

COUNTY LEGISLATIVE BODY

November 25, 1997

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BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 25th day of November, 1997.

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, Robert L. Crawford, Thomas H. Fowler, Willie L. German, Jr., Ronald R. Harris, William Hayslett, David Kelley, Alonzo Morman, Sr., David Morris, Claude D. Oglesby, Jr., J. M. Sullivan, Jr., Rhea "Skip" Taylor, Wayne Thomas, Gordon Tomlin, Myles Wilson and Allen Yancey, Jr.

Absent: Commissioner Hollis O. Robison.

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

Motion was made by Commissioner Sullivan, seconded by Commissioner Crawford, and unanimously carried by the Board approving the minutes of the October 1997 meeting.

The matter now before the Board was the rezoning request of Carolyn Jane Cathy for property located in Civil District 7 to be rezoned from R - 2 to R - 3. The floor was opened to the public, but no comments offered. Motion was then made by Commissioner Tomlin, seconded by Commissioner Hayslett and unanimously carried by the Board adopting the following Resolution covering the request:

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 25th day of November, 1997, 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 Carolyn Jane Cathy, to rezone 76.44 acres of land identified as Parcel No. 18.00 on Tax Map No. 80, identified further as Kyle Farms Subdivision, Phases 1 & 2, north and west side of Tomlin Road east and west and Rolling Meadows Road intersection, and situated in the 8th Civil District of Fayette County, Tennessee, from R-2 (Fringe Residential) to R-3 (Restrictive Residential) to allow restriction of single-wide mobile homes and duplexes and to allow a 15' setback from property lines in the subdivision presently under construction, be adopted and approved and upon consideration thereof, the said resolution was adopted by a majority vote of the Court.

Beginning at a set spike in the intersection of the centerline of Tomlin Road with the centerline of Rolling Meadows Road (Plat Book 6, Page 66), said point being at the point where Tomlin Road turns from a westward direction to a northward direction, said point also being on the north line of Rolling Meadows Subdivision of record in Plat Book 6, Page 66:

Thence N 88° 42' 57" W along said Tomlin Road and Continuing along the north line of the Valeria Alfreida C. Conery preoperty of record in Book 315, Page 626, a distance of 2,610.00 feet to a set iron pin on the Shirley Redfearn property of record in Book 357, page 492.

Thence N 1° 33' 00" E along the East line of said Redfearn property a distance of 1,287.40 feet to a found iron pin at the southwest corner of the Edward W. Crawford property of record in Book 364, Page 66.

Thence S 88° 28' 41" E along the south lien of said Crawford property a measured distance of 2,584.73 feet (call - 2,575') to a found spike (cotton spindle) on the centerline of Tomlin Road.

Thence S 0° 25' 02" W along said Tomlin Road a Measured Distance of 1,276.80 feet (Call - 1,287') to the point of beginning.

Containing 76.4421 acres.

The next matter before the Board was the rezoning request of Melvin Russell for property located in Civil District 10 to be rezoned from R - 1 to R - 3 for the purpose of developing a residential subdivision. The floor was opened for comments with none being offered.

Motion was made by Commissioner Fowler, seconded by Commissioner Norman, and unanimously carried by the Board adopting the following Resolution:

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 25th day of November, 1997, it bein 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 Melvin Dunn Russell, to rezone 382.59 acres of land identified as part of Parcel No. 17.00 on Tax Map No. 181, identified further as the north side of Highway 57, opposite the Mount Pleasant Road intersection, and situated in the 10th Civil District of Fayette County, Tennessee, from R - 1 (Rural Residential) to R - 3 (Restrictive Residential) for the purpose of developing a residential subdivision containing new roads (on 382.59 acre portion of Parcel 17), be adopted and approved and upon consideration thereof, the said resolution was adopted by a majority vote of the Court.

