

December 28, 2009

BE IT REMEMBERED that the Hickman County Legislative Body met in regular called session, on this 28th day of December, 2009 at the Justice Center in Centerville, Tn. Ronnie Sullivan Chairman, Andrea Totty, County Clerk, Presided. Present were Mickey Bunn, Steve Hethcote, Danny Clark, Lloyd Mangrum, Charles Booker, Melvin Sanders, Ricky Murray, Jim Rice, Kenneth Underhill, James Hassell, Robert Capps, Michael Thomasson, Mark McFarlin, Robert Atkinson, Ronald Gammons, Frankye Ward, Billy Blackwell, Keith Nash, Wayne Richey, Shirley Mayberry were present {21 Present}.

AGENDA

Motion was made by Mark McFarlin and seconded by Shirley Mayberry to approve the agenda. Motion passed by voice vote.

The Hickman County Legislative Body shall meet in regular session at 7:00 p.m., on December 28, 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

AGENDA
December 28, 2009
7:00 P.M.

- (A) *Call to Order*
- (B) *Roll Call by County Clerk*
- (C) *Prayer-Ron Gammons*
Pledge of Allegiance-Ron Gammons
- (D) *Approval of Agenda*
- (E) *Adoption of Minutes from the November 23, 2009 Meeting*
 - (1) *Approval of Special Meeting Minutes for November*
- (F) *Resolutions for Special Recognitions, Memorials*
- (G) *Elections, Appointments and Confirmations, Speakers*
Public Hearing Matters
 - (1) *Notaries*
 - (2) *Regarding Vacancy on Zoning Appeals*
 - (3) *Regarding Acceptance of District 6 Constable Resignation*
- (H) *Committee/ Board Reports/ County Official's Quarterly Reports*
 - (a) *County Building/ADA/Adm. Oversight*
 - (b) *Solid Waste*
 - (c) *Planning Commission*
 - (d) *Beer Board*
 - (e) *Board of Zoning Appeals*
 - (f) *AFT Appeals Board*
 - (g) *Finance Committee*

- (h) Budget Committee
- (i) EMS Committee
- (j) Hospital Foundation Board
- (k) Sheriff Jail Committee
- (l) Salary/Benefits
- (m) Recreation Tourism Committee
- (n) Helipad Committee
- (o) Other Committee Reports

- (I) Unfinished Business
 - (1) Approval of Bids/Hidden Valley
- (J) New Business
 - (1) 09-51 Regarding Special Industrial Board Oversight Committee
 - (2) 09-52 Regarding Freeze of County General Employment/Vacancies
 - (3) 09-53 Regarding Governor's Three Star Program
- (K) Announcements and Statements
- (L) Adjournment

Respectfully submitted:

Ronnie Sullivan
Chairman, Legislative Body

MINUTES

Motion was made by Wayne Richey and seconded by Ronald Gammons to approve minutes from November 23, 2009. Upon roll call vote 21 commissioners voted yes { 21 yes}. Motion passed.

MINUTES

Motion was made by Wayne Richey and seconded by Ronald Gammons to send November 16, 2009 minutes back for revision. Upon roll call vote 10 Commissioners voted yes. Richey Murry, Billy Blackwell, Shirley Mayberry, Kenneth Underhill, James Hassell, Frankye Ward, Mickey Bunn, Robert Atkinson, Ronnie Sullivan, Steve Hethcote voted no. Melvin Sanders passed {10 yes 10 no 1 pass}. Motion fails.

AMEND MINUTES

Motion was made by Wayne Richey and seconded by Steve Hethcote to amend November 16, 2009 minutes by adding Vice Chair to bottom of page 2 in minutes. Upon roll call vote 21 commissioners voted yes. {21 yes}. Motion passed.

AMEND MINUTES

Motion was made by Wayne Richey and seconded by Mark McFarlin to amend November 16, 2009 minutes by adding at the meeting reconvened from November 5, 2009 special called meeting and Chairman Ronnie Sullivan called meeting to order. Upon roll call vote 21 commissioners voted yes {21 yes}. Motion passed.

AMEND MINUTES

Motion was made by Wayne Richey and seconded by Mark McFarlin to amend the November 16, 2009 minutes by adding that Chairman Ronnie Sullivan called Chairman Steve Turner of the Industrial Board to come forward and speak and give presentation. Upon roll call vote 21 commissioners voted yes. {21 yes}. Motion passed.

AMEND MINUTES

Motion was made by Wayne Richey and seconded by Mark McFarlin to remove from page one and two the e-mail from Mayor Steve Gregory, Local Government Functions and Definition from Webster's New Collegiate Dictionary and relocate them on page three after the removal of Industrial Board Members. Upon roll call vote 21 commissioners voted yes {21 yes}. Motion passed.

