, and complete transcript from said original record insofar as said original record relates, to, among other matters, the incurring of indebtedness in the amount of not to exceed \$2,000,000 by said County; (4) that the actions by said Board including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and, (5) that a quorum of the members of said Board was present and acting throughout said meeting.

WITNESS my official signature and the seal of said County this 19th day of September, 2005.

[Signature]
Randell B. Totty, Hickman County Clerk



**ISSUANCE OF NOTES, BONDS, OTHER INDEBTEDNESS
TO FINANCE COSTS OF SEWER PROJECT
RESOLUTION 05-38**

Motion was made by Mickey Bunn and seconded by Charley List to approve the following Resolution 05-38, to reimburse expenditures related to improving the County's sewer system by the issuance of notes, bonds, or other indebtedness of the County. Upon roll call vote, 18 commissioners voted "Yes." Robert Capps voted "No." Nathaniel Bates chose to pass. Gerald Rochelle was absent. (18 Yes; 1 No; 1 Pass; 1 Absent). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-38

**RESOLUTION EXPRESSING OFFICIAL INTENT THAT CERTAIN
EXPENDITURES TO BE INCURRED IN CONNECTION WITH CERTAIN
PUBLIC WORKS PROJECTS AND RELATED EXPENDITURES BE
REIMBURSED FROM PROCEEDS OF NOTES, BONDS, OR OTHER
INDEBTEDNESS TO BE ISSUED BY HICKMAN COUNTY, TENNESSEE**

WHEREAS, Hickman County, Tennessee (the "County"), is in the process of causing certain capital expenditures to be made with respect to certain public works projects, consisting of the extension, construction, improvement, and equipping of the sewer system of the County, including the installation of a new sewer line and the acquisition of property in connection therewith, including, but not necessarily limited to, planning, design, and architectural expenses (the "Project"); and,

WHEREAS, the Board of Commissioners (the "Board") of the County desires to establish its official intent that certain of the expenditures related to the Project and certain other related expenditures be reimbursed out of notes, bonds, or other indebtedness to be issued in the future by the County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of September, 2005, that:

Section 1. The Board hereby finds and determines, as follows:

- (a) that it is in the best interest of the County to proceed immediately with the Project, thereby incurring certain capital expenditures;
- (b) that the County has certain funds available which may be used temporarily for this purpose, pending the issuance of bonds, notes, or other indebtedness of the County;
- (c) that the Board anticipates that the County will issue its bonds, notes, or other indebtedness for the purpose of financing the Project;
- (d) that the Board reasonably expects to reimburse such amounts to such fund or source from which such expenditures may be made on a temporary basis as soon as proceeds from the issuance of such bonds, notes, or other indebtedness are available; and,
- (e) that this declaration of official intent is consistent with the budgetary and financial circumstances of the County.

Section 2. The Board of the County hereby establishes its official intent to issue bonds, notes, or other indebtedness to finance the costs of the Project and other related expenditures in an amount not to exceed \$2,000,000. Pending the issuance of such bonds, notes, or other indebtedness, funds necessary to finance such costs shall be advanced from such source of funds on hand and available for such purpose, and any amounts so advanced shall be reimbursed from the proceeds of the tax-exempt bonds, notes, or other indebtedness when issued.

Section 3. The County will comply with the applicable State or local law governing the public availability of records relating to its official acts with respect to this Resolution.

Section 4. All actions of the officers, agents, and employees of the County that are in conformity with the purposes and intent of this Resolution whether taken before or after the adoption hereof, are hereby ratified, confirmed, and adopted.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

SPONSORS:

[Handwritten signature]

[Handwritten initials]

September 19, 2005

(RESOLUTION 05-38)

SPONSORS:

Mickey Bunn Charley List

BOARD ACTION: 18 Aye 1 Nay 1 Pass 1 Absent

ADOPTED:

ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randel Totty
Randel Totty, County Clerk



APPROVED/DISAPPROVED:

Steve Gregory
Steve Gregory, County Mayor

EXECUTION AND DELIVERY OF LOAN AGREEMENT(S)
RESOLUTION 05-39

Motion was made by Mickey Bunn and seconded by Charley List to approve the following Resolution 05-39, to approve the execution and delivery of one or more loan agreements to provide funds for financing certain public works projects for Hickman County. Upon roll call vote, 18 commissioners voted "Yes." Robert Capps and Nathaniel Bates chose to pass. Gerald Rochelle was absent. (18 Yes; 2 Pass; 1 Absent). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-39