Beginning at a point in the northerly R.O.W. of U.S. Highway #57, said point being the southwest corner of the Russell 630.20 acre tract; thence northwardly along the easterly line of the W.J. Frazier tract on a Course: N 00-53-04 E and Distance; 126.14 to a point; thence north-eastwardly along the said easterly line of the Frazier tract on a Course; N 17-03-08 E and Distance: 1987,20; thence northeastwardly along a Course; N 60-08-13E Distance; 1398.37; thence northeastwardly along the southerly ROW of the Southern Railway (100 ft. wide) on a Course; N 80-27-31 E and Distance; 864.49; thence southwardly along the westerly line of the McLean 40.94 acre tract on a Course; S 00-31-12 W and Distance: 1684.44 thence eastwardly along the southerly line of said McLean tract on a Course; S86-55-02 E and Distance; 990.00; thence northwardly along the easterly line of said McLean tract a Course: N 01-22-13 E and Distance; 1910.00, thence northeastwardly along the southerly ROW of the Southern Railway on a Course; N 80-25-36 E and Distance: 915.00; thence southwardly along the westerly line of the W.J. Frazier tract (BK 271, Pg 659) on a Course; S 01-37-11 W and Distance; 3808.45; thence eastwardly along an offset line of the Frazier tract on a Course; S 89-57-46 E and Distance; 150,00; thence southwardly along the westerly line of the Frazier tract on a Course; S 02-14-56E and Distance: 495.00; thence westwardly on a Course; N 88-06-00 W and Distance: 2012.41; thence southwardly along a Course; S 01-14-58 W and Distance: 900.35 to a point in the north line of the Rosser Subdivision P1 BK2, Page 92; thence westwardly along said north line of the Rosser Subd on a Course; N 89-23-02 W and Distance; 703.44 thence westwardly on a Course; N 87-03-51 W and Distance; 188.10; thence southwardly on a Course; S 00-31-54 W and Distance: 184.95; thence westwardly along the northerly ROW of Hwy 57 on a Course; thence the northerly ROW of Hwy 57 on a Course: N87-41-14W and Distance: 188.10; thence northwardly on a Course: N 00-43-25 E and Distance: 186.98; thence westwardly along the northerly line of the Rosser Subd on a Course; N 89-57-35 W and Distance: 959.91; thence southwardly along the westerly line of the Rosser on a Course; S 01-07-25 E and Distance: 163.09; thence westwardly along the northerly ROW of hwy. 57 on a Course; N 87-41-14W and Distance: 1451.51 to the point of beginning the above described parcel containing 382.59 acres.

Motion was made by Commissioner Kelley, seconded by Commissioner Arnett and unanimously carried by the Board appointing **George Jennings** to the Beer Board.

Motion was made by Commissioner Oglesby, seconded by Commissioner Fowler, and unanimously carried by the Board appointing the following as Notaries Public: District 1: Jeanne C. DeLong, John David Douglas, Ronnie L. Dowdy, Gary S. Robertson; District 9: Thomas G. Guyer; District 12: Frances L. Pulliam and Joyce D. Pulliam.

Annual Financial Reports were received and filed by the Clerk & Master, Register, County Clerk, Circuit Court, General Sessions and Trustee.

Motion was made by Commissioner Wilson, seconded by Commissioner Crawford and unanimously carried by the Board approving a contract for employment of a Juvenile Officer under a \$30,000.00 grant. This one employee will work with our Juvenile Judge with salary and expenses to be paid out of the grant; employment to be at the proposed salary with employment to run with the duration of the contract.

Motion was made by Commissioner Oglesby, seconded by Commissioner Arnett and unanimously carried by the Board approving the contract agreement with the State of Tennessee Department of Transportation for bridge and approach work on State Route 57.

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

Having been reviewed by the Budget Committee, motion was made by Commissioner Harris, seconded by Commissioner Sullivan, and unanimously carried by the Board referring the request of Jimmie German for additional personnel back to the Budget Committee.

Commissioner Harris advised that the City of Somerville had contacted the County with a copy of their adopted Resolution concerning fire service for Rural District 1. Meeting was scheduled with the Public Safety Committees of the County and City.

Regarding the Fire-Point-System, Commissioner Harris presented the recommendation of the Budget Committee and the Public Safety Committee to no longer use the point system and to disburse money the same as last year with the exception of dividing the \$10,000.00 new money between all fire departments equally.

