

BE IT REMEMBERED that the Hickman County Legislative Body met in regular called session, on this 18<sup>th</sup> day of May, 2009 at the Justice Center in Centerville, Tn. Mark McFarlin Chairman, Randel Totty, County Clerk, Presided. Present were Mickey Bunn, Steve Hethcote, Danny Clark, Lloyd Mangrum, Charles Booker, Lynette Harris, Rickey Murray, Jim Rice, Wayne Richey, Shirley Mayberry, Kenneth Underhill, James Hassell, Robert Capps, Michael Thomasson, Ronnie Sullivan, Robert Atkinson and Ronald Gammons were present. Frankye Ward, Billy Blackwell and Keith Nash were absent. { 19 Present 3 Absent }.

AGENDA

Motion was made by Wayne Richey and seconded by Ronnie Sullivan to approve the following agenda.

AMEND AGENDA

Motion was made by Wayne Richey and seconded by Ronnie Sullivan to amend the agenda by removing G item section 1 to June meeting.

AGENDA

Motion was made by Wayne Richey and seconded by Ronnie Sullivan to approve the agenda as amended. Motion was passed by voice vote.

*The Hickman County Legislative Body shall meet in regular session at 7:00 p.m., on May 18, 2009 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*

PUBLIC HEARING

6:30 P.M. Regarding 5603 Hwy 100/Zoning Issue

AGENDA  
May 2009  
7:00 P.M.

- (A) Call to Order Chairman
- (B) Roll Call by County Clerk
- (C) Prayer and Pledge of Allegiance
- (D) Approval of Minutes
- (E) Adoption of Minutes from the April 27, 2009 Meeting
- (F) Resolutions for Special Recognitions, Memorials, etc.
- (G) Elections, Appointments and Confirmations, Speakers, Public Hearing Issues
  - (1) 09-15 Regarding Re-Zoning 5603 Hwy 100
- (H) Committee/Board Report
  - (1) County Building/ADA
  - (2) H.C. Adm. Oversight
  - (3) Planning Commission
  - (4) Beer Board
  - (5) Board of Zoning Appeals
  - (6) AFT Appeals Board
  - (7) Finance Committee
  - (8) Budget Committee
  - (9) EMS Committee
  - (10) Hospital Foundation Board
  - (11) Sheriff Jail Committee
  - (12) Jail Over Site Committee
  - (13) Recreation Tourism Committee
  - (14) Solid Waste Committee
  - (15) Animal Control
  - (16) Garage Committee
  - (17) Salary/Benefits
  - (18) Other Committee Reports/Court Actions
- (I) Unfinished Business
- (J) New Business
  - (1) 09-17 Reserved
  - (2) 09-18 Regarding Flood Plain
  - (3) 09-19 Regarding Growth Plan
  - (4) 09-20 Regarding Animal Control
  - (5) 09-21 Regarding Solid Waste Contract
  - (6) 09-22 Regarding Litter Grant
- (K) Announcements and Statements
  - (1) Give Political Memorabilia to Jim Rice for Time Capsule
- (L) Adjournment

Respectfully submitted:

Mark McFarlin  
Chairman, Legislative Body

MINUTES

Motion was made by Wayne Richey and seconded by Michael Thomasson to accept the minutes from April 27, 2009. Motion was passed voice vote.

NOTARY PUBLIC

Motion was made by xx and seconded by to accept the following applicants for Notary Public for the State of Tennessee: Ruth Rodenberg and Fay L. Bowen. Upon roll call vote 18 commissioners voted yes. Frankye Ward, Keith Nash and Billy Blackwell were absent {18 yes 3 absent}. Motion passed.