MINUTES AS AMENDED

Motion was made by Steve Hethcote and seconded by Charles Booker to approve November 16, 2009 minutes as amended. Upon roll call vote 21 commissioners voted yes {21 yes}. Motion passed.

RESIGNATION OF DAVID FITZGERALD FOR DISTRICT # 6 CONSTABLE

Motion was made by Steve Hethcote and seconded by Kenneth Underhill to accept resignation of David Fitzgerald District # 6 constable. Motion was passed by voice vote.

FINANCE REPORT

Motion was made by Steve Hethcote and seconded by Mark Mcfarlin to approve the Finance Report for November 2009. Upon roll call vote 21 commissioners voted yes. { 21 yes }. Motion passed.

BUDGET AMENDMENT 10-0014

Motion was made by Keith Nash and seconded by Danny Clark to accept budget amendment 10-0014. Upon roll call vote 21 commissioners voted yes. { 21 yes } Motion passed.

BUDGET AMENDMENT NO. 10-0014
HICKMAN COUNTY, TENNESSEE
Hwy. Dept. 131
Date: 12-2009

Acct #	Description	Debit	Credit
39000	Fund Balance	\$85,000.00	
62000-409	Crushed Stone		\$70,000.00
62000-468	Chemical		\$15,000.00
Total		\$85,000.00	\$85,000.00

4

Reason: Money is thru USDA and will be reimbursed when job is finished.


BUDGET COMMITTEE APPROVAL:


Chairman

ATTEST:


Finance Director

COUNTY LEGISLATIVE BODY APPROVAL


Chairman

ATTEST:


County Clerk



COUNTY MAYOR'S APPROVAL/DISAPPROVAL


Steve Gregory, County Mayor

Date: 12-29-09

BUDGET AMENDMENT 10-0015

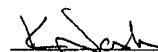
Motion was made by Keith Nash a seconded by Kenneth Underhill to accept budget amendment 10-0015. Upon roll call vote 20 commissioners voted yes. Shirley Mayberry passed {20 yes 1 pass} Motion passed.

BUDGET AMENDMENT NO. 10-0015
HICKMAN COUNTY, TENNESSEE
Solid Waste 207
Date: 12-2009

Acct #	Description	Debit	Credit
46980	Other State Grants	\$25,000.00	
55710-733	Solid Waste Equipment		\$25,000.00
Total		\$25,000.00	\$25,000.00

Reason: State Recycling Grant. B

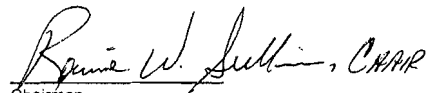
BUDGET COMMITTEE APPROVAL:


Chairman

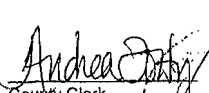
ATTEST:

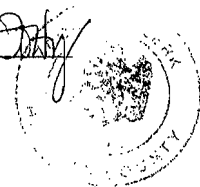

Finance Director

COUNTY LEGISLATIVE BODY APPROVAL



Chairman

ATTEST:


County Clerk



COUNTY MAYOR'S APPROVAL/DISAPPROVAL:


Steve Gregory, County Mayor

Date: 12-29-09

BUDGET AMENDMENT 10-0016


Motion was made by Keith Nash and seconded by Mark McFarlin to accept budget amendment 10-0016. Upon roll call vote 19 commissioners voted yes. Shirley Mayberry and Robert Atkinson passed {19 yes 2 pass}. Motion passed.

BUDGET AMENDMENT NO. 10-0016
HICKMAN COUNTY, TENNESSEE
Solid Waste 207
Date: 12-2009

Acct #	Description	Debit	Credit
46980-TIRE	Other State Grants	\$115,000.00	
55710-399-TIRE	Other Contracted Services		\$115,000.00
Total		\$115,000.00	\$115,000.00

Reason: State Waste Tire Clean-up Grant.

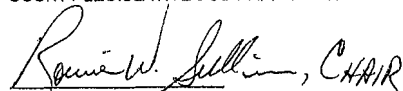
BUDGET COMMITTEE APPROVAL:


Chairman

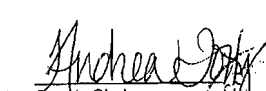
ATTEST:



Finance Director

COUNTY LEGISLATIVE BODY APPROVAL

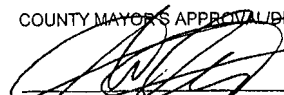

Chairman

ATTEST:


County Clerk



COUNTY MAYOR'S APPROVAL/DISAPPROVAL:


Steve Gregory, County Mayor

Date: 12-29-09

APPROVAL OF BIDS/HIDDEN VALLEY

Motion was made by Ronald Gammon and seconded by Wayne Richey to accept 5 bids numbers 63, 347, 551, 1127 & 1128. Motion was withdrawn.