Motion was made by Commissioner Harris, seconded by Commissioner Morman, and unanimously carried by the Board approving said recommendation.

Motion was made by Commissioner Harris, seconded by Commissioner Sullivan, and unanimously carried by the Board adopting the following Resolution regarding "Shop at Home":

A RESOLUTION

declaring the days of November 28-29 as "Shop At Home Weekend" in Fayette County.

Whereas, one of the primary goals of the Board of Commissioners is to promote the patronization of local businesses.

Whereas, the town of Somerville has scheduled holiday activities to take place on November 28-29, including a lighting ceremony, arts and crafts displays, a concert of choirs, and a visit from Santa;

Whereas, the town will be decorated according to the theme of "Home for the Holidays";

Whereas, the holiday activities will attract numerous visitors into the county;

Whereas, local merchants have often been overlooked by area residents when purchasing Christmas gifts;

The Fayette Board of Commissioners does hereby declare the days of November 28-29 as "Shop at Home Weekend" in Fayette County and thus encourages all county residents to shop with local merchants, especially during these days.

Approved by the Fayette County Board of Commissioners this 25th day of November, 1997.

Having been reviewed by the Budget Committee and received their recommendation for passage, Commissioner Harris presented and moved for the adoption of the following Resolutions amending Federal Projects Funds. Motion was seconded by Commissioner Sullivan and unanimously carried by the Board.

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 25th day of November, 1997, 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 Budget Amendment, Subfund 774 Title I, for the fiscal year ending June 30, 1998 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 773 - TITLE I
NOVEMBER, 1997

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers	\$54,793.37	
	TOTAL:	\$54,793.37	\$0.00
99000	OTHER USES		
99100	OPERATING TRANSFERS		
99100 590	Transfers to Other Funds	\$1,386.27	
	TOTAL:	\$1,386.27	\$0.00
	GRAND TOTAL:	\$56,179.64	\$0.00

Total Increase: \$56,179.64

Reserve:	34410 Reserved for Title I	\$56,179.64
Revenue:	Prior Total Available Funds	\$1,972,659.22
	Total Increase This Amendment	\$0.00
	Total Available Funds This Amendment	\$1,972,659.22
Expenditures:	Prior Total Estimated Expenditures	\$1,916,479.58
	Total Increase This Amendment	\$56,179.64
	Total Estimated Expenditures This Amendment	\$1,972,659.22

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 25th day of November, 1997, 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 Project Fund #142 Budget Amendment, Subfund 785, Drug Free Schools for the fiscal year ending June 30, 1998 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 785 - DRUG FREE SCHOOLS
 NOVEMBER, 1997

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 123 PUB	Guidance	\$1,500.00	
72130 189 PUB	Other Salaries and Wages		\$11,737.60
72130 201 PUB	Social Security		\$634.73
72130 204 PUB	State Retirement		\$580.29
72130 207 PUB	Health Insurance	\$1,571.90	
72130 212 PUB	Medicare		\$148.45

72130 355 FAA	Travel	\$1,000.00	
72130 355 PUB	Travel	\$2,000.00	
72130 355 ROA	Travel		\$900.00
72130 399 FAA	Other Contracted Services		\$2,000.00
72130 399 PUB	Other Contracted Services	\$2,597.52	
72130 399 ROA	Other Contracted Services		\$736.47
72130 499 FAA	Other Supplies and Materials	\$1,000.00	
72130 499 PUB	Other Supplies and Materials	\$5,431.65	
72130 499 ROA	Other Supplies and Materials	\$186.47	
72130 790 ROA	Other Equipment	\$1,450.00	
TOTAL:		\$16,737.54	\$16,737.54

Total Increase/Decrease: \$0.00

9.3.6.6.3

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 25th day of November, 1997, 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 Budget Amendment, Subfund 885 - Drug Free Schools, for the fiscal year ending June 30, 1998 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 885 - DRUG FREE SCHOOLS
 NOVEMBER, 1997

