

October 17, 2005

ADJOURN

Motion was made by Willie Powers and seconded by Rommy George to adjourn this meeting. Motion voice passed.

Minutes Prepared By: Penny Stewart, Deputy County Clerk

November 14, 2005

BE IT REMEMBERED, that the Hickman County Legislative Body met in regular called session this 14th day of November, 2005, at the Justice Center in Centerville, Tennessee. Brad Leeper, Chairman, and Randel Totty, County Clerk, presided. The following County Commissioners were present: Ricky Tidwell, Gerald Rochelle, Ronnie Holt, Charles Booker, Frankye Ward, Steve Hethcote, Jodi Bates, Mickey Bunn, Charley List, Danny Clark, Robert Capps, Ronny George, James Hassell, Wayne Richey, Willie Powers, Mark McFarlin, Lynette Harris, Brad Leeper, and Susan Sullivan. (21 Present, 0 Absent).

AGENDA

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

The Hickman County Legislative Body shall meet in regular session at 7:00 p.m., on Monday, November 14, 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.

November 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 October 17, 2005 Meeting
- (F) Elections/Appointment/Guest Speakers, (if any)
 - (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) 05-43 Establishing a Board of Zoning Appeals
 - (2) 05-44 Setting Terms for Planning Commission
 - (3) 05-45 Water Agreement with Town of Centerville
- (J) Announcements (if any)
- (K) Adjournment

Brad Leeper, Chairman

MINUTES

Motion was made by Steve Hethcote and seconded by Charley List to approve the minutes from the October 17, 2005 meeting. Motion voice passed.

NOTARY PUBLIC

Motion was made by Jodi Bates and seconded by Mickey Bunn to approve the following applicants for a Notary Public Commission from the State of Tennessee: Charmaine A. Harlow and Dwight Sullivan. Motion passed by voice vote.

NOTARY BONDS

Motion was made by Gerald Rochelle and seconded by Charley List to approve the following applicants for a \$10,000.00 Notary Public Bond: Joan Baker, Karen C. Armstrong, John W. Blade, Charles Delbridge, Christy Gilley, Larry D. Riley, and Lisa Shepard. Motion passed by voice vote.

APPOINT BUILDING COMMISSIONER ("Zoning Oversecr")

Mayor Steve Gregory appointed Murry M. "Mike" Stewart of Lyles as Building Commissioner for Hickman County. To accept this appointment, upon roll call vote, Ricky Tidwell, Gerald Rochelle, Steve Hethcote, Jodi Bates, Mickey Bunn, Charley List, Danny Clark, Ronny George, Shirley Mayberry, Wayne Richey, Willie Powers, Mark McFarlin, Brad Leeper, and Susan Sullivan voted "Yes." Charles Booker, Frankye Ward, Robert Capps, Nathaniel Bates, and James Hassell voted "No." Ronnie Holt and Lynette Harris chose to pass. (14 Yes; 5 No; 2 Pass). Motion passed.

FINANCE REPORT

Motion was made by Mark McFarlin and seconded by Charley List to approve the Finance Report for October, 2005, with the exception of Item 171, which will be corrected later. Motion passed by voice vote.

DISABILITY / MATERNITY LEAVE

Motion was made by Wayne Richey to allow Department Heads to determine paid maternity leave for County Employees until the Finance Committee and Salary & Benefits Committee can review. Motion failed due to lack of second. After a discussion of the Employee Personnel Policy, motion was made by Danny Clark and seconded by Shirley Mayberry to NOT allow paid maternity leave. Upon roll call vote, 20 commissioners voted "Yes." Mark McFarlin voted "No." (20 Yes; 1 No). Motion passed.

DEPUTIES AT JUSTICE CENTER

Motion was made by Mark McFarlin and seconded by Willie Powers to authorize the County Attorney to sue or appeal the Judges' opinion, because the Legislative Body feels they exceeded their authority by demanding the assignment of more Sheriff Deputies to the Justice Center for security purposes. Upon roll call vote, Charles Booker, Steve Hethcote, Jodi Bates, Robert Capps, Nathaniel Bates, Willie Powers, Mark McFarlin, and Brad Leeper voted "Yes." The remaining commissioners voted "No." (8 Yes; 13 No). Motion failed.

