

⑤ ✓
FILE COPY

COUNTY LEGISLATIVE BODY

July 23, 1996

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 23rd day of July, 1996, 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 Morman, 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 all members being present, the following proceedings were had and entered of record, to-wit:

Chairman Voss advised the Board of a Special Call Meeting of this Board to be held Monday, August 5th, 1996.

Motion was made by Commissioner Kelley, seconded by Commissioner Taylor, and unanimously carried by the Board approving the minutes of the June 1996 meeting.

The next matter before the Board was the rezoning application of Bettie J. and James R. Lawson requesting the rezoning of property located in Civil District 8 from R-3 (Restricted Residential) to B-3 (Community Business). Having been reviewed by the Planning Commission and the Development Committee, this was presented with their approval for passage.

Chairman Voss then opened the floor to the public for comments in favor of or in opposition to the rezoning. With none being offered, the floor was declared closed.

Motion was then made by Commissioner Sullivan, seconded by Commissioner Wilson, and unanimously carried by the Board adopting the following Resolution of rezoning:

RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of county Commissioners of Fayette County, Tennessee, in regular session assembled on this 23rd day of July, 1996, 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 Petition of James H. Lawson et ux, Bettie J. Lawson, to rezone two (2) tracts of partial land situated in the 8th Civil District of Fayette County, Tennessee with the first tract containing 14.21 acres and the second tract containing 10 acres from R-3 (Restricted Residential) to B-3 (Community Business) for the purpose of allowing a automobile dealership business and other related B-3 district uses on this site be, and the same are hereby, approved.

TRACT NO. 1: BEGINNING at an iron (found-pipe, iron set-steel fence post as guard) in the enterline of the Old L. and N. Railroad (now abandoned) in the west line of the Thomas R. Karcher and Edward G. Karcher Tract No. 2 for 10 acres (Will Book 2, Page 2, Page 100 - for calls set Deed Book 115, Page 229), this point being the south-east corner of the Thomas R. Karcher and Edward G. Karcher 20 acre tract corner of the James H. Lawson Revocable Trust and the Betty Jean East Lawson tract herein described, FROM SAID POINT OF BEGINNING South 00 degrees 00 minutes 48 seconds East 1,052.31 feet (fence generally on line) to an iron (set-steel fence post) in the west line of the said Karcher 10 acre tract, this point being the north-east corner of Tract No. 2 for 10.00 acres of this survey; THENCE West 518.17 feet to an iron (set-steel fence post), the northwest corner of the said Tract No. 2 of this survey; THENCE South 866.99 feet to an iron (set-steel fence post) in the north margin of U.S. Highway No. 64 or the north line of the State of Tennessee Tract No. 121 for 4.422 acres (Deed Book 370, Page 35), this point being the southwest corner of the said Tract No. 2 of this survey; THENCE South 84 degrees 09 minutes 49 seconds West 50.36 feet along the north margin of said Highway to an iron (set-steel fence post); THENCE North 1,845.61 feet to an iron (set-steel fence post) in the centerline of said Old Railroad in the south line of the said Karcher 20 acre tract; THENCE North 82 degrees 06 minutes 03 seconds East 573.36 feet to the point of beginning and containing 14.21 acres as surveyed on May 22, 1996 by James O. Wiles, P.L.S. #419, County Surveyor of Fayette County, Tennessee, with office located on 106 East Court Square, Somerville, Tennessee 38068

This being 14.21 acres out of what has been designated in the Fayette County Tax Assessor's Office as Parcel No. 17.00 on Tax Map No. 88.

TRACT NO. 2: BEGINNING at an iron (set-steel fence post) in the north margin of U.S. Highway NO. 64 or the northeast corner of the State of Tennessee Tract NO. 121 for 4.422 acres (Deed Book 370, Page 35), the northwest corner of the State of Tennessee Tract 187 for 0.600 acre (Deed Book 363, Page 989), the southwest corner of the Milford L. Gray and Milford R. Gray Tract No. 1 for 0.40 acres (Deed Book 406, Page 18), the southeast corner of the re-

maininer of the James H. Lawson Revocable Trust and Betty Jean East Lawson Revovable Trust original 64.24 acre tract and being the southeast corner of the tract herein described, FROM SAID POINT OF BEGINNING South 84 degrees 09 minutes 49 seconds West 521.06 feet along the north margin of said Highway to an iron (set-steel fence post), this point being the southeast corner of Tract No. 1 for 14.21 acres of this survey; THENCE North 866.99 feet to an iron (set-steel fence post), an external corner of the said Tract No. 1 of this survey; THENCE East 518.17 feet to an iron (set-steel fence post) in the west line of the Thomas R. Karcher and Edward G. Karcher Tract No. 2 for 10 acres (Will Book 2, Page 100 - for calls see Deed Book 115, Page 229), this point being an external corner of the said Tract No. 1 fo this survey; THENCE South 00 degrees 00 minutes 48 seconds East 814.00 feet (fence generally on line where fence exists) with the west line of the said Karcher tract, the west line of the Milford L. Gray and Milford R. Gray 1.676 acre tract (Deed Book 404, Page 77) and the west line of the said Gray 0.40 acre tract to the point of beginning and containing 10.00 acres as surveyed on May 22, 1996 by James O. Wiles, P.L.S #419, County Surveyor of Fayette County, Tennessee, with office located at 106 East Court Square, Somerville, Tennessee 38068.

This being 10 acres out of what has been designated in the Fayette County Tax Assessor's Office as Parcel No. 17.00 on Tax Map NO. 88

The next matter listed on the Agenda concerning the establishment of a speed limit on Braden Road will be addressed at the next regular meeting.

