

BE IT REMEMBERED that the Hickman County Legislative Body met in regular called session, on this 24th day of August, 2009 at the Justice Center in Centerville, Tn. Mark McFarlin Chairman, Andrea Totty, County Clerk, Presided. Present were Mickey Bunn, Steve Hethcote, Danny Clark, Lloyd Mangrum, Charles Booker, Lynette Harris, Ricky Murray, Jim Rice, Kenneth Underhill, James Hassell, Robert Capps, Michael Thomasson, Ronnie Sullivan, Robert Atkinson and Ronald Gammons, Frankye Ward, Billy Blackwell, Keith Nash, Wayne Richey, Shirley Mayberry were present {21 Present}.

AGENDA

Motion was made by Ronnie Sullivan and seconded by James Hassell to approve the agenda.

AMEND

Motion was made by Ronnie Sullivan and seconded by James Hassell to amend the agenda by moving item I to section after item F. Motion was passed by voice vote.

AGENDA AS AMENDED

Motion was made by Ronnie Sullivan and seconded by James Hassell 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 August 24, 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. 09-33 Rezone Hwy) 7 I-1 to C-1  
(Specific Property listed in Notice to paper)  
09-34 Definition of Criteria for Guest Houses  
09-35 Definition of five "Special Exceptions" use under A-1

AGENDA  
AUGUST 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 Agenda
- (E) Adoption of Minutes from the July 27, 2009 Meeting
- (F) Resolutions for Special Recognitions, Memorials, Public Hearing Matters
  - (1) ~~09-33 Rezone Hwy) 7 I-1 to C-1 as Listed in Notice~~
  - (2) 09-34 Definition of Criterial for Guest Houses
  - (3) 09-35 Definition of "Special Exceptions" use under A-1
- (G) Elections, Appointments and Confirmations, Speakers
  - (1) Nomination Committee Report/09/10 Committees
- (H) Committee Board Reports
  - (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) Salary/Benefits
  - (13) Recreation Tourism Committee
  - (14) Solid Waste Committee
  - (15) Animal Control
  - (16) Other Committee Reports/Court Action
- (I) Unfinished Business
- (J) New Business
  - (1) 09-36 Regarding Name Change of Road/Old McClellan Hollow
- (K) Announcements and Statements
- (L) Adjournment

Respectfully submitted:

Mark McFarlin

Motion was made by Robert Atkinson and seconded by James Hassell to accept the minutes from July 27, 2009. Motion was passed by voice vote.

RESOLUTION 09-33 REZONING HWY 7 I-1 to C-1 AS LISTED IN NOTICE

Motion was made by Danny Clark and seconded by James Hassell to approve Resolution 09-33.

POSTPONE RESOLUTION 09-33

Motion was made by Charles Booker and seconded by Robert Capps to postpone Resolution 09-33 until September 28, 2009. Upon roll call vote 19 commissioners voted yes. Ronnie Sullivan and Billy Blackwell voted no { 19 yes 2 no }. Motion passed.

RESOLUTION 09-34 DEFINITION OF CRITERIAL FOR GUEST HOUSES

Motion was made by James Hassell and seconded by Danny Clark to approve Resolution 09-34. Upon roll call vote 16 commissioners voted yes. Ronald Gammons, Billy Blackwell, Kenneth Underhill, Charles Booker, Robert Capps voted no { 16 yes 5 no }. Motion passed.

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 09 - 34**

**AMENDING THE ZONING REGULATIONS  
FOR HICKMAN COUNTY**

**WHEREAS**, a land use (zoning) plan for Hickman County, Tennessee, was adopted via Resolution No. 05-32 on July 18, 2005; and

**WHEREAS**, such plan provides for amendments thereto; and

**WHEREAS**, the Hickman County Planning Commission has recommended several such amendments; and

**WHEREAS**, following a public hearing on the proposed amendments, the Board of County Commissioners is desirous of adopting them;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 24<sup>th</sup> day of August, 2009, that:

**SECTION 1:** The zoning resolution for Hickman County, Tennessee is amended as follows:

A. Article V, 6.020, add the definition for a *Guest House*: An attached or detached residential accessory building located on the same lot with an existing single family dwelling that is used solely for housing either guests, relatives of, or persons performing domestic services including health care, for the family residing in the principal single family dwelling on the lot.