November 14, 2005

**BOARD OF ZONING APPEALS
RESOLUTION 05-43**

Motion was made by Mark McFarlin and seconded by Wayne Richey to approve the following Resolution 05-43, establishing a Hickman County Board of Zoning Appeals. Chairman Brad Leeper appointed the following to serve on said Board:

- District 1 – Lynette Harris
- District 2 – Danny Clark
- District 3 – Jodi Bates
- District 4 – Ronny George
- District 5 – Frankye Ward
- District 6 – Susan Sullivan
- District 7 – Willie Powers

Upon roll call vote, 14 commissioners voted "Yes." Charles Booker, Steve Hethcote, Robert Capps, Nathaniel Bates, and James Hassell voted "No." Ronnie Holt chose to pass. Gerald Rochelle was temporarily absent. (14 Yes; 5 No; 1 Pass; 1 Absent). Motion to approve said resolution and board appointments passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-43

**REGARDING A BOARD OF ZONING APPEALS
FOR HICKMAN COUNTY, TENNESSEE**

WHEREAS, the Board of County Commissioners for Hickman County, Tennessee, adopted Resolution No. 05-32 which enacted a land use plan titled "Final Draft No. 2 - 2005, Zoning Resolution for Hickman County, Tennessee"; and

WHEREAS, said document authorizes the creation of a Board of Zoning Appeals (the "Board"); and

WHEREAS, such Board creation and the authorities and responsibilities granted it is further authorized in Sections 13-7-106 through 13-7-109, Tennessee Code Annotated;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 14th day of November, 2005, that:

SECTION 1: A Board of Zoning Appeals for Hickman County, Tennessee, is hereby established. Membership on the Board, and appointments thereto, shall be as follows:

- A. The Board shall consist of five individuals appointed at large from the various areas of Hickman County with the term of office being from January 1 through December 31 of each year as set by the length of the term.
- B. No current member of the Hickman County Regional Planning Commission shall be eligible to serve on this Board.
- C. No two (2) members of the Board shall reside in the same County Commission District.
- D. Appointments to the Board shall be as follows:
 1. At the October meeting of the Board of County Commissioners, or at other times as made necessary by a vacancy on the Board, the Chairman shall appoint a seven (7) member "Special Nominating Committee" (the "Committee") consisting of one (1) County Commissioner from each of the seven (7) County Commission Districts.
 2. This "Committee" shall meet at a time and place to be selected by the Chairman during the first two (2) weeks of the following November.
 3. The membership of the Board of County Commissioners shall caucus by district and nominate to the "Committee", up to three names from their respective districts to be considered for appointment to the Board. Such nominations shall be presented to the "Committee" in writing prior to their scheduled meeting day and time.
 4. The "Committee" shall then consider all nominations and select a slate of five to be presented to the Board of County Commissioners for consideration and appointment at their regularly scheduled November meeting.

SECTION 2: The general term of office for members of the Board shall be five (5) years with the initial terms being staggered as follows:

- A. The names of the initial five members of the Board shall be arranged on a list in alphabetical order by the individual's last name.
- B. The first name on the list shall have an initial term of one (1) year. The second name on the list shall have an initial term of two (2) years. The third name on the list shall have an initial term of three (3) years. The fourth name of the list shall have an initial term of four (4) years. The fifth name on the list shall have an initial term of five (5) years.
- C. Thereafter, members shall be nominated and appointed to fill an expired term in the same manner as set fourth in Section 1.
- D. Vacancies on the Board shall be filled for an unexpired term in the same manner as set fourth in Section 1.

SECTION 3: The Board shall conduct business as provided for in Sections 13-7-106 through 13-7-109, Tennessee Code Annotated, and by a set of By-Laws, attached hereto.

