

FILE COPY

15
3

COUNTY LEGISLATIVE BODY
November 24, 1998

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 24th day of November, 1998.

Present and presiding the Honorable Jim Voss; also present, Dell T. Graham, County Clerk and the following County Commissioners: John W. Arnett, Floyd Bonner, Charles Dudley Brewer, Sr., Joe B. Burnette, Jr., Odis Cox, Carl Doyle, Ronnie Graves, Willie German, Ronnie Harris, David Kelley, Sylvester Logan, Calvin Moore, Alonzo Morman, Jr., David Morris, Rhea "Skip" Taylor, Wayne Thomas, Gordon M. Tomlin and Myles Wilson.

Absent: Commissioner James M. Sullivan, Jr.

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

Motion was made by Commissioner Kelley, seconded by Commissioner Wilson, and unanimously carried by the Board approving the minutes of the October 1998 meeting.

Chairman Voss presented the request to rezone property located in Civil District 10 from R - 1 to B - 3. The floor was opened to the public for comments in favor of or in opposition to the rezoning. Roscoe Feild, Jr. was present in favor of the rezoning and available for questions. The floor was then closed.

Motion was made by Commissioner Morris, seconded by Commissioner Doyle, and unanimously carried by the Board adopting the following Resolution rezoning said property:

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 24th day of November, 1998, 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 application of Rosco Feild, Jr. to rezone 37 acres from R1 to B3 on Highway 57 in the 10th Civil District of Fayette County, Tennessee, be approved for the purpose of permitting a range of business uses on said lot.

Beginning at an iron pin in the north margin of Hwy 57 (50 feet from the centerline) and being in the east line of the R.P. Neville Estate's Tract No. 5, as per plat of W.A. Rhea, dated March 18, 1909, as of record in Deed Book 38, Page 519, and being the southwest corner of the tract herein described; runs thence with the east line of said Tract No. 5, north 00 degrees 46 minutes east 1727.20 feet to an iron pin in the south margin of the Southern Railroad (50 feet from the centerline); runs thence with the south margin of Southern Railroad, south 88 degrees 46 minutes east 925.06 feet to an iron pin, being the northwest corner of Tract V as of this survey; runs thence with a new division line (west line of Tract V), due south 1737.15 feet to an iron pin in the north margin of Hwy 57; runs thence with the north margin of Hwy No. 57, north 88 degrees 11 minutes west 947.90 feet to the point of beginning containing 37.23 acres as surveyed by Surveying Services, Inc. of Jackson, Tennessee (11/17/94).

This being the same real estate conveyed to Roscoe A. Feild and Jane Porter Feild, husband and wife, John A. Feild, unmarried, and R. Porter Feild, unmarried, by deed from Gladys L. Stigger dated _____, and filed for record in the Register's Office of Fayette County, Tennessee and appearing of record in Deed Book ____, Page ____.

The next matter before the Board was establishing a speed limit on Union Drive. No comments were presented in favor of or in opposition to the request.

Motion was then made by Commissioner Morman, seconded by Commissioner Logan, and unanimously carried by the Board adopting the following Resolution establishing a 40 mile per hour speed limit on Union Drive, Civil District 2:

R E S O L U T I O N

BE IT RESOLVED, by the Board of County Commissioner and/or County Legislative Body of Fayette County, Tennessee, in regular session assembled on this 24th day of November, 1998, it being the fourth Tuesday of said month and the regular monthly meeting date of the April term of said County Legislative Body, in the Courthouse at Somerville, Tennessee, that pursuant to the provisions of Chapter No. 357 of the Private Acts of Tennessee 1967-68, and amendment thereto, it shall be unlawful for any person to operate or drive a motor vehicle in excess of forty (40) miles per hour on Union Drive, in its entirety, for a distance of two and three-quarters (2 3/4) miles, being located in the 2nd Civil District of Fayette County, Tennessee; and

BE IT FURTHER RESOLVED, that any person violating the provisions of this Resolution shall be guilty of a misdemeanor and punished accordingly.

Another speed limit matter on Firetower Road was now before the Board. Chairman Voss opened the floor for comments in favor of and in opposition to the speed limit request. With none being offered, the floor was closed for such comments.

Motion was made by Commissioner Kelley, seconded by Commissioner Arnett, and unanimously carried by the Board adopting the following **Resolution** establishing a 30 mile per hour speed limit on a section of Firetower Road:

R E S O L U T I O N

BE IT RESOLVED, by the Board of County Commissioner and/or County Legislative Body of Fayette County, Tennessee, in regular session assembled on this 24th day of November, 1998, it being the fourth Tuesday of said month and the regular monthly meeting date of the April term of said County Legislative Body, in the Courthouse at Somerville, Tennessee, that pursuant to the provisions of Chapter No. 357 of the Private Acts of Tennessee 1967-68, and amendment thereto, it shall be unlawful for any person to operate or drive a motor vehicle in excess of thirty (30) miles per hour on Firetower Road, in its entirety, for a distance of one (1 1/2) miles, being located in the 2nd Civil District of Fayette County, Tennessee; and

BE IT FURTHER RESOLVED, that any person violating the provisions of this Resolution shall be guilty of a misdemeanor and punished accordingly.