MOTION TO AUTHORIZE AN APPRASIL AND AUCTION OF OLD TROOPER BUILDING

Motion was made by Jim Rice and seconded by James Hassell to authorize the appraisal and authorize the subsequent auction of the former trooper building. Upon roll call vote 13 commissioners voted yes. Steve Hethcote, Charles Booker and Ronald Gammons voted no. Ronnie Sullivan and Robert Capps passed. Frankye Ward, Billy Blackwell and Keith Nash were absent. {13 yes 3 no 2 pass 3 absent}. Motion passed.

Billy Blackwell enters meeting at 7:15 pm.

FINANCE REPORT

Motion was made by Steve Hethcote and seconded by Lloyd Mangrum to approve the Finance Report for April 30, 2009. Upon roll call vote 20 commissioners voted yes. Keith Nash and x were absent {19 yes 2 absent }. Motion passed.

AMEND THE FUND BALANCE REPORT TO REFLECT THE JUNE 2008 AUDIT REPORT

Motion was made by Steve Hethcote and seconded by Danny Clark to amend the fund balance to report to reflect the June 2008 audit report. Upon roll call vote 17 commissioners voted yes. Ronnie Sullivan and Kenneth Underhill passed. Keith Nash and x were absent {17 yes 2 pass 2 absent}. Motion passed.

BUDGET AMENDMENTS 09-0062

Motion was made by Ronald Gammons and seconded by Lloyd Mangrum to accept budget amendments 09-0062. Upon roll call vote 17 commissioners voted yes. Jim Rice voted no. Robert Atkinson passed. Frankye Ward and Keith Nash were absent {17 yes 1 no 1 pass 2 absent}. Motion passed.

HICKMAN COUNTY, TENNESSEE

BUDGET AMENDMENT NO. 09-0062

OBJECT CODE	DESCRIPTION	DEBIT	CREDIT
101-39000	Undesignated Fund Balance	\$46,381.40	
101-54410-312	Civil Defense - Contracts with Private Agencies		\$46,381.40
		\$46,381.40	\$46,381.40

REQUESTED BY: Steve Gregory - County Mayor

REASON: Funding for FEMA Stream Bank Clean-up as Approved in April

BUDGET COMMITTEE APPROVAL:

ATTEST:

Ronald Gammons, Chairman

Annette Elliott, Finance Director

Date:

COUNTY COMMISSION APPROVAL:

ATTEST:

Mark McFarlin, Chairman

Randel Totty, County Clerk

Date:

COUNTY MAYOR'S APPROVAL/DISAPPROVAL:

Steve Gregory, County Mayor

Date: 5-19-09

Motion was made by Ronald Gammons and seconded by Lloyd Mangrum to accept budget amendments 09-0063. Upon roll call vote 19 commissioners voted yes. Keith Nash and Frankye Ward were absent {19 yes 2 absent}. Motion was passed. Page 325

BUDGET AMENDMENT NO 09-0063  
HICKMAN COUNTY, TENNESSEE  
Hwy Dept. 131  
Date: 05-2009

Acct #	Description	Debit	Credit
49700	Insurance Recovery	\$14,650.37	
63100-418	Equip & Machinery Parts		\$14,650.37
Total		\$14,650.37	\$14,650.37

Reason: For vehicle that caught on fire

BUDGET COMMITTEE APPROVAL

Ronald Gammons  
Chairman

ATTEST

Annette Elliott  
Finance Director

COUNTY LEGISLATIVE BODY APPROVAL

Mark McHugh  
Chairman

ATTEST

Ronald B. Mangrum  
County Clerk



COUNTY MAYOR'S APPROVAL/DISAPPROVAL

Steve Gregory  
County Mayor

Date: 5-19-09

BUDGET AMENDMENTS 09-0064

Motion was made by Ronald Gammons and seconded by Lloyd Mangrum to accept budget amendment 09-0064. Upon roll call vote 19 voted yes. Keith Nash and Frankye Ward were absent {19 yes 2 absent}. Motion passed.