SECTION 4: The provisions of this resolution shall become effective upon its passage, the public welfare requiring it.

SPONSORS:

Mark M. Smith Wayne E. Richey

BOARD ACTION: 14 Aye 5 Nay 2 Pass Absent

ADOPTED:

ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randel B. Totty
Randel Totty, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory
Steve Gregory, County Mayor



DATE: 11-16-05

Attachment: By-Laws

HICKMAN COUNTY, TENNESSEE

BY-LAWS

BOARD OF ZONING APPEALS

ARTICLE I

GENERAL PROVISIONS

SECTION 1. Objective

The objectives and authority of the Hickman County Board of Zoning Appeals shall be set forth in Sections 13-7-106 through 13-7-109 of the Tennessee Code Annotated, and amendments and supplements thereto, and the Zoning Resolution of Hickman County, Tennessee.

SECTION 2. Office and Records of the Board

The office and meeting place of the Board shall be the Hickman County Justice Center. The records of the Board shall be kept at the Office of the Building Commissioner and shall be available for public inspection. A record of the business conducted at all Board of Zoning Appeals meetings shall be kept in a Journal of Proceedings, which shall record the names of all members present or absent, the names of all persons in attendance, the business conducted, and the vote or abstention of all members on any item of business on which a vote is taken.

SECTION 3. Membership

The membership of this Board shall consist of five (5) members. The limits of membership, appointments, and terms shall be determined by the Board of County Commissioners of Hickman County. The terms shall be of such length and so arranged that the term of one (1) member shall expire each year. Members are eligible for successive reappointment. A record of the membership of the Board shall be maintained in the Journal of Proceedings.

SECTION 4. Compensation

The members of this Board shall be compensated at the same rate of compensation and in the same manner as established for members of the Hickman County Planning Commission.

SECTION 5. Vacancies

Any vacancy in an appointive membership shall be filled for the unexpired term by the Board of County Commissioners of Hickman County, Tennessee.

ARTICLE II**OFFICERS AND THEIR DUTIES****SECTION 1. Officers**

The officers of the Board of Zoning Appeals shall consist of a Chairperson and a Secretary.

SECTION 2. Elections

The officers shall be elected from among the appointed members of the Board at the January annual organizational meeting. The procedures for election of officers are as follows:

- (a) The election meeting shall be presided over by staff representative of the Tennessee Local Planning Office acting as Chairperson pro-tem.
- (b) Nominations shall be made by members of the Board.
- (c) The candidate for each office receiving a majority vote of the entire membership of the Commission shall be declared elected.
- (d) All officers shall be elected for a term of one (1) year, and all officers shall be eligible to succeed themselves.
- (e) Vacancies in offices shall be filled immediately for the unexpired term by regular election procedure.

SECTION 3. Presiding of Meetings, Chairperson

The Chairperson shall preside at all meetings and hearings of the Board and have duties normally conferred by the parliamentary usage on such officers. The Chairperson shall have the privilege of discussing all matters before the Board and to vote thereon.

SECTION 4. Acting Chairperson

The Secretary shall act for the Chairperson in his or her absence.

SECTION 5. Record Keeping, Secretary

The Secretary shall keep a full record of all proceedings of the Board, including minutes, and votes in a Journal of Proceedings. The Secretary shall work with the Chairperson in the preparation of the agenda for regular and special meetings, provide notice of meetings to Board members, arrange proper legal notice of hearings, attend to correspondence of the Board, and such other duties as are normally carried out by a Secretary.

ARTICLE III**MEETINGS****SECTION 1. Annual Organization Meetings**

The annual organizational meeting of the Board shall be at the regular January meeting for the purpose of electing officers.

SECTION 2. Regular Meetings

Regular meetings shall be held on the Second Thursday of each month at the Hickman County Justice Center or at a place designated by the Chairperson of the Board.