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 189 PUB	Other Salaries and Wages	\$2,100.00	
72130 201 PUB	Social Security	\$130.00	
72130 204 PUB	State Retirement	\$137.00	
72130 212 PUB	Medicare	\$31.00	
72130 355 PUB	Travel	\$15,820.00	
72130 355 FAA	Travel	\$5,000.00	
72130 355 ROA	Travel	\$1,500.00	
72130 399 PUB	Other Contracted Services	\$20,000.00	

72130 399 FAA	Other Contracted Services	\$2,175.00	
72130 399 ROA	Other Contracted Services	\$750.00	
72130 499 PUB	Other Supplies and Materials	\$20,000.00	
72130 499 FAA	Other Supplies and Materials	\$4,000.00	
72130 499 ROA	Other Supplies and Materials	\$1,500.00	
TOTAL:		\$73,143.00	\$0.00

Total Increase: \$73,143.00

Revenue: 47590 Other Federal Funds Thru State \$73,143.00

Revenue: Prior Total Available Funds \$1,972,659.22
 Total Increase This Amendment \$73,143.00
 Total Available Funds This Amendment \$2,045,802.22

Expenditures: Prior Total Estimated Expenditures \$1,972,659.22
 Total Increase This Amendment \$73,143.00
 Total Estimated Expenditures This Amendment \$2,045,802.22

9.3.6.6.4

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 25th day of November, 1997, 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 Budget Amendment, Subfund 871 - Title 1, for the fiscal year ending June 30, 1998 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 871 - TITLE I
 NOVEMBER, 1997

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers		\$63,730.37
71100 163	Teacher Aides	\$6,422.00	

71100 189	Other Salaries and Wages	\$390.00	
71100 195	Substitute Teachers	\$6,000.00	
71100 201	Social Security	\$233.00	
71100 204	State Retirement		\$358.00
71100 207	Health Insurance		\$1,276.00
71100 212	Medicare	\$47.00	
71100 399	Other Contracted Services	\$2,000.00	
71100 429	Instructional Supplies and Materials	\$4,000.00	
71100 336	Maintenance and Repair Services-Eq.	\$4,000.00	
71100 599	Other Charges	\$200.00	
71100 722	Regular Instruction Equipment	\$19,000.00	
71100 513	Workers' Compensation Insurance	\$10.00	
	TOTAL:	\$42,302.00	\$65,364.37

72000 SUPPORT SERVICES

72130	OTHER STUDENT SUPPORT		
72130 189	Other Salaries and Wages	\$489.00	
72130 201	Social Security	\$31.00	
72130 204	State Retirement	\$17.00	
72130 207	Health Insurance	\$189.00	
72130 212	Medicare	\$7.00	
72130 399	Other Contracted Services	\$500.00	
72130 499	Other Supplies and Materials		\$1,000.00
72130 513	Workers' Compensation Insurance	\$2.00	
	TOTAL:	\$1,235.00	\$1,000.00

72210 REGULAR INSTRUCTION PROGRAM

72210 138	Instructional Computer Personnel	\$316.00	
72210 161	Secretary	\$1,227.00	
72210 189	Other Salaries and Wages		\$7,000.00
72210 201	Social Security		\$338.00
72210 204	State Retirement		\$176.00
72210 207	Health Insurance		\$1,400.00
72210 212	Medicare		\$79.00
72210 399	Other Contracted Services	\$1,000.00	
72210 599	Other Charges	\$2,000.00	
72210 513	Workers' Compensation Insurance		\$28.00
	TOTAL:	\$4,543.00	\$9,021.00

72610 OPERATION OF PLANT

72610 166	Custodian	\$298.00	
72610 201	Social Security	\$17.00	
72610 204	State Retirement	\$10.00	
72610 212	Medicare	\$4.00	
72610 415	Electricity	\$1,000.00	
72610 513	Workers' Compensation Insurance	\$8.00	
	TOTAL:	\$1,337.00	

72710 TRANSPORTATION

72710 338	Maintenance and Repair Services - Vehicles	\$200.00	
72710 450	Tires	\$200.00	
	TOTAL:	\$400.00	