The next matter before the Board was the election of five members to the Fayette County Board of Public Works to serve a two year term. Chairman Voss opened the floor for nominations.

Motion was made by Commissioner Harris, placing the name of William Dowdy in nomination for election to serve Civil Districts 1, 2 and 3.

Motion was made by Commissioner Wilson, seconded by Commissioner Fowler, placing Rod Pattat in nomination for election to serve Civil Districts 4, 5 and 6.

Motion was made by Commissioner Tomlin, nominating Jim Goodman for election to serve Civil Districts 7, 8 and 9.

Motion was then made by Commissioner Sullivan nominating Cox Johnson to serve Civil Districts 10, 11 and 12.

Motion was made by Commissioner Harris placing Russell Wicker in nomination to serve Civil Districts 10, 11 and 12.

Motion was made by Commissioner Oglesby, nominating Raymond Walk for election to serve Civil Districts 13, 14 and 15.

Motion was then made by Commissioner Tomlin, seconded by Commissioner Oglesby, and unanimously carried by the Board that the nominations cease.

Election:

Civil District 1, 2 and 3:

Motion was made by Commissioner Sullivan, seconded by Commissioner Tomlin, and unanimously carried by the Board electing William Dowdy to serve a two year term for Districts 1, 2 and 3.

Civil Districts 4, 5 and 6:

Motion was made by Commissioner Fowler, seconded by Commissioner Brewer, and unanimously carried by the Board electing Rod Pattat to serve a two year term for Districts 4, 5 and 6.

Civil Districts 7, 8 and 9:

Motion was made by Commissioner Kelley, seconded by Commissioner Thomas, and unanimously carried by the Board electing Jim Goodman to serve a two year term for Districts 7, 8 and 9.

Civil Districts 10, 11 and 12:

Nominees receiving votes: Cox Johnson (5) votes .

Russell Wicker receiving (10) votes which elected his to serve Civil Districts 10, 11 and 12.

Civil Districts 13, 14 and 15:

Motion was then made by Commissioner Oglesby, seconded by Commissioner Taylor, and unanimously carried by the Board electing Raymond Walk to serve a two year term for Districts 13, 14 and 15.

At this time Chairman Voss presented the Budget for the fiscal year 1996/97 as recommended by the Budget Committee.

To address the salary increase matter not previously approved by the Budget Committee, Commissioner Kelley made motion, with a second by Commissioner Sullivan, that the employees of the Sheriff's Department as well as all county employees receive a 4½% salary increase. After much discussion, Commissioner Kelley and Commissioner Sullivan agreed to withdraw their motion until the full budget had been discussed in its entirety.

The next matter requiring action by this Commission concerned a salary increase for Erwin Kee with the Board of Public Works. Motion was made by Commissioner Tomlin, seconded by Commissioner Fowler that any salary raise to Mr. Kee be denied. Much discussion followed. Commissioner Tomlin and Commissioner Fowler recended their motion for action until the other budgets were addressed by other departments.

Budget appeals concerning salary increases were presented by Deborah Hailey for the General Purpose Schools; by William Dowdy for the Public Works; by Eddie Pattat for Register's Office; by Dell T. Graham for the County Clerk's Office and by Barbara Walls for the office of Clerk and Master.

From the General Sessions Clerk's Office a request was presented by Chairman Voss to allow an employee transfer from the Office of Emergency Management to General Sessions Clerk's Office. Motion was made by Commissioner Tomlin, seconded by Commissioner Fowler, and carried by the the Board approving the transfer. Commissioner Kelley did not vote on this action.

The next Budget Appeal requested was from the Office of County Trustee regarding the salary rate set at the June 1996 meeting for a new employee in that office. After much discussion, motion was made by Commissioner Wilson, seconded by Commissioner German and unanimously carried by the Board to correct the starting salary of the new employee in the Trustee's office to be the amount indicated to her at the time of employment and this amount be included in the amount budgeted in the 1996/97 budget for Deputy II employees.

No appeals were submitted from the office of Property Assessor, General Sessions Judge and Juvenile Court.

Commissioner Kelley asked that his prior motion on salary raises for the Sheriff's Department be withdrawn and replace that motion with a 5% increase for General Fund Employees .

Jenny Sabatier addressed the Board concerning pay increase for the Librarian and employees.

No appeals were submitted from the Election Commission, Health Department, Development Office, Sanitary Landfill, Ambulance Service or the Emergency Management.

Motion was then made by Commissioner Kelley, seconded by Commissioner Sullivan, and carried by a majority vote setting a salary increase to all county employees at 4½%.

Motion was then made by Commissioner Tomlin, seconded by Commissioner Sullivan, and carried by a majority vote adopting the Budget for the fiscal year 1996/97 as presented by the Budget Committee with county employees salaries being increased by 4½%.

The next matter addressed was the reconsideration of a salary increase for the Superintendent of Public Works. Motion was made by Commissioner Sullivan, seconded by Commissioner Wilson, and carried by the Board setting the salary increase for the Superintendent of Public Works the same as elected county officials. Same being 4.7%.

Report of Errors and Double Assessments and the report of Delinquent Real and Personal and Public Utilities Taxes from the Trustee's office were presented and filed.

Reports from the Board of Education, Board of Public Works, County Development Committee, Health and Welfare Committee, Criminal Justice and Public Safety Committee, Personnel Committee and the Budget Committee were called for, but none presented.

Thereupon, said meeting adjourned.

JIM VOSS - Chairman
County Mayor

ATTEST:

Dell T. Graham - County Clerk