B. Add Section 4.041, B, item 26, permitting *Guest Houses* subject to the following restrictions:

Article 3.110 – Standards for Guest Houses:

1. A guest house must be clearly subordinate and incidental to the principal residence on the same lot.

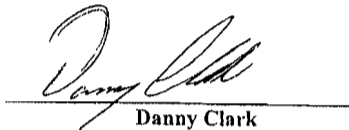
2. The lot must be at least 1 acre and already contain an existing residential home.
  3. The guest house must be a least 350 sq. ft. but no more than 1,000 sq. ft. of living (heated) area with a maximum height of approximately 15 feet.
  4. The guest house may not be rented or leased.
  5. May not be located within any required setback areas.
  6. Only one guest house per lot.
  7. The guest house must meet local building codes and setbacks.
  8. Approval is required by the State Ground Water Management Office.
  9. The property owner must sign an agreement, filed with the building permit, documenting their understanding of all restrictions pertaining to guest houses.
  10. Any variation to the above restrictions must be approved by the Board of Zoning Appeals. However, no more than one guest house shall be approved for any one lot.
- C. Add Section 4.041, B, item 27, permitting *Private Recreational Cabins*; allowed without a county building permit. These cabins shall not be for the general public, but are intended for the enjoyment of the property owner(s) as an accessory use. No public water, kitchen or electricity shall be allowed. If these amenities are to be installed, a permit shall be required.

The Hickman County Regional Planning Commission recommended approval on July 9, 2009.

A Public Hearing regarding this proposal was conducted at 6:30 P.M. on August 24, 2009.

SPONSORS:

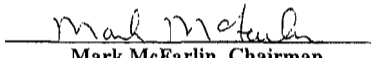
  
James Hassell

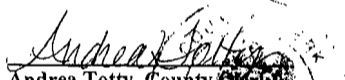
  
Danny Clark

Board Action: 16 Aye 5 May      Pass      Absent


ADOPTED:

ATTEST:

  
Mark McFarlin, Chairman

  
Andrea Totty, County Clerk

APPROVED BY:

  
Steve Gregory, County Mayor

DATE: 8-25-09

RESOLUTION 09-35 DEFINITION OF "SPECIAL EXCEPTIONS" USE UNDER A-1

Motion was made by James Hassell and seconded by Danny Clark to approve Resolution 09-35.

RESEND RESOLUTION 09-35

Motion was made by James Hassell and seconded by Danny Clark to send Resolution back to Planning commission for reconsideration. Upon roll call vote 15 commissioners voted yes. Mark McFarlin, Robert Capps, Charles Booker, Ronald Gammons, Billy Blackwell and Kenneth Underhill voted no. { 15 yes 6 no}. Motion passed.



HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 09-38

FIXING THE TAX LEVY IN HICKMAN COUNTY, TENNESSEE  
FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2009

SECTION 1: BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session on this 20<sup>th</sup> day of August, 2009, that the combined property tax rate for Hickman County, Tennessee, for the fiscal year beginning of July 1, 2009, shall be \$ 2.3984 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conforms to the following levies:

General	\$ 1.1118
Highway/Public Works	\$ 0.0655
General Purpose School	\$ 0.9225
General Debt Service	\$ 0.2986
Total	\$ 2.3984

SECTION 2: BE IT FURTHER RESOLVED, that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General, Highway/Public Works, General Purpose School, and General Debt Service Funds on the basis of the 2009 tax rate.

SECTION 3: BE IT FURTHER RESOLVED, that all resolutions of the Hickman County Legislative Body which are in direct conflict with this resolution are hereby repealed.

SECTION 4: 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 Board of County Commissioners of Hickman County, Tennessee.

SPONSORS:


Ronald Hammons      [Signature]

BOARD ACTION: 13 Aye 8 Nay      Pass      Absent

ADOPTED:

[Signature]  
Mark McFarlin, Chairman

ATTEST:

[Signature]  
Andrea Totty, County Clerk  


APPROVED:

[Signature]  
Steve Gregory, County Mayor

DISAPPROVED:

[Signature]  
Steve Gregory, County Mayor

DATE: \_\_\_\_\_

DATE: 8-28-09

NOTARY PUBLIC

Motion was made by Steve Hethcote and seconded by Shirley Mayberry to accept the following applicants for Notary Public for the State of Tennessee: John W. Blade, Debra Ann Barnhill, Larry Dean Riley. Upon roll call vote 21 commissioners voted yes {21 yes }. Motion passed.

#### NOMINATIONS

Motion was made by Danny Clark and seconded by Lloyd Mangrum to accept the committees on the list as presented.

