

STATE OF TENNESSEE
COUNTY OF GREENE

GREENE COUNTY LEGISLATIVE BODY
Monday, November 19, 2012

The Greene County Legislative Body met in regular session on Monday, November 19, 2012 at the Greene County Courthouse.

Mayor Broyles called the meeting to order to transact business that is to lawfully come before this Honorable Body. Commissioner Seay led the Pledge to the Flag, followed by Prayer led by Commissioner Rollins. The Commissioners signed in on their key pads and the following Commissioners were present: Commissioners Bird; Bowers, Carter, Crum, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White. Commissioner Greenway was absent. Commissioner Dabbs will not take the oath of office until December. There were 19 Commissioners present.

PUBLIC HEARING

Commissioner Sauceman called on Larry Parman of 105 Rolling Hills Rd. to speak about the school system and tax increase.

Mayor Broyles read a proclamation for Zachary Britton.

APPROVAL OF PRIOR MINUTES

A motion was made by Commissioner Holt and seconded by Commissioner Sauceman to approve prior minutes. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White vote yes. The vote was 19 – aye; 2 - absent. The Commissioners voted in favor of the motion to approve the prior minutes.

REPORTS

There were reports from the Solid Waste Dept. and Committee minutes in the package.

OLD BUSINESS

After lengthy discussion, Commissioner Bowers made a motion to take a vote on whether or not an ethics violation has taken place by Commissioner White.

Commissioner Hopson seconded the motion. Mayor Broyles called for the Commissioners to vote on their keypads and the following vote was taken:

Commissioners McAmis, Malone, Carter, Quillen, Bowers, King, Rollins, Waddle, Moss, Crum and Kiker vote no. Commissioners Hopson, Hensley, Bird, Sauceman, Seay, Holt and Sams voted yes. Commissioner White abstained. There were two absent. The vote was 7 – aye; 11 – nay; 1 – abstain; 2 – absent. The Commissioners voted that no ethics violations were committed by Commissioner White.

ELECTION OF NOTARIES

Mayor Broyles asked the Clerk to read a list of names requesting to be notaries to the Commission. Clerk, David Thompson, read the list. A motion was made by Commissioner Sams and seconded by Commissioner Rollins to approve the list. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White voted yes. The vote was 19 – aye; 2 – absent. The Commissioners voted in favor of the motion to approve the resolution.

A. A RESOLUTION REQUESTING THE GENERAL ASSEMBLY TO AMEND
T.C.A. #12-8-101(i) TO ALLOW OR PERMIT A LOCAL GOVERNMENT
WHO OWNS AND OPERATES A HOT MIX ASPHALT PLANT OR
FACILITY TO SELL HOT MIX ASPHALT TO MUNICIPALITIES AND
OTHER ENTITIES, DEPARTMENTS OR AGENCIES OF COUNTY
GOVERNMENT ALL WITHIN THE COUNTY WHERE THE HOT MIX
ASPHALT PLANT OR FACILITY IS LOCATED

A motion was made by Commissioner Malone and seconded by Commissioner Holt to approve a resolution requesting the General Assembly to amend T.C.A. #12-8-101(i) to allow or permit a Local Government who owns and operates a hot mix asphalt plant or facility to sell hot mix asphalt to municipalities and other entities, departments or agencies of county government all within the county where the hot mix asphalt plant or facility is located. Commissioner Hensley read a statement and asked that it be attached to these minutes. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners McAmis, Hopson, Hensley, Bowers, King, and Waddle voted no. Commissioners Malone, White, Carter, Bird, Quillen, Rollins, Sauceman, Seay, Holt, Moss, Crum, Kiker and Sams voted yes. The vote was 13 – aye; 6 – nay; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

This effort is another encroachment of government subsidized industry competing in the world of business.

Our country was founded on free-enterprise. There should never be a fear of an entrepreneur of the government taking over a particular industry or competing as a public-subsidized entity. Fair competition among equal opportunity players is what keeps it all in balance.

For those of you who still believe I am fighting for Summers-Taylor, you are mistaken. I would be standing just as strong against any proposal that our government take over any other type existing industry.