99000 OTHER USES

99100	OPERATING TRANSFERS		
99100 590	Transfers to Other Funds		\$1,127.61
	TOTAL:	\$0.00	\$1,127.61

GRAND TOTAL: \$49,817.00 \$76,512.98

Total Decrease: (\$26,695.98)

Revenue: 47141 ESEA Title I (\$26,695.98)

Revenue: Prior Total Available Funds \$2,045,802.22
 Total Decrease This Amendment (\$26,695.98)
 Total Available Funds This Amendment \$2,019,106.24

Expenditures: Prior Total Estimated Expenditures \$2,045,802.22
 Total Decrease This Amendment (\$26,695.98)
 Total Estimated Expenditures This Amendment \$2,019,106.24

Chairman Voss reviewed the recommendation of the Budget Committee for budget amendments to the County General Fund. Motion was made by Commissioner Harris, seconded by Commissioner Arnett and unanimously carried by the Board adopting the following Resolution:

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 25th day of November, 1997, 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 Fund #101 Budget Amendment for the fiscal year ending June 30, 1998 be, and the same is hereby, amended in the following words and figures, to-wit:

COUNTY GENERAL FUND
 BUDGET AMENDMENT
 FY 97/98
 November, 1997

Total Funds Available This Amendment \$6,160,383.51

Adjustment to Revenue Accounts:

42910 Proceeds from Confiscated Property \$+ 480.00
 44520 Insurance Recovery + 1,274.00
 44560 Damages Received From Individuals + 500.00
 47590 Other Federal Through State + 175,000.00

Total Increase This Amendment \$ 177,254.00

Total Funds Available This Amendment \$6,337,637.51

Adjustment to Expenditure Accounts:

51710	<u>Development</u>	
191	Board & Committee Member Fees	\$- 2,000.00
307	Communication	+ 1,000.00
351	Rentals	- 4,200.00
452	Utilities	- 1,260.00
		<u>\$- 6,460.00</u>
51730	<u>Building</u>	
191	Board & Committee Member Fees	\$+ 2,000.00
307	Communication	+ 1,600.00
		<u>\$+ 3,600.00</u>
51500	<u>Election Commission</u>	
351	Rentals	\$- 7,400.00
452	Utilities	- 1,106.00
		<u>\$- 8,506.00</u>
51800	<u>County Buildings</u>	
335	Maintenance and Repair Services	\$+ 30,000.00
452	Utilities	+ 2,366.00
791	Other Construction	+ 219,750.00
		<u>\$+ 252,116.00</u>
55390	<u>Appropriation to State</u>	
309	Contracts with Government Agencies	<u>\$+ 25,761.00</u>
Total Expenditure Increase This Amendment		\$ 266,511.00
Prior Estimated Expenditures		\$5,522,966.00
Total Estimated Expenditures		\$5,789,477.00
35110	Designated Reserve #2	\$- 30,000.00
35130	Designated Reserve #3	\$- 44,750.00
Estimated Ending Fund Balance as of June 30, 1998		\$ 548,160.51

Having been reviewed by the Budget Committee and presented with their recommendation for passage, motion was made by Commissioner Harris, seconded by Commissioner Oglesby and unanimously carried by the Board adopting the following Resolution:

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 25th day of November, 1997, 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 Public Works Budget Amendment for the fiscal year ending June 30, 1998 be, and the same is hereby, amended in the following words and figures, to-wit:

<u>Revenues</u>		<u>Amendment</u>	<u>Amended Total</u>
4530 Sale of Equipment	+	\$ 14,920	\$ 19,420
4570 Contributions/Gifts	+	12,000	12,000
4580 Perform. Bond Forfeit.	+	<u>45,000</u>	<u>45,000</u>
Total Revenues	+	\$ 71,920	\$4,062,920

<u>Expenditures</u>			
8000- Capital Outlay			
713- Highway Construction	+	<u>26,920</u>	<u>146,920</u>
Total Expenditures	+	26,920	\$4,286,977

<u>Fund Balances</u>			
5110 Designated Subd. Pave	+	45,000	217,234
9000 Undesignated		0	79,718

Thereupon, said meeting adjourned.

JIM VOSS - Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk