

COUNTY LEGISLATIVE BODY

September 26, 1995

BE IT REMEMBERED That the Fayette County Legislative Body was in regular session at the Courthouse in Somerville, Tennessee on the 26th day of September, 1995, same being the fourth Tuesday in said month:

Present and presiding the Honorable Jim Voss, also present, Dell T. Graham, County Clerk, and the following County Commissioners: John W. Arnett, Charles D. Brewer, Sr., Odis Cox, Thomas H. Fowler, Willie L. German, Jr., Ronald R. Harris, William Hayslett, David Kelley, Alonzo Norman, Sr., Calvin Moore, Jr., David Morris, Claude D. Oglesby, Jr., Hollis O. Robison, J. M. Sullivan, Jr., Rhea "Skip" Taylor, Wayne Thomas, Gordon Tomlin, Myles Wilson and Allen Yancey, Jr.

With a quorum being present, the following proceedings were heard and entered of record, to-wit:

Motion was made by Commissioner Robison, seconded by Commissioner Fowler and unanimously carried by the Board approving the minutes of the August 1995 meeting.

~~Motion was made by Commissioner Kelley, seconded by Commissioner Hayslett, and unanimously carried by the Board adopting the following "Rules of Procedure" for the County Legislative Body:~~

R E S O L U T I O N

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 26th day of September, 1995, it being the fourth Tuesday of the month and the regular monthly meeting date of the County Legislative Body in the Courthouse in Somerville, Tennessee.

That all previous adopted rules of procedure of this commission be, and the same are hereby repealed and in their place and stead the following rules of procedure of this commission be adopted.

There was no roll call, but a motion was made by Commissioner Kelley, seconded by Commissioner Hayslett, and unanimously carried, adopting said Resolution and adopting the following "Rules of Procedure" for the County Legislative Body:

FAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS

RULES

Section A. Quorum

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the County Legislative Body and where a vacancy or vacancies exist in the County Legislative Body the same shall not be included in determining the membership of such County Legislative Body.

Section B. Order of Business

1. Call to order by the Chairman
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Reading and approval of minutes of previous meeting.

6. Resolutions of memorials, sympathy and commendations
7. Public hearings
8. Elections, Appointments and confirmations
9. Unfinished business
  - a. Report of standing committees and action thereon
  - b. Report of special committees and action thereon
  - c. Other unfinished business
10. New business
11. Announcements and statements
12. Adjournment

Section C. Who May Address the Chairman

Refer to Roberts Rules of Order. In addition Elected County Officials and others with expertise or information necessary for clarification of a matter under consideration by the County Legislative Body. Any person wishing to address the County Legislative Body regarding a matter to come before the Body or to present a matter to the Body, shall first address the appropriate committee of the County Legislative Body.

Section D. Gaining the Floor

In all cases, the member who shall first raise his hand and address the Chairman shall be entitled to speak first. When two or more members shall rise and address the Chairman at the same time, the Chairman shall name the member who shall speak first followed by the other member.

Section E. Speaking

When any member wishes to speak in debate or deliver any matter whatsoever to the County Legislative Body, he shall rise and respectfully address himself to "Mr. Chairman" and shall, after he is recognized by the Chairman proceed in his remarks and shall confine himself strictly to the question under debate and avoiding all personalities. A committee chairman, his designee or the author of a resolution may speak as often as the situation requires. No other member shall speak more than once on the same subject until every other member has had an opportunity to speak. No member, except for committee reports, shall speak longer than ten minutes on the same subject in the first speech and three minutes in any succeeding speech unless by consent of the County Legislative Body.

Section F. Consent to Yield

While a person is speaking he shall not be interrupted, except for a question by a member. If the speaker declines to yield, he shall not be interrupted, but shall yield to questions at the end of his presentation.

Section G. Points of Order

If any member, speaking or otherwise, transgresses the Rules of the County Legislative Body, the Chairman shall, or any member may, call him to order, in which case the member so-called to order shall immediately cease speaking at which time the point of order shall be at once decided by the Chairman, subject to an appeal to the County Legislative Body. After the decision is rendered, the member having the floor can proceed, subject to the decision made.

Section H. Appeal on Rulings

Any member may appeal to the County Legislative Body any ruling of the Chairman, and a majority vote of the members present shall decide the appeal.