APPROVAL OF BIDS/ HIDDEN VALLEY

Motion was made by Lloyd Mangrum and seconded by Kenneth Underhill to accept all bids that are within 500 dollars above the suggested price of property.

AMEND

Motion was made by Steve Hethcote and seconded by Melvin Sanders to accept all bids from Hidden Valley properties. Upon roll call vote 21 commissioners voted yes { 21 yes }. Motion passed.

APPROVAL OF BIDS/ HIDDEN VALLEY AS AMENDED

Motion was made by Lloyd Mangrum and seconded by Kenneth Underhill to accept all the Hidden Valley bids as amended. Upon roll call vote 21 commissioners voted yes {21 yes}. Motion passed.

RESOLUTION 09-51 REGARDING SPECIAL INDUSTRIAL BOARD OVERSIGHT
COMMITTEE

Motion was made by Keith Nash and seconded by Lloyd Mangrum to approve Resolution 09-51.

TABLE

Motion was made by Robert Atkinson and seconded by Mickey Bunn to table Resolution until January meeting. Upon roll call vote 13 commissioners voted no. Rickey Murry, Shirley Mayberry, James Hassell, Frankye Ward, Mickey Bunn, Robert Atkinson, Ronnie Sullivan voted yes. Steve Hethcote passed. { 13 no 7 yes 1 pass }. Motion fails.

RESOLUTION 09-51 REGARDING SPECIAL INDUSTRIAL BOARD OVERSITE
COMMITTEE

Motion was made by Keith Nash and seconded by Lloyd Mangrum to approve Resolution 09-51. Upon roll call vote 15 commissioners voted yes. Shirley Mayberry, James Hassell, Frankye Ward, Mickey Bunn, Robert Atkinson, Ronnie Sullivan voted no {15 yes 6 no}. Motion passed.

Hickman County Tennessee
Resolution No. 09-51

REGARDING THE CREATION OF THE SPECIAL INDUSTRIAL BOARD
OVERSIGHT COMMITTEE

Whereas, in May of 1998, and on the 26th day of October 2009, the Hickman County Board of Commissioners directed by a motion brought from the floor and Resolution 09-47, the Hickman County Industrial Board to perform specific tasks; and

Whereas, the Industrial Board of Hickman County did not comply with these directives; and

Whereas, the Hickman County Board of Commissioners meeting in special session on the 16th day of November, 2009, removed the Industrial Board members for nonfeasance; and

Whereas, Hickman County Board of Commissioners are desirous of having all of these directives complied with; and

Whereas, Hickman County Board of Commissioners are desirous of ensuring that Industrial development and recruitment continue at its direction and without the conflicts that have recently arisen.

Now, Therefore, Be It Resolved, by the Board of County Commissioners of Hickman County, Tennessee, meeting in regular session this 28th day of December, 2009, that;

Section 1: A Special Industrial Board Oversight Committee, (hereafter referred to as the SIBOC), is hereby created for the purpose of performing the following tasks,

- a. To determine where the proceeds of the sales of East Hickman Industrial Property are currently at, if any of those proceeds have been spent and if so where, when and for what.
- b. To determine if the existing Industrial Board Corporation is capable of exercising the authority vested in it to act as the Hickman County Industrial Board or if that authority should be invested in a new entity.
- c. To determine the best course of action for the Hickman County Board of Commissioners to take in the effort to have all previous actions complied with.
- d. Other task as assigned to it by the Hickman County Board of Commissioners.

Section 2: The SIBOC, shall consist of no less than three and no more than five Commissioners, nominated by the Nominating Committee and approved by the Board of Commissioners meeting in regular session in January of 2010.

Section 3: The SIBOC, shall organize itself at its first meeting as it deems necessary, but shall elect a Chairman from its membership.

Section 4: The SIBOC, shall be empowered to,

- a. Secure legal counsel at the Counties expense drawn from funds in 140-51332
- b. Secure audit services at the Counties expense drawn from funds in 140-51305

Section 5: The SIBOC, shall report to the Hickman County Board of Commissioners as to its progress in accomplishing those tasks it has been assigned with.

Section 6: This resolution shall take effect upon its passage the public welfare requiring it.