BUDGET AMENDMENT NO 09-0064  
HICKMAN COUNTY, TENNESSEE  
County General 101  
Date: 05-2009

Acct #	Description	Debit	Credit
57100-337	Maint. & Repair Office	\$700.00	
57100-719	Office Equip.		\$700.00
Total		\$700.00	\$700.00

Reason: Need two small printers.

BUDGET COMMITTEE APPROVAL

Ronald Gammons  
Chairman

ATTEST

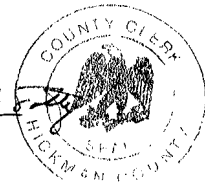
Annette Elliott  
Finance Director

COUNTY LEGISLATIVE BODY APPROVAL

Mark McHugh  
Chairman

ATTEST

Ronald B. Mangrum  
County Clerk



COUNTY MAYOR'S APPROVAL/DISAPPROVAL

Steve Gregory  
County Mayor

Date: 5-19-09

## DISSOLVE THE JAIL OVERSITE COMMITTEE

Motion was made by James Hassell and seconded by Wayne Richie to dissolve the Jail Over Site Committee. Motion was passed by voice vote.

## AUTHORIZE THE PURCHASE OF TRACK LOADER FOR SOLID WASTE

Motion was made by Ronnie Sullivan and seconded by Wayne Richey to authorize the purchase of track loader for Solid Waste. Upon roll call vote 18 commissioners voted yes. Keith Nash and Frankie Ward were absent { 18 yes 2 absent }. Motion was passed.

## DISSOLVE THE COUNTY GARAGE COMMITTEE

Motion was made by Lloyd Mangrum and seconded by Kenneth Underhill to dissolve the County Garage committee. Motion was passed by voice vote.

## RESOLUTION 09-17 RESERVED

Motion was moved to June meeting.

## RESOLUTION 09-18 REGARDING FLOOD PLAIN

Motion was made by Danny Clark and seconded by James Hassell to move Resolution 09-18 to hold for a public hearing in June. Motion was passed by voice vote.

## RESOLUTION 09-19 REGARDING GROWTH PLAN

Motion was made by Danny Clark and seconded by James Hassell to hold for public hearing in June. Motion was passed by voice vote.

## RESOLUTION 09-20 REGARDING ANIMAL CONTROL

Motion was made by Mickey Bunn and seconded by Lloyd Mangrum to accept Resolution 09-20.

## TABLE

Motion was made by Mickey Bunn and seconded by Lloyd Mangrum to table Resolution 09-20. Upon roll call vote 10 commissioners voted no. James Hassell, Mickey Bunn, Ronnie Sullivan, Wayne Richey, Danny Clark, Lynette Harris, Jim Rice, Shirley Mayberry and Michael Thomasson votes yes. Keith Nash and Frankye Ward were absent { 10 no 9 yes 2 absent }. Motion fails.

## RESOLUTION 09-20

Motion was made by Mickey Bunn to withdraw his motion and moved Resolution 09-20 to June meeting.

## RESOLUTION 09-21 REGARDING SOLID WASTE CONTRACT

Motion was made by Ronnie Sullivan and seconded by Robert Atkinson to accept Resolution 09-21. Upon roll call vote 18 commissioners voted yes. Shirley Mayberry passed. Keith Nash and Frankye Ward were absent { 18 yes 2 absent }. Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 09-21

**AMENDING THE CONTRACTS IN LIEU OF PERFORMANCE BOND WITH THE STATE OF TENNESSEE FOR LANDFILLS MAINTAINED BY HICKMAN COUNTY**

WHEREAS, Hickman County and the State of Tennessee through its Department of Environment and Conservation have previously entered into a Contract in Lieu of Performance Bond for proper operation and closure and/or post-closure of the Hickman County Sanitary Landfill, Permit Number SNL-41-0033; and

WHEREAS, said contract includes a provision allowing the Commissioner of the Department of Environment and Conservation to currently collect up to \$200,667.00 on said Sanitary Landfill from any funds being distributed or to be distributed from the State to Hickman County as financial assurance for said proper operation, closure and post-closure; and