SECTION 3. Meetings of Official Action Taken is Open to Public

All meetings at which official action is taken shall be open to the public, and public notice of no less than seven (7) days shall be given of the date, time and place of these meetings. All members of the Board shall be notified in writing by the Secretary of the date, time, place, and agenda of each meeting no less than seven (7) days in advance of such meeting. All agenda matters, pertinent paperwork and information must be submitted to either the Chairperson or the Secretary twelve (12) days before the scheduled meeting date.

SECTION 4. Special Meetings

The Chairperson, when he/she deems it expedient, shall call for a special meeting upon written request of the majority of the Board membership. The notice of such meeting shall specify the purpose of such a meeting and no other business may be considered. The seven (7) day notice requirement in Section 3 may be waived by the unanimous written consent of the Board.

SECTION 5. Appeal Time Limitation

An aggrieved party shall have sixty (60) days from date action was taken by the building inspector to appeal his/her case to the Board of Zoning Appeals.

SECTION 6. Quorum

Three (3) Board members shall constitute a quorum for the purpose of conducting business.

SECTION 7. Voting

The voting on all questions coming before the Board shall be ayes and noes, and unanimous votes and abstentions shall be entered upon the record of such meeting. The concurring vote of three (3) members shall be required to take final action on any motion before the Board.

SECTION 8. Conflict of Interests

Should any members consider his or her personal interest involved in any matter before the Board for a vote, it shall be his/her duty to disclose such conflict of interests and abstain from voting on the particular matter.

ARTICLE IV**ORDER OF BUSINESS**

The order of business at the regular meetings shall be as follows:

- (a) Roll call.
- (b) Reading/presentation and approval of minutes of the previous meeting.
- (c) Reports of officers, committees and staff.
- (d) Old business.
- (e) Hearing of parties having business before the Board.
- (f) New business.
- (g) Adjournment.

ARTICLE V**COMMITTEES**

Special committees may be appointed by the Chairperson for purposes and terms which the Board approves.

ARTICLE VI**EXPENDITURES****SECTION 1. Expenditures of the Board**

The expenditures of the Board, exclusive of gifts, shall be within the amounts appropriated for the purpose by the Board of County Commissioners of Hickman County, Tennessee.

ARTICLE VII**HEARINGS****SECTION 1. Notice of Hearings**

Notice of hearings shall be publicized in a newspaper of general circulation and posted at the Hickman County Courthouse in the area designated for public notices no less than seven (7) days to the date of such hearing and shall bear the date, time, place, and agenda.

SECTION 2. Case Before the Board

The case before the Board of Zoning Appeals shall be presented in summary by the Secretary or a designated member of the Board, and parties in interest shall have the privilege of the floor. No statement shall be recorded or sworn to as evidence for any court of law without notice to the parties.

SECTION 3. Record Keeping of Speakers

A record shall be kept of those speaking before the Board.

ARTICLE VIII

AMENDMENTS

These By-Laws may be amended by a majority vote of the entire membership of the Board of County Commissioners at a regular or special meeting with at least seven (7) days notice given thereof.

ADOPTED BY THE HICKMAN COUNTY BOARD OF COUNTY COMMISSIONERS ON THE 14TH DAY OF NOVEMBER, 2005.

Brad Leeper, County Commission Chairman

**PLANNING COMMISSION
Setting Terms for Members
RESOLUTION 05-44**

Motion was made by Mark McFarlin and seconded by Wayne Richey to approve the following Resolution 05-44, setting terms for members of the Hickman County Planning Commission. Upon roll call vote, 16 commissioners voted "Yes." Charles Booker voted "No." Gerald Rochelle, Robert Capps, Nathaniel Bates, and James Hassell chose to pass. (16 Yes; 1 No; 4 Pass). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-44

**SETTING TERMS FOR MEMBERS OF THE
HICKMAN COUNTY PLANNING COMMISSION**

WHEREAS, Hickman County reactivated its Regional Planning Commission on April 21, 2003, via Resolution No. 03-19; and

WHEREAS, Resolution No. 03-19 provided for eleven (11) members including seven (7) members representing the seven (7) County Commission Districts, three (3) members appointed annually by the Board of County Commissioners, and one (1) member appointed to represent the County Mayor; and

WHEREAS, specific terms for members were omitted, and the Board of County Commissioners is now desirous of setting such terms;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 14th day of November, 2005, that:

SECTION 1: Terms for members of the Hickman County Planning Commission shall be for four years and shall be staggered unless otherwise specified in this Resolution.