Sponsors:

Keith Nash
Keith Nash, 4th District Commissioner

Lloyd Mangrum
Lloyd Mangrum, 3rd District Commissioner

Mark McFarlin
Mark McFarlin, 4th District Commissioner

Jim Rice
Jim Rice, 6th District Commissioner

Wayne Rickey
Wayne Rickey, 1st District Commissioner

Danny Clark
Danny Clark, 2nd District Commissioner

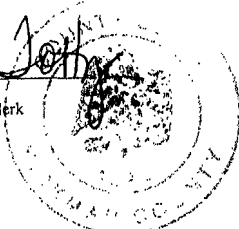
Board Action: 15 Aye 6 Nay _____ Pass _____ Absent

Adopted:

Attest:

Ronnie Sullivan
Ronnie Sullivan, Chairman

Andrea Totty
Andrea Totty, County Clerk



Approved/Disapproved:

Steve Gregory, County Mayor

Date: _____

RESOLUTION 09-52 REGARDING FREEZE OF COUNTY GENERAL EMPLOYMENT / VACANCIES

Motion was made by Mark McFarlin and seconded by Melvin Sanders to approve Resolution 09-52. Upon roll call vote 14 commissioners voted yes. James Hassell, Frankye Ward, Mickey Bunn, Robert Atkinson, Ronnie Sullivan voted no. Danny Clark and Ricky Murry passed {14 yes 5 no 2 pass}. Motion passed.

Hickman County Tennessee
Resolution No. 09-52

REGARDING THE NEED FOR REDUCTION OF EXPENSES FOR FISCAL YEAR 2010

Whereas, the Board of County Commissioners for Hickman County, Tennessee passed a resolution in August, 2009 that authorized a budget for the county; and

Whereas, that budget authorized spending in excess of revenue in an amount of over \$1,300,000; and

Whereas, the Commission believes that if this level of expense is allowed to continue that it could result in either or both, a major increase in the tax rate or major reduction in services being offered by the county for the next fiscal year.

Now, Therefore, Be It Resolved, by the Board of County Commissioners of Hickman County, meeting in regular session this 28th day of December, 2009, that

Section 1: All departments included under the General Fund are encouraged to hold open all positions that have and will become vacant during the current fiscal year.

Section 2: All departments included under the General Fund are encouraged not to create any new positions during the current fiscal year.

Section 3: All departments included under the General Fund are encouraged not to use overtime to cover any vacancies. If necessary, departments are encouraged to reduce the number of hours that their departments are open to compensate for any reduction in work force.

Section 4: This resolution shall take effect upon its passage the public welfare requiring it.

Mark McFarlin
MARK MCFARLIN

Lloyd B. Markum
Lloyd B. Markum
Wayne Ricksey
WAYNE RICKSEY

Melvin Sanders
Melvin Sanders

Board Action: 14 Aye 5 Nay 2 Pass ___ Absent

Adopted:

Ronnie W. Sullivan
Ronnie Sullivan

Andrea Totty
Andrea Totty, County Clerk

Approved/Disapproved:

Steve Gregory
Steve Gregory, County Mayor



Date: 12-29-09

RESOLUTION 09-53 REGARDING GOVERNOR'S THREE STAR PROGRAM

Motion was made by Frankye Ward and seconded by Mickey Bunn to accept Resolution 09-53. Upon roll call vote 21 commissioners voted yes { 21 yes }. Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 09-53

RESOLUTION TO PARTICPATE IN THE THREE-STAR PROGRAM

WHEREAS, the Tennessee Department of Economic and Community Development is committed to assist the communities it serves in creating opportunities for sustained economic growth through the Three-Star Program; and

WHEREAS, participation in the Three-Star Program affords certified communities the opportunity to develop and implement programs affecting the economic appeal and viability considered by business and industry in making investment decisions; and

WHEREAS, certification as a Three-Star community in the Three-Star Program involves a cooperative effort by numerous local entities; and

WHEREAS, the Executive Director of Hickman County Economic & Community Development Association, the Joint Economic & Community Development Board for Hickman County, is the designated contact for the Three-Star Program;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, meeting in regular session on this 28th day of December, 2009 in Centerville, Tennessee, that:

SECTION 1: Hickman County hereby declares its desire to participate in the Three-Star Program administered by the Tennessee Department of Economic and Community Development.

SECTION 2: The provisions of this Resolution shall become effective upon its passage, the public welfare requiring it.

SPONSORS:

Frankye Ward
Frankye Ward, 5th District Commissioner

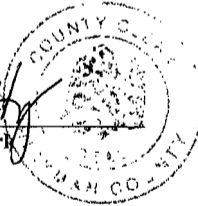
Mickey Bunn
Mickey Bunn, 2nd District Commissioner

BOARD ACTION: 21 Aye _____ Nay _____ Pass _____ Absent

ADOPTED: ATTEST:

Ronnie W. Sullivan, CHAIR
Ronnie Sullivan, Chairman

Andrea Totty
Andrea Totty, County Clerk



APPROVED: Steve Gregory
Steve Gregory, County Mayor

DISAPPROVED: _____
Steve Gregory, County Mayor

DATE: 12-29-09

DATE: _____

ADJOURN

Motion was made by Steve Hethcote and seconded by Melvin Sanders to adjourn. Motion was passed by voice vote.