Section I. Refusal to be in Order

If any person, member or otherwise, refuses to remain orderly, the Chairman shall have the right to call upon the Sheriff, Deputy Sheriff, or Officer in waiting upon the County Legislative Body to seat such person, and if such person refuses to be seated, or come to order, the Chairman shall have the right to declare such person in contempt and to order his removal from the courtroom. This person may return to the courtroom only on the approval of a majority of the members present.

Section J. Introduction of a Resolution

Any proposed resolution may be introduced by any member of the County Legislative Body.

Section K. Committee Referrals

Any member wishing to introduce a measure which would require consideration or study shall refer the matter to the Chairman and he shall refer it to the appropriate committee.

Section L. Motions

Motions may be made only by Commissioners.

1. Debating Motions: No motion shall be debated until the same is seconded and stated by the Chairman.
2. Motions in Writing: When a motion shall be made and seconded, it shall be reduced to writing by the proponent or the Clerk, delivered to the table and read before the same shall be debatable, if desired by the Chairman or any member.
3. Motions During Vote: When by order of the County Legislative Body, the Chairman has risen to submit a question, and when there is a call for the Ayes and Nays, or a count of the members, no motion, except a motion to recess, or to table the proposed action, shall be in order until the decision of the County Legislative Body is declared by the Chairman.
4. Requiring Roll Call: Any motion may be put to the County Legislative Body for a voice vote by the Chairman, provided, however, any member may require a roll call by the raising of the hand or indication otherwise, either before or after the voice vote, except all motions concerning appropriation of funds shall require a roll call vote.
5. Votes Required to Pass a Motion: To transact any business requiring a vote there must be a vote of a majority of the then existing County Legislative Body not merely a majority vote of the quorum present.

Section M. Member May Change Vote

Any member of the County Legislative Body may change his vote before the result of a roll call is announced by the Clerk. It shall be the duty of the Clerk at the end of each roll call, to require of those who passed or were absent when the roll was called if they desire to vote; also, if any one who has voted wishes to change his vote. Then, the result shall be announced by the Clerk.

Section N. Reconsideration of a Motion

When a question has been put to a vote, it shall be in order for any member of the prevailing side to move and another to second a reconsideration at any time during that session of Court and prior to the adjournment thereof by the Chairman.

Section O. Elections with Nominations from the Floor

When the Chairman is to receive nominations from the floor, a member may nominate only one other person. The floor will be kept open until every member has had an opportunity to nominate a person if he so desires before the nominations are closed. The election will proceed as follows:

1. Appointive Office -- the persons nominated will be displayed before the County Legislative Body if practical.
  - a. The ballots are cast by voice votes.
  - b. A majority of the full County Legislative Body is required for election.
  - c. If no one is elected on a given ballot, the person receiving the smallest number of votes will be dropped and the ballots cast again until a person is elected.

2. County Legislative Body Committees -- all committees shall be named by the Chairman and approved by the County Legislative Body. Any Commission member may call for a vote on individual approval of committee members.

Section P. Appropriation Requests

Any and all requests requiring expenditure of local county funds shall be submitted in writing to the Budget Director for review by the appropriate committee and shall have an estimated cost included in or attached to the request or resolution. A reasonable summary of the request shall be included in or attached to the agenda which shall be made available to all members.

1. Appropriations Except by Bond Issue -- Any and all appropriations except bond issues, to be issued or approved must be filed in triplicate, the original with the Budget Director and copies to the Chairman and the Chairman of the appropriate committee at least fifteen days prior to the meeting of the County Legislative Body.
2. Appropriations by Bond Issue -- Notice of all proposed appropriations by bond issue shall be filed in triplicate, the original with the Budget Director and copies to the Chairman and Chairman of the appropriate committee at least fifteen days prior to the meeting of the County Legislative Body. The notice shall contain the proposed amount of the bond issue, the purposes for which the bonds are to be issued, and the length of time of the bond issue.

Section Q. Amending or Suspending the Rules

These rules can only be amended at any time by the County Legislative Body while in regular session by a two-thirds majority of the qualified and acting members. In the consideration of any particular matter, any or all of these rules may be suspended by two-thirds majority of the qualified and acting members of the County Legislative Body.

Section R. Robert's Rules of Order

All matters not covered herein shall be governed by Robert's Rules of Order as contained in the latest copyrighted edition.