If Mr. Woolsey were to recommend that the County Gov't expand its legal services so as to help save the Greene County Citizens money on legal services, I would be against that.

If I bought into the argument that some of you favor that 'they had no competition' and then suggested that the County start up other 'no-competition' businesses such as a newspaper or a cable company – I would be standing against that.

Private Enterprise is what has built this Country into the greatest nation on earth. While it is true that we have seen a steady encroachment into private business by our Federal Government, our State Government is going in the opposite direction – by privatizing many functions previously handled by state employees.

As many roads as the state maintains and owns – ask yourself why they don't utilize their own asphalt plants? There are units designed to be moved...

You see the leaders of this state realize that there is not one function that the government can do more efficiently than private business. For private business watches each and every dollar, from the salaries they pay, to hard negotiating for the supplies they need, to wringing the last mile possible out of that piece of equipment – all for the sake of trying to make a profit. For there is nothing more powerful in the world of business than the profit motive and this is what insures efficiency of operation. If a business fails to do this properly, then they fail and another will provide the service required by the public. And they must do all of this within the price the public is willing to pay for their product. If they overcharge, the public will either not make the purchase, or find an alternative source for the product.

In my opinion, if you want to achieve the greatest benefit from the asphalt plant we now own, then find a suitable company to lease it out to, while negotiating into the lease that all product needed by the county, or these other government concerns as well, would receive the product at cost plus an agreed upon factor to insure continued operations of the plant. No ongoing costs, no unforeseen expenditures, no liabilities, guaranteed price and delivery – all from an operator that would be free to maximize their own profits by selling not only to the county and municipalities, but to the general public as well. The lease payments would offset the amount invested by the county in addition to the savings in cost of product the county was looking for.

**D. A RESOLUTION TO AMEND THE 2012-2013 FISCAL YEAR GENERAL
PURPOSE SCHOOL FUND'S BUDGET TO BUDGET FOR CAPITAL
OUTLAY PROJECTS**

A motion was made by Commissioner Kiker and seconded by Commissioner Quillen to approve a resolution to amend the 2012-2013 Fiscal Year General Purpose School fund's budget to budget for Capital Outlay Projects. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners McAmis, Hopson, Bird, King, and Sauceman voted no. Commissioners Malone, White, Carter, Quillen, Bowers, Rollins, Seay, Holt, Waddle, Moss, Crum, Kiker, and Sams voted yes. Commissioner Hensley abstained. The vote was 13-aye; 5 – no; 1 – abstained; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

E. RESOLUTION TO BUDGET FOR A TRANSFER FROM THE CAPITAL
PROJECTS FUND TO THE GENERAL FUND FOR FISCAL YEAR ENDING
JUNE 30, 2013

A motion was made by Commissioner Rollins and seconded by Commissioner Moss to approve a resolution to budget for a transfer from the Capital Projects Fund to the General Fund for fiscal year ending June 30, 2013. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White voted yes. Commissioner Hensley voted no. The vote was 18-aye; 1 – nay; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

F. A RESOLUTION TO AMEND THE GENERAL FUND 2012-2013 FISCAL YEAR BUDGET FOR REVENUES FROM THE SALE OF SCRAP METAL AND PAPER AND INCREASE APPROPRIATIONS TO ALLOW FOR THE EXPENDITURE OF THE FUNDS RECEIVED

A motion was made by Commissioner Carter and seconded by Commissioner Malone to approve a resolution to amend the General Fund 2012-2013 Fiscal Year budget for revenues from the sale of scrap metal and paper and increase appropriations to allow for the expenditure of the funds received. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White voted yes. Commissioner Hensley voted no. The vote was 18-aye; 1 – nay; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

G. A RESOLUTION TO AMEND THE GENERAL FUND BUDGET FOR
REVENUES RECEIVED BY THE EMERGENCY MEDICAL SERVICES
DEPT.

A motion was made by Commissioner Quillen and seconded by Commissioner Holt to approve a resolution to amend the General Fund budget for revenues received by the EMS Dept. Mayor Broyles called for the Commissioners to vote on their keypads on the motion to amend. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White voted yes. Commissioner Hensley voted no. The vote was 18-aye; 1 – nay; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