SECTION 2: All terms shall begin on July 1 of each year and expired on June 30 as set by the length of the term. Members shall be eligible for re-appointment.

November 14, 2005

RESOLUTION 05-44

SECTION 3: Initial terms for the those members representing the seven (7) County Commission Districts shall begin on July 1, 2005, and shall be set as follows:

- County Commission District 1 - One Year
- County Commission District 2 - Two Years
- County Commission District 3 - One Year
- County Commission District 4 - Three Years
- County Commission District 5 - One Year
- County Commission District 6 - Four Years
- County Commission District 7 - One Year

SECTION 4: Terms for the other four (4) members shall be annually as follows:

- County Commissioner Number 1 - Annually By Commission
- County Commissioner Number 2 - Annually By Commission
- County Commissioner Number 3 - Annually By Commission
- County Mayor's Representative - Annually By County Mayor

SECTION 6: In the event of an unexpired term, the member chosen to fill the vacancy shall only serve until the end of the unexpired term.

SECTION 7: The provisions of this Resolution shall become effective upon its passage, the public welfare requiring it.

SPONSORS:

Mark M. M... .. Wayne E. P... ..

BOARD ACTION: 16 Aye 1 Nay 4 Pass Absent

ADOPTED:

ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randol B. Totty
Randel Totty, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory
Steve Gregory, County Mayor



DATE: 11-16-05

November 14, 2005

Motion was made by Charley List and seconded by Ronny George to approve the following Resolution 05-45, authorizing an agreement with the Town of Centerville, to provide funds for the construction of a water line for the new Hickman County Jail. Upon roll call vote, 16 commissioners voted "Yes." Charles Booker, Nathaniel Bates, and Brad Leeper voted "No." Steve Hethcote and Robert Capps chose to pass. (16 Yes; 3 No; 2 Absent). Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 05-45

**AUTHORIZING AN AGREEMENT WITH THE TOWN OF
CENTERVILLE CONCERNING A WATER PROJECT TO SERVE
THE NEW HICKMAN COUNTY JAIL**

WHEREAS, Hickman County previously decided to construct a new criminal detention facility on College Street in Centerville, Tennessee, on property adjacent to the Hickman County Justice Center; and

WHEREAS, it has been determined that adequate water pressure is not currently available at the site for the purpose of supplying a sprinkler system in the building; and

WHEREAS, in order to correct the deficit water pressure, it has been determined that a new water line would have to be constructed to the property by the Town of Centerville at an estimated cost of \$107,000; and

WHEREAS, the Town of Centerville has agreed to construct said water line if Hickman County would contribute \$50,000 towards the cost of construction;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 14th day of November, 2005, that:

SECTION 1: Hickman County hereby officially goes on record as committing to contribute \$50,000 toward the cost of the above-mentioned water project in order to ensure adequate water pressure for current and future requirements on the property in question.

SECTION 2: The County Mayor is hereby directed to furnish a certified copy of this resolution to the Honorable Ronnie Martin, Mayor of the Town of Centerville, as evidence of such commitment.

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

SPONSORS:

Charley List Ronny George

BOARD ACTION: 16 Aye 3 Nay 2 Pass Absent

ADOPTED:

ATTEST:

Brad Leeper
Brad Leeper, Chairman

Randel Toft
Randel Toft, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory
Steve Gregory, County Mayor



DATE: 11-16-05

ADJOURN

Motion was made by Ricky Tidwell and seconded by Susan Sullivan to adjourn this meeting. Motion voice passed.