RULE II -- CHAIRMAN

Section A. Call to Order

The County Legislative Body shall be called to order by the Chairman. In the absence of the Chairman, the Chairman Pro Tempore shall preside. In the absence of the Chairman Pro Tempore, the County Legislative Body shall be called to order by the County Clerk, and shall elect one of its members to preside over deliberations.

Section B. Question of Order

The Chairman shall preserve order and decorum. He may speak to points of order in preference to other members, rising from his seat for that purpose. He shall decide questions of order, subject to an appeal to the County Legislative Body by any member.

Section C. Members Speaking

Before a member is allowed to speak twice on the same subject, the Chairman shall inquire if there is another member who has not spoken on that subject and who wishes to speak.

Section D. Motions

Once a motion has been made and duly seconded, the Chairman shall state the motion so that debate on the motion may begin.

Section E. Putting the Question

The Chairman shall rise to state or put a question and shall clearly state the question before the County Legislative Body before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced.

Section F. Agenda to Commissioners

A copy of the agenda, attachments, and notice calling each County Legislative Body shall be mailed to each member on Wednesday prior to the following Monday night.

RULE III -- COUNTY CLERK

Section A. Minutes of the County Legislative Body

The County Clerk shall make copies of the minutes of each County Legislative Body meeting and distribute them not later than ten days after the meeting. The minutes shall be distributed as follows:

1. One copy to each member
2. One copy upon request to each county office, department, and/or commission head
3. One copy upon request to all public, school and university libraries in the county
4. One copy upon request to all licensed and operating commercial radio and television stations in the county
5. One copy upon request to all newspapers published in the county for sale and distribution to the general public
6. One or more pages shall be made available to the general public at cost

Section B. Roll Call

On all appropriations, the Clerk shall call the roll for "Aye" and "No" votes. Names will be called in alphabetical order.

Section C. Change of Vote

It shall be the duty of the Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if any one who has voted wishes to change his vote. Then the results shall be announced by the Clerk.

RULE IV -- SHERIFF

Section A. The Sheriff

The Sheriff shall attend the County Legislative Body meeting while in session, or designate some other officer for that purpose, to preserve order and carry out the orders of the presiding officer of the court.

RULE V -- COUNTY ATTORNEY

Section A. County Attorney

The County Attorney

Section F. Reporting Procedure

The procedure for reporting the findings of a committee to the County Legislative Body shall be as follows:

1. The chairman or a member he so designates shall make the report.
2. Upon completion of a report the speaker shall yield to questions.
3. Discussion shall be had after there has been a motion and a second and so stated by the Chairman, and only then shall there be discussion.
4. There shall be a vote on the proposition when discussion is complete and when there is a call for the question by the County Legislative Body.

Section G. Duties of Committee and Subcommittee Officers

The chairman's prime responsibility is to call meetings of the committee, to serve as presiding officer, and to serve as spokesman of the committee in any action or reporting to the County Legislative Body. Further, the chairman should fully understand and make the committee aware of its authority and areas of jurisdiction. The vice-chairman is to assume the role and all responsibilities of the chairman in his absence. Should the chairman, for any reason, vacate his position, the vice-chairman will automatically become chairman. The secretary shall be responsible for the taking of minutes, and the filing and distribution of same.

Section H. Committee Meeting Minutes

The minutes of all committee meetings shall contain the day, time and place the committee convenes, the members present, a summary of matters considered, a record of the voting on the action taken on each recommendation to the County Legislative Body, and the time of adjournment.

Section I. Vacancies on Committees

If for any reason one or more members of any respective committee vacate their position, the Chairman, with the approval of the County Legislative Body, shall fill those vacancies in the same manner as the original members.

Section J. Special Committees

The Court may from time to time appoint such special committees as the circumstances require, but such a special committee shall be disbanded when its assigned work and in no case shall it exist longer than one year unless extended by the County Legislative Body. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.

Section K. Reporting Referrals

The committee to which a request or resolution has been referred shall make a report to the County Legislative Body at the next regular meeting after its referral unless the County Legislative Body has specified otherwise in its request or resolution.

Section L. Failure to Meet

If for any reason the chairman of a committee fails to call a meeting, the chairman, or two members of a three member committee, or three members of a larger committee may do so.

Section H. Quarterly Reports

The quarterly reports submitted by the County offices and department heads shall be presented as a part of the appropriate standing committee reports.