H. A RESOLUTION TO AMEND THE 2013 FISCAL YEAR GENERAL FUND'S
TO BUDGET DONATIONS TO THE SHERIFF'S DEPT.

A motion was made by Commissioner Bowers and seconded by Commissioner Quillen to approve a resolution to amend the 2013 fiscal year General Fund's to budget donations to the sheriff's Dept. Mayor Broyles asked the Commissioners to vote on the resolution on their keypads. The following vote was taken:

Commissioners Bird; Bowers, Carter, Crum, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White voted yes. The vote was 18-aye; 1 – nay; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

**I. A RESOLUTION TO BUDGET FOR PURCHASE OF A TRUCK
REPLACEMENT IN THE SOLID WASTE DEPT. FROM THE SOLID WASTE
FUND BALANCE**

A motion was made by Commissioner Bowers and seconded by Commissioner Moss to approve a resolution to budget for purchase of a truck replacement in the Solid Waste Dept. from the Solid Waste fund balance. Mayor Broyles asked the Commissioners to vote on their keypads. The following vote was taken:

Commissioners Bird; Bowers, Carter, Crum, Holt, Kiker, King, Malone, Moss, Quillen, Rollins, Sams, Seay, Waddle and White voted yes. Commissioners McAmis, Hopson and Hensley voted no. Commissioner Sauceman abstained. The vote was 15-aye; 3 – nay; 1 – abstained; 2 - absent. The Commissioners voted in favor of the motion to approve the resolution.

**J. RESOLUTION TO MAKE A CONTRIBUTION TO THE T. ELMER COX
GENEALOGICAL LIBRARY TO PURCHASE ACID FREE FOLDERS**

A motion was made by Commissioner Crum and seconded by Commissioner Kiker to approve a resolution to make a contribution to the T. Elmer Cox Genealogical Library to purchase acid-free folders. Mayor Broyles asked the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bowers, Carter, Crum, Holt, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Waddle and White voted yes. Commissioners Bird, Hopson and Seay voted no. The vote was 15-aye; 3 – nay; 1 – abstained; 2 – absent. The Commissioners voted in favor of the motion to approve the resolution.

K. A RESOLUTION ALLOCATING THE REVENUES RECEIVED FROM THE
SALE OF SURPLUS REAL PROPERTY TO THE GENERAL DEBT SERVICE
FUND

A motion was made by Commissioner Holt and seconded by Commissioner Sauceman a resolution allocating the revenues received from the sale of surplus real property to the General Debt Service fund. A motion was made by Commissioner Hensley and seconded by Commissioner Bowers to amend the resolution to add to use Hilton Seay and Phil King as auctioneers for the auction on the courthouse steps with neither of them receiving commission. Mayor Broyles asked the Commissioners to vote on their keypads on the amendment. The following vote was taken: Commissioners McAmis, Malone, White, Carter, Hensley, Bird, Quillen, Bowers, King, Rollins, Sauceman, Holt, Moss, Crum, Kiker and Sams voted yes. Commissioner Waddle voted no. Commissioners Hopson and Seay abstained. The vote was 16-aye; 1 – no; 2 – abstained; 2 - absent. The Commissioners voted in favor of the motion to approve the amendment to the resolution. Mayor Broyles then asked the Commissioners to vote on their keypads on the original resolution as amended. The following vote was taken: Commissioners McAmis, Malone, White, Carter, Hopson, Hensley, Bird, Quillen, Bowers, King, Rollins, Sauceman, Holt, Moss, Crum, Kiker and Sams voted yes. Commissioner Waddle voted no. Commissioner Seay abstained. The vote was 17 – aye; 1 – nay; 1 – abstain; 2 – absent. The commissioners voted in favor of the motion to approve the resolution as amended.

OTHER BUSINESS

Commissioner Quillen read a statement calling for the Commission to work together and asking for the County Mayor's resignation.

The Meeting adjourned.