RESOLUTION TO APPROVE THE EXECUTION AND DELIVERY OF ONE OR MORE LOAN AGREEMENTS FOR THE PURPOSE OF PROVIDING FUNDS FOR FINANCING CERTAIN PUBLIC WORKS PROJECTS FOR HICKMAN COUNTY, TENNESSEE

WHEREAS, the Board of Commissioners (the "Board") of Hickman County, Tennessee (the "County"), has determined that need exists for the acquisition, construction, renovation, improvement and/or installation of a "public works project" (the "Project"), as defined in Title 9, Chapter 21, Tennessee Code Annotated, as from time to time amended and supplemented, and as set forth in an Indenture of Trust (the "Indenture"), between The Public Building Authority of the County of Montgomery, Tennessee or The Public Building Authority of the City of Clarksville, Tennessee (the "Issuer") and SunTrust Bank, Orlando, Florida, as trustee (the "Trustee"), as permitted under Title 12, Chapter 10, Tennessee Code Annotated, as from time to time amended and supplemented, and as described in the form of one or more Loan Agreements (collectively, the "Loan Agreement"), between the County, as borrower, and the Issuer, presented to this meeting, the costs of such Project not to exceed \$2,000,000; and,

WHEREAS, the Board has taken the necessary steps to arrange for the acquisition, construction, renovation, improvement, equipping, and/or installation of the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 19th day of September, 2005, that:

Section 1. Approval of the Loan Agreement. The terms of the Loan Agreement presented at this meeting are in the best interest of the County and are hereby approved and the Board hereby authorizes the County Mayor and the County Clerk of the County to execute and deliver one or more Loan Agreements, each to be in substantially the form of the Loan Agreement presented to this meeting, the execution of such Loan Agreement by the County Mayor and County Clerk to evidence their approval of any and all changes to such Loan Agreement, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement.

(RESOLUTION 05-39)

Section 2. Fulfillment of Obligations. The Board of the County is authorized and directed to fulfill all obligations under the terms of the Loan Agreement.

Section 3. Payment of Indebtedness Under Loan Agreement: Tax Levy. The indebtedness evidenced by the Loan Agreement shall be payable from funds of the County legally available therefor and to the extent necessary from ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the County, without limitation as to time, rate, and amount and for the punctual payment of said principal of, premium, if any, and interest on, the Loan Agreement, the full faith and credit of the County are irrevocably pledged. The indebtedness evidenced by the Loan Agreements includes the amounts payable under the Loan Agreement, as and when they become due, and any expenses of maintaining and operating the Project required to be paid by the County under the terms and provisions of the Loan Agreement.

Section 4. Consent to Assignment. The County hereby acknowledges that the provisions of the Indenture assign to the Trustee, among other things, all of the interest of the Issuer in and to the Loan Agreement (other than the rights of the Issuer under Section 7.03 and Section 7.04 of the Loan Agreement, which are reserved to the Issuer) and the County agrees to pay directly to the Trustee any amounts required to be paid by the County to the Issuer pursuant to the Loan Agreement.

Section 5. Miscellaneous Acts. The County Mayor, the County Clerk, and all other appropriate officials of the County are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, and deliver all such documents, instruments, and certifications, in connection with the execution of the Loan Agreement, in addition to those acts, things, documents, instruments, and certifications hereinbefore authorized and approved, as may in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution; or any of the documents herein authorized and approved.

Section 6. Captions. The captions or headings in this Resolution are for convenience only and shall in no way define, limit, or describe the scope or intent of any provision hereof.

Section 7. Severability. Should any provision or provisions of this Resolution be declared invalid or unenforceable in any respect by final decree of any court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, ordinance, or provisions shall not affect the remaining provisions of such Resolution.

Section 8. Repeal of Conflicting Resolutions. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. Effective Date. This Resolution shall take effect upon its adoption, the welfare of the County requiring it.

SPONSORS:

[Signature] Charley List

BOARD ACTION: 18 Aye Nay 2 Pass 1 Absent

ADOPTED:

ATTEST:

[Signature]
Brad Leeper, Chairman

[Signature]
Randel Totty, County Clerk

APPROVED/DISAPPROVED:

[Signature]
Steve Gregory, County Mayor



ADJOURN

Motion was made by Willie Powers and seconded by Charley List to adjourn this meeting. Motion voice passed.