Section N. Technical Assistance

Committees have any and all authority necessary to request the assistance of county, regional, state and federal governmental departments, commission and agencies. Committees cannot obligate the county involving money without approval of the County Legislative Body.

Section O. Informal Consideration

The Body may by a two-thirds vote of the members present agree to informal consideration of a question. The results of votes taken during informal consideration are decisions of the commission which are not voted on again.

RULES VII -- COMMITTEES SPECIFIC

Section A. Standing Committees

All standing committees of the County Legislative Body shall be appointed annually by the Chairman and approved by a majority of the County Legislative Body at the September meeting. The County Legislative Body may allow the Chairman to appoint the various chairmen of the standing committees. Any member of the County Legislative Body may call for a vote on individual approval of committee members.

The Chairman shall be an ex-officio member of all committees and sub-committees. In this capacity he shall offer assistance and advice as needed.

The standing committees of the County Legislative Body are as follows:

1. Criminal Justice and Public Safety: All matters pertaining to the criminal justice system including law enforcement, courts, and corrections; civil disturbances; juvenile delinquency; alcohol and drug abuse; emergency preparedness; fire prevention and control. (Five members)
2. Health & Welfare: All matters pertaining to health care, comprehensive health planning, local health services, mental health and emergency medical services; social services and welfare program. (Five Members)
3. Education: All matters pertaining to elementary, secondary and adult education; vocational and technical education; library services. (Five Members)
4. County Development: All matters related to general county development; residential, commercial and industrial developments; public facilities, subdivision regulation, zoning, building codes; road improvements, highway safety, airport development; recreation, solid waste management; soil, water, and wildlife conservation; energy conservation; agriculture; flood prevention and control. (Five Members)

5. Budget: Taxation; Finance; Investments; Property and Intergovernmental Relations, all matters pertaining to the financial resources of the County. Personnel policy and practice; equal employment opportunity; retirement system; health insurance plans and occupational health and safety. (Seven Members)
6. Personnel Committee: All matters related to personnel; compliance with OSHA and TOSHA Regulations including reports and training, personnel policy, Equal Employment Opportunity Legislation, job description, salary administration, and employee benefits. (Five Members)

The next matter before the Board was a rezoning request which was presented by Tod Williams of the Fayette County Planning Commission. The request was submitted by Tim Harris for the rezoning of property situated in Civil District 2 from R - 1 to B - 3 for establishing a country music show and restaurant. This was presented, but not with the recommendation of the Planning Commission for passage.

The floor was then opened to the public for comments in favor of or in opposition to the rezoning request. Robert Parker addressed the board in opposition to the rezoning. No comments were offered in favor of the rezoning.

Motion was then made by Commissioner Kelley, seconded by Commissioner Moore, and unanimously carried by the Board denying the request for the rezoning of the property.

The next matter before the Board was the election of a Chairman of the County Legislative Body. For this proceeding, Commissioner Ronald R. Harris, Chairman Pro Tempore, presided.

Motion was made by Commissioner Sullivan, seconded by Commissioner Tomlin, placing the name of Jim Voss in nomination. With no other nominations being offered, motion was made by Commissioner Tomlin, seconded by Commissioner Oglesby, and unanimously carried by the Board, that the nominations cease and that Mr. Voss be elected by acclamation.

Chairman Voss then presided over the remainder of the meeting.

The matter now before the Board was election of a Chairman Pro Tempore. Motion was made by Commissioner Oglesby, seconded by Commissioner Moore, placing the name of Commissioner Ronald R. Harris in nomination. With no other nominations being offered, motion was made by Commissioner Kelley, seconded by Commissioner Taylor, and unanimously carried by the Board that the nominations cease and that Mr. Harris be elected by acclamation.

Motion was made by Commissioner Wilson, seconded by Commissioner Oglesby, and unanimously carried by the Board appointing David Morris to the Personnel Committee to fill the term vacated by Wayne Thomas.

Motion was made by Commissioner Wilson, seconded by Commissioner Robison, and unanimously carried by the Board appointing the following as Notaries Public: District 1: Susan G. Doyle, Debbie Sue Hoskins, Land Middlecoff, Carolyn G. Rhea, Michael L. Wainscott; District 4: Donna T. Anderson; District 10: Pat S. Casey; District 11: Neda Flake Hayslett; District 12: Amy P. McClure.

The annual financial report from the Office of Sheriff was filed.