#### AMEND NOMINATIONS FOR BUDGET COMMITTEE

Motion was made by Billy Blackwell and seconded by Robert Capps to amend the motion by having one member on budget committee from each district. Upon roll call vote 11 commissioners voted yes. Mickey Bunn, Keith Nash, Mark McFarlin, Ronnie Sullivan, Danny Clark, Lloyd Mangrum, Lynette Harris, Jim Rice, Shirley Mayberry and James Hassell voted no. { 11 yes 10 no } Motion passed.

#### AMEND

Motion was made by Jim Rice and seconded by Michael Thomasson to make effective next fiscal year and for one year. Upon roll call vote 10 commissioners voted yes. Robert Atkinson, Robert Capps, Charles Booker, Ronald Gammons, Lynette Harris, Rickey Murray, Billy Blackwell, Wayne Richey, Kenneth Underhill voted no. Mark McFarlin and Steve Hethcote passed { 10 yes 9 no 2 pass }. Motion fails.

#### AMEND

Motion was made by Danny Clark and seconded by Lloyd Mangrum to drop Ronnie Sullivan and add Steve Hethcote and to drop Kenneth Underhill and add Lynette Harris to budget committee. Upon roll call vote 20 commissioners voted yes. Lynette Harris passed { 20 yes 1 pass }. Motion passed.

#### AFT BOARD

Motion was made by Danny Clark and seconded by Ronnie Sullivan to re-elect Wayne Richey and add Robert Capps to AFT Board. Upon roll call vote 21 commissioners voted yes. {21 yes }. Motion passed.

#### SOLID WASTE

Motion was made by Ronnie Sullivan and seconded by James Hassell to authorize the expenditures up to 115 thousand dollars. Upon roll call vote 20 commissioners voted yes. Shirley Mayberry passed {20 yes 1 pass}. Motion passed.

#### LEASE FOR COPIERS

Motion was made by Steve Hethcote and seconded by Mickey Bunn to approve the lease of the copier. Upon roll call vote 21 commissioners voted yes. {21 yes} Motion passed.

#### LOSS OF CALF

Motion was made by Billy Blackwell and seconded by Steve Hethcote to approve 250 dollars to Hershel Mayberry for reimbursement through liability insurance of cow falling in a hole on county property. Upon roll call vote 18 commissioners voted yes. Robert Atkinson, Lynette Harris, Ricky Murray voted no { 18 yes 3 no }. Motion passed.

Motion was made by Ricky Murray and seconded by Robert Atkinson to approve Resolution 09-36. Upon roll call vote 21 commissioners voted yes. {21 yes }. Motion was passed.

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 09-36**

**REGARDING NAME CHANGES FOR COUNTY ROADS  
IN HICKMAN COUNTY, TENNESSEE**

WHEREAS, a county legislative body has 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 August 3, 2009 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 wishes to concur with the Board of Highway Commissioners and approve these name changes:

NOW, THEREFORE, BE IT RESOLVED, by the Hickman County Legislative Body, meeting in regular session this 24th day of August 2009, that:

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

Nell King Road, .35 in length shall be changed to Old McClearn Hollow Road

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

SPONSORS:

Ricky Murray      Robert Atkinson  
Ricky Murray      Robert Atkinson

COMMISSION ACTION: 21 Aye         Nay         Pass         Absent

ADOPTED:

Mark McFarlin  
Mark McFarlin, Chairperson

ATTEST:

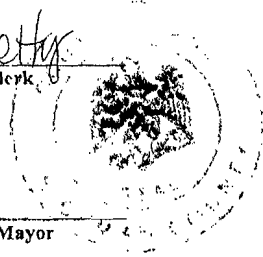
Andrea Totty  
Andrea Totty, County Clerk

APPROVED:

Steve Gregory  
Steve Gregory, County Mayor

DISAPPROVED:

Steve Gregory, County Mayor



8-25-09

**RESTORING THE FUNDING**

Motion was made by Mickey Bunn and seconded by James Hassell to restore the budget originally before budget committee cut it and restore the commissioner's salary.

**SEND THE BUDGET BACK FOR COST ESTIMATE**

Motion was made by Steve Hethcote and seconded by Ronald Gammons to send back to budget committee with the cost estimate on the restoring fund. Upon roll call vote 15 commissioners voted yes. Mickey Bunn, Billy Blackwell, Shirley Mayberry and James Hassell voted no. Robert Capps and Jim Rice passed {15 yes 4 no 2 pass} Motion passed.

**ADJOURN**

Motion was made by Ronald Gammons and seconded by Mark McFarlin to adjourn. Motion was passed by voice vote.