WHEREAS, as required by Rule Chapters 1200-11-11-.06(8) and 1200-1-7-.03(3), the amount of financial assurance held by the Department in accordance with issued permits may be adjusted annually for inflation; and

WHEREAS, the Board of County Commissioners of Hickman County is desirous of approving such adjustments and changing the amount of financial assurance on both contracts;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 18<sup>th</sup> day of May, 2009, that:

SECTION 1: The financial assurance required by the Tennessee Department of Environment and Conservation through the Contract in Lieu of Performance Bond for the Hickman County Sanitary Landfill, Permit Number SNL-41-0033, shall be amended by deleting the current amount of \$200,667.00 and inserting the updated amount of \$194,668.00.

SECTION 2: The County Mayor is hereby authorized and directed to execute any and all documents regarding the above-cited Contracts.

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May 18, 2009  
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SECTION 3: The provisions of this resolution shall take effect from and after its passage, the public welfare requiring it.

SPONSORS:

Roni Seibert                      Robert Atkinson

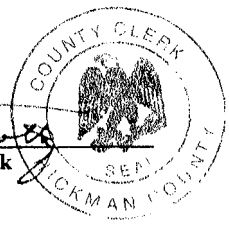
BOARD ACTION: 18 Aye         Nay    1 Pass    2 Absent

ADOPTED:

Mark McFarlin  
Mark McFarlin, Chairman

ATTEST:

Randel Totty  
Randel Totty, County Clerk



APPROVED:

Steve Gregory  
Steve Gregory, County Mayor

DISAPPROVED:

Steve Gregory, County Mayor

DATE: 5-19-09

DATE:

RESOLUTION 09-22 REGARDING LITTER GRANT

Motion was made by Wayne Richey and seconded by Kenneth Underhill to accept Resolution 09-22. Upon roll call vote commissioners voted 18 yes. Shirley Mayberry passed. Keith Nash and Frankye Ward were absent { 18 yes 1 pass 2 absent }. Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 09-22

AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER AND TRASH COLLECTION GRANT FOR FISCAL 2010 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION

WHEREAS, Tennessee Code Annotated, §41-2-123, provides for the Commissioner of Transportation to make grants to counties for the purpose of funding programs for the collection of litter and trash along county, state and interstate roads and highways; and

WHEREAS, the Department of Transportation has notified Hickman County that grants will be available for the 2009-2010 fiscal year which will impose certain legal obligations upon the County; and

WHEREAS, such funds could be used to supplement current efforts in Hickman County with respect to litter and trash collection along our roads and highways, and the Hickman County Legislative Body is desirous of applying for such grant funding;

NOW, THEREFORE, BE IT RESOLVED, by the Hickman County Legislative Body, meeting in regular session this 18<sup>th</sup> day of May, 2008, that:

SECTION 1: The County Mayor is hereby authorized to apply, on behalf of Hickman County, for a litter and trash collection grant for Fiscal Year 2009-2010 from the Tennessee Department of Transportation.

SECTION 2: Should the application be approved, the County Mayor is hereby further authorized to execute contracts or other necessary documents which may be required to signify acceptance of the litter and trash collection grant by Hickman County.

SECTION 3: This resolution shall take effect from and after its passage, the public welfare requiring it.

SPONSORS:

Wayne Richey Kenneth Underhill

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BOARD ACTION: 18 Aye 1 Nay 1 Pass 2 Absent

ADOPTED:

Mark McFarlin, Chairman

ATTEST:

Randel Totty, County Clerk (with seal)

APPROVED:

Steve Gregory, County Mayor

DISAPPROVED:

Steve Gregory, County Mayor

DATE: 5-19-09

DATE:

ADJOURN

Motion was made by Steve Hethcote and seconded by Ronald Gammons to adjourn. Motion was passed by voice vote.