No report was submitted from the County Executive's Office.

Motion was made by Commissioner German, seconded by Commissioner Kelley, and unanimously carried by the Board approving the Office of County Clerk's involvement in the Tennessee County Clerks Organ Donor Awareness Foundation.

Reports were called for from the Board of Education and the Board of Public Works, but none available.

Having been reviewed by the County Development Committee and received their recommendation for adoption, Commissioner Sullivan presented and moved for the adoption of the following Resolution concerning the acceptance of a road contract with the State of Tennessee on the widening of Hwy. 64 between the east section of the City of Somerville to the east Laconia Road:

#### R E S O L U T I O N

WHEREAS, the County of Fayette, Tennessee, has received a proposal from the Department of Transportation of the State of Tennessee, relative to the construction of a project designed as No. 24004-2216-14, STP-F-15(55); State Route 15 from near the east city limits of Somerville to 300 feet east of Laconia Road left, (5.363 Miles) in the County of Fayette, and the City of Somerville provided the County and city agree to cooperate with the Department as set forth in the respective proposal to each, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State. (A photostat proposal is attached hereto and made a part hereof)

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 450 James Robertson Parkway, Nashville, Tennessee 37243-0485, of the institution of each civil action, the complaint and all subsequent pleadings, within seven (7) days after the service of each of the same, under penalty of defending such actions and paying any judgements which result therefrom at its own expense; and

2. To close or otherwise modify any of its roads, or other public ways as indicated on the project plans, as provided by law; and

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

6. It is understood and agreed by the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the COUNTY.

7: That when traffic control devices for the direction of traffic, warning of traffic, lighting of roadways, lighting of roadway signing, or any of them, which are operated or function by the use of electric current are constructed or installed pursuant to the project, they will be furnished with electricity and maintained by the COUNTY.

8. As a result of acquisition and use of right of way for the subject project, certain building improvements within the COUNTY may be in violation of a COUNTY setback/building line requirement. The COUNTY agrees to waive enforcement of any COUNTY setback/building line requirement which may be violated as a result of the subject project. The COUNTY further agrees to enact a resolution or to take other proper governmental action, to this effect with reference to the entire project; and

The acceptance of this proposal shall be evidenced by the passage of a Resolution which shall incorporate the same verbatim, or by reference thereto; then

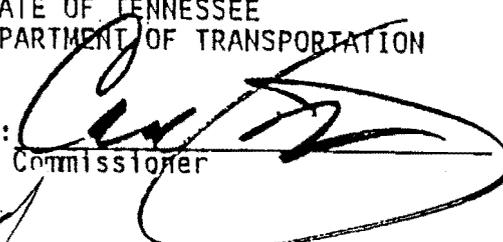
Following the acceptance of this proposal, the DEPARTMENT will acquire the rights of way and easements, construct the project and defend any cross-eminent domain or damage civil actions of which the Attorney General has received the pleadings provided for herein.

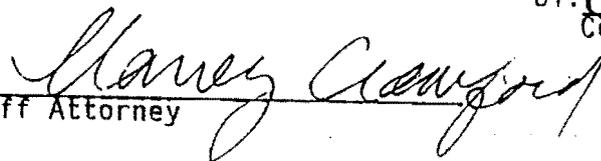
The project plans hereinbefore identified by number and description are incorporated by reference thereto and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this instrument to be executed by its duly authorized officials on this 15th day of July, 1993.

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

APPROVED

BY:   
Commissioner

  
Staff Attorney

NOW, THEREFORE, BE IT RESOLVED, that the County Commissioners of Fayette County, Tennessee, meeting in regular session on this September 26th, 1995, does hereby approve and agree to the terms and conditions hereinabove set out in the proposal.

Motion for adoption was seconded by Commissioner Moore and same was unanimously adopted by the Board.

Commissioner Sullivan then presented for approval a "Hold Harmless" letter to the State of Tennessee Department of Transportation concerning the erection of a "welcome" sign within the right-of-way on Hwy. 64W. Motion was seconded by Commissioner Taylor and unanimously adopted by the Board.

Reports from the Education Committee, Health & Welfare Committee and the Criminal Justice and Public Safety Committee were called for, but none available

At this time Commissioner Harris, with the approval of the Budget Committee, presented and moved for the adoption of the following Resolutions:

R E S O L U T I O N

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 22nd day of September 1995, it being the fourth Tuesday of the month and the regular monthly meeting date of the County Legislative Body in the Courthouse in Somerville, Tennessee.

That the Federal Projects Fund #142 Subfund #573 - Title I Carryover Budget Amendment for the fiscal year ending June 30, 1996 be, and the same is hereby amended in the following words and figures, to-wit:

FAYETTE COUNTY BOARD OF EDUCATION

FEDERAL PROJECTS FUND

FUND 142

SUBFUND 573 - TITLE I CARRYOVER

SEPTEMBER, 1995

|           |                             | INCREASE     | DECREASE |
|-----------|-----------------------------|--------------|----------|
| 71000     | INSTRUCTION                 |              |          |
| 71100     | REGULAR INSTRUCTION PROGRAM |              |          |
| 71100 116 | Teachers                    | \$110,155.16 |          |
|           | TOTAL:                      | \$110,155.16 |          |
| 99000     | OTHER USES                  |              |          |
| 99100     | OPERATING TRANSFERS         |              |          |
| 99100 590 | Transfers to Other Funds    | \$3,414.81   |          |
|           | TOTAL:                      | \$3,414.81   |          |
|           | GRAND TOTAL:                | \$113,569.97 |          |

Total Increase: \$113,569.97

Revenue: 47141 Title I \$44,179.24

Reserve: 34410 Reserve for Title I \$69,390.73

|  |                |
|--|----------------|
| Revenue: Prior Total Available Funds           | \$1,841,033.00 |
| Adjustment to Beginning Estimated Fund Balance | (1,417.19)     |
| Total Increase This Amendment                  | 44,179.24      |
| Total Available Funds This Amendment           | \$1,883,795.05 |

|  |                |
|--|----------------|
| Expenditures: Prior Total Estimated Expenditures | \$1,770,226.00 |
| Adjustment to Beginning Estimates                | (.92)          |
| Total Increase This Amendment                    | 113,569.97     |
| Total Estimated Expenditures This Amendment      | \$1,883,795.05 |

R E S O L U T I O N

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 22nd day of September 1995, it being the fourth Tuesday of the month and the regular monthly meeting date of the County Legislative Body in the Courthouse in Somerville, Tennessee.

That the Federal Projects Fund #142, Subfund #685 - Drug Free Schools Budget Amendment for the fiscal year ending June 30, 1996 be, and the same is hereby amended in the following words and figures, to-witt:

FAYETTE COUNTY BOARD OF EDUCATION

FEDERAL PROJECTS FUND

FUND 142

SUBFUND 685 - DRUG FREE SCHOOLS

SEPTEMBER, 1995

|               |                              | INCREASE    | DECREASE |
|---------------|------------------------------|-------------|----------|
| 72000         | SUPPORT SERVICES             |             |          |
| 72130         | OTHER STUDENT SUPPORT        |             |          |
| 72130 123 PUB | Guidance Personnel           | \$1,500.00  |          |
| 72130 189 PUB | Other Salaries and Wages     | 13,400.00   |          |
| 72130 201 PUB | Social Security              | 831.00      |          |
| 72130 204 PUB | State Retirement             | 447.00      |          |
| 72130 207 PUB | Medical Insurance            | 1,715.00    |          |
| 72130 212 PUB | Medicare                     | 195.00      |          |
| 72130 355 PUB | Travel                       | 1,000.00    |          |
| 72130 355 FAA | Travel                       | 400.00      |          |
| 72130 355 ROA | Travel                       | 400.00      |          |
| 72130 399 PUB | Other Contracted Services    | 1,000.00    |          |
| 72130 399 FAA | Other Contracted Services    | 2,000.00    |          |
| 72130 399 ROA | Other Contracted Services    | 200.00      |          |
| 72130 499 PUB | Other Supplies and Materials | 199.00      |          |
| 72130 499 FAA | Other Supplies and Materials | 810.00      |          |
| 72130 499 ROA | Other Supplies and Materials | 462.00      |          |
|               | TOTAL:                       | \$24,559.00 |          |

Total Increase: \$24,559.00

Revenue: 47590 Other Federal Thru State \$24,559.00

|                                      |                |
|--------------------------------------|----------------|
| Revenue: Prior Total Available Funds | \$1,883,795.05 |
| Total Increase This Amendment        | 24,559.00      |
| Total Available Funds This Amendment | \$1,908,354.05 |

|  |                |
|--|----------------|
| Expenditures: Prior Total Estimated Expenditures | \$1,883,795.05 |
| Total Increase This Amendment                    | 24,559.00      |
| Total Estimated Expenditures This Amendment      | \$1,908,354.05 |

## R E S O L U T I O N

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 22nd day of September 1995, it being the fourth Tuesday of the month and the regular monthly meeting date of the County Legislative Body in the Courthouse in Somerville, Tennessee.

That the General Purpose School Fund #141 Budget Amendment for the fiscal year ending June 30, 1996 be, and the same is hereby amended in the following words and figures, to-witt:

FAYETTE COUNTY BOARD OF EDUCATION

GENERAL PURPOSE FUND

FUND 141

SEPTEMBER, 1995

|               |                                      | INCREASE   | DECREASE   |
|---------------|--------------------------------------|------------|------------|
| 71000         | INSTRUCTION                          |            |            |
| 71300         | VOCATIONAL EDUCATION PROGRAM         |            |            |
| 71300 116 VEP | Teachers                             |            | \$720.00   |
| 71300 163 VEP | Aides                                |            | 150.00     |
| 71300 201 VEP | Social Security                      |            | 54.34      |
| 71300 204 VEP | State Retirement                     |            | 65.91      |
| 71300 212 VEP | Medicare                             |            | 12.76      |
| 71300 429 VEP | Instructional Supplies and Materials |            | 173.47     |
|               | TOTAL:                               |            | \$1,176.48 |
| 72000         | SUPPORT SERVICES                     |            |            |
| 72120         | HEALTH SERVICES                      |            |            |
| 72120 399     | Other Contracted Services            | \$7,500.00 |            |
| 72120 413     | Drugs and Medical Supplies           |            | \$7,500.00 |
|               | TOTAL:                               | \$7,500.00 | \$7,500.00 |
| 72230         | VOCATIONAL EDUCATION PROGRAM         |            |            |
| 72230 189 VEP | Other Salaries and Wages             | \$.45      |            |
| 72230 201 VEP | Social Security                      | .04        |            |
| 72230 204 VEP | State Retirement                     |            | \$26.50    |

|               |                              | INCREASE    | DECREASE    |
|---------------|------------------------------|-------------|-------------|
| 72230 212 VEP | Medicare                     | .03         |             |
| 72230 355 VEP | Travel                       |             | .66         |
|               | TOTAL:                       | \$.52       | \$27.16     |
| <hr/>         |                              |             |             |
| 72810         | CENTRAL AND OTHER            |             |             |
| 72810 189     | Other Salaries and Wages     |             | \$6,050.00  |
| 72810 399     | Other Contracted Services    | \$3,550.00  |             |
| 72810 499     | Other Supplies and Materials | 2,500.00    |             |
|               | TOTAL:                       | \$6,050.00  | \$6,050.00  |
|               | GRAND TOTAL:                 | \$13,550.52 | \$14,753.64 |

Total Decrease: (\$1,203.12)

Revenue: 47210 VEP Job Training Partnership Act \$1,203.12

|  |                 |
|--|-----------------|
| Revenue: Prior Total Available Funds       | \$16,974,422.00 |
| Adjustment to Beginning Estimated Balances | (2,245.04)      |
| Total Decrease This Amendment              | (1,203.12)      |
| Total Available Funds This Amendment       | \$16,970,973.84 |

|  |                 |
|--|-----------------|
| Expenditures: Prior Total Estimated Expenditures | \$16,166,738.00 |
| Total Decrease This Amendment                    | (1,203.12)      |
| Total Estimated Expenditures This Amendment      | \$16,165,534.88 |

Motion for adoption of these Resolutions was seconded by Commissioner Oglesby and unanimously carried by the Board.

\* \* \* \* \*

Having been reviewed by the Budget Committee and received their recommendation for passage, motion was made by Commissioner Harris, seconded by Commissioner Fowler and unanimously carried by the Board adopting the following Resolution amending the the County General Fund Budget as follows:

## RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 22nd day of September 1995, it being the fourth Tuesday of the month and the regular monthly meeting date of the County Legislative Body in the Courthouse in Somerville, Tennessee.

That the County General Fund #101 Budget Amendment for the fiscal year ending June 30, 1996 be, and the same is hereby amended in the following words and figures, to-wit:

COUNTY GENERAL FUND  
BUDGET AMENDMENT  
FY 95/96  
September, 1995

|   |                |
|---|----------------|
| Total Funds This Amendment                        | \$5,482,029.49 |
| <u>Adjustments to Revenue Accounts:</u>           |                |
| *44520 Insurance Recovery                         | \$+ 16,098.25  |
| Total Increase This Amendment                     | \$ 16,098.25   |
| Total Funds Available This Amendment              | \$5,498,127.74 |
| <u>Adjustments to Expenditure Accounts:</u>       |                |
| 51720 <u>Planning &amp; Zoning</u>                |                |
| 708 Communication Equipment                       | \$+ 900.00     |
| 54210 <u>Jail</u>                                 |                |
| 708 Communication Equipment                       | + 7,310.25     |
| 54410 <u>Civil Defense</u>                        |                |
| 718 Motor Vehicles                                | + 8,788.00     |
| 54420 <u>Rescue Squad</u>                         |                |
| 412 Diesel Fuel                                   | - 500.00       |
| 425 Gasoline                                      | + 500.00       |
| 56500 <u>Libraries</u>                            |                |
| 188 Temporary/Part-Time Personnel                 | + 2,000.00     |
| Total Increase This Amendment                     | \$ 18,998.25   |
| Prior Estimated Expenditures This Amendment       | \$5,031,093.00 |
| Total Estimated Expenditures This Amendment       | \$5,050,091.25 |
| Estimated Ending Fund Balance as of June 30, 1996 | \$ 448,036.49  |

\* \$8,788.00 for Emergency Management Vehicle  
\$7,310.25 for Radio Base Station at Sheriff's Dispatcher's Office  
Damaged by lightning

Having been reviewed by the Budget Committee and with their recommendation for passage, Commissioner Harris presented and moved for the transfer of \$100,000.00 Grant for road construction in the Industrial Park to construction of the Speculative Building in the Industrial Park. Said motion was seconded by Commissioner Kelley, and unanimously carried by the Board.

Presented by Commissioner Harris, motion was made by Commissioner Robison, seconded by Commissioner Sullivan, and unanimously carried by the Board approving the Contract on the sale of 11.238 acres in the Industrial Park to Carl Kimberlin for the fee of \$40,590. Construction of facility on the Park site must be made within a two year period.

Having been recommended by the Budget Committee for adoption, motion was made by Commissioner Harris, seconded by Commissioner Brewer and unanimously carried by the Board establishing the following Employee Starting Salary Policy: "A new employee may not be hired at beginning salary in excess of 95% of the budgeted beginning level salary for the position to be filled. After the six month probationary period has expired, a new employee will go on State Retirement and receive at least a 5% raise not to exceed the total budgeted amount for the position occupied."

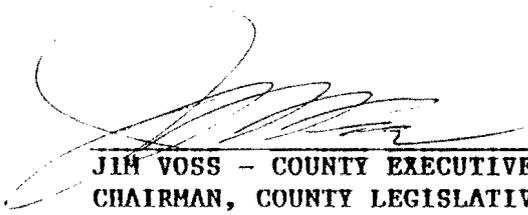
With the recommendation of the Budget Committee for adoption, motion was made by Commissioner Harris, seconded by Commissioner Fowler, and unanimously carried by the Board increasing the sale price of Industrial Park Property from \$4,000.00 per acre to \$6,000.00 per acre, not to include the quotes pending at this time, such quotes to be good for a six month period.

Motion was made by Commissioner Harris, seconded by Commissioner Tomlin and unanimously carried by the Board authorizing the Chairman to contact a owner of property in the Industrial Park who has not, as indicated in the contract, established a building on said property. It was the agreement at the time of the last sale that the building would be established within a two year period.

Motion was made by Commissioner Harris, seconded by Commissioner Sullivan, and unanimously carried by the Board approving the intent to apply for a grant and match the funds by 5% for a new lighting system at the Airport.

By a showing of hands, the Commissioners agreed to meet at 5:00 P.M. on January 23, 1996, with a representative from CTAS to discuss Long Range Planning for Fayette County.

Thereupon, said meeting adjourned.



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JIM VOSS - COUNTY EXECUTIVE  
CHAIRMAN, COUNTY LEGISLATIVE BODY

ATTEST:



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Dell T. Graham, County Clerk