Chairman Voss then presented for appointment to the **County Wide Annexation Committee, David Morris and Earl Dowdy**. Motion was made by Commissioner Kelley, seconded by Commissioner Taylor and unanimously carried by the Board making the appointment as recommended.

Motion was made by Commissioner Morris, seconded by Commissioner Logan, and unanimously carried by the Board appointing the following as **Notaries Public**: District 1: Cynthia A. Nix, Lois Morris; District 10: Margaret A. McElroy.

Chairman Voss advised that at the close of the month of October, 1998 the fund balance of the General Fund was \$409,000.00.

Jim Smith reported orally for the Board of Public Works as did Rose Snead for the Board of Education.

Commissioner Morris, Chairman of the County Development Committee, presented the recommendation of that committee and moved for the acceptance of the following as **County Roads: Alisha Drive, Casey Drive and McKenzie Lane.** Motion was seconded by Commissioner Brewer and unanimously carried by the Board.

Motion was made by Commissioner Morris, seconded by Commissioner Moore, and unanimously carried by the Board adopting the following Resolution concerning county boundary lines.

**RESOLUTION REQUESTING THAT TENNESSEE CODE #5-2-104
BE AMENDED**

WHEREAS, Tennessee law presently allows the State Legislative to modify county boundary lines without the consent of the county legislative bodies or the county residents of the county, and

WHEREAS, it is the desire of the County Legislative Body of Fayette County, and hopefully the desire of all county legislative bodies in Tennessee, that a county commission have a statutory right to take part in any decision regarding its county boundary lines.

NOW, THEREFORE, be it resolved by the County Legislative Body of Fayette County, meeting this 24th day of November, 1998, that:

Section 1. It is the desire of the County Legislative Body of Fayette County that Tennessee Code #5-2-104 be amended to read as follows:

5-2-104. Boundary changes-plats and surveys. - (a) All applications for legislation changing county lines shall be accompanied by an accurate survey and plat, showing the changes asked for, and giving courses and distances of the county line as it will be left after such change should be made.

(b) No bill providing for such change shall be in order unless first approved by two-third (2/3) or more of the county commissioners of all counties affected by such boundary line change.

Section 2. A copy of this Resolution shall be immediately forwarded to Senator Roy Herron and Representative Phillip Pinion and it is requested that each of them prepare the necessary bills to submit to the Senate and House of Representatives in their next session.

Section 3. A copy of this Resolution shall also be sent to all county executives in Tennessee in the desire that they will contact their State legislators and encourage the passage of this amendment to Tennessee Code #5-2-104.

Section 4. A copy of this Resolution shall be forwarded to each member of the Fayette County Commission and shall be recorded upon the minutes of the minutes of this meeting by the County Clerk.

Section 5. This Resolution shall take effect upon adoption, the general welfare requiring it.

ADOPTED THIS 24TH DAY OF NOVEMBER, 1998.

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

Commissioner Harris, Chairman of the Budget Committee, presented the recommendation of the Budget Committee, and moved for the adoption of the following Resolutions on General Purpose Fund #141 and Federal Project Fund #142. Said motion was seconded by Commissioner Kelley, and unanimously adopted 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 24th day of November, 1998, 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 Fund #141 Budget Amendment for the fiscal year ending June 30, 1999, be amended in the following words and figures, to-wit:

FAYETTE COUNTY BOARD OF EDUCATION
GENERAL PURPOSE FUND
FUND 141
NOVEMBER, 1998

		INCREASE	DECREASE
71000	INSTRUCTION		
71600	ADULT EDUCATION PROGRAM		
71600 116 AB1	Teachers	\$4,038.00	
71600 189 AB1	Other Salaries and Wages	\$2,228.00	
71600 201 AB1	Social Security	\$146.00	
71600 204 AB1	State Retirement	\$1,053.00	
71600 212 AB1	Medicare		\$324.00
71600 299 AB1	Other Fringe Benefits	\$694.00	
71600 429 AB1	Instructional Supplies and Materials	\$3,869.00	
71600 429 FRC	Instructional Supplies and Materials		\$1,009.00
71600 429 PIC	Instructional Supplies and Materials	\$365.27	
	TOTAL:	\$12,393.27	\$1,333.00
72000	SUPPORT SERVICES		
72260	ADULT EDUCATION PROGRAM		
72260 105 AB1	Supervisor/Director	\$504.00	
72260 201 AB1	Social Security	\$31.00	
72260 204 AB1	State Retirement	\$27.00	
72260 207 AB1	Health Insurance	\$7.00	
72260 212 AB1	Medicare	\$7.00	
72260 299 AB1	Other Fringe Benefits	\$3.00	
72260 355 AB1	Travel		\$979.00
72260 599 AB1	Other Charges		\$898.00

72260 105 FRC	Supervisor/Director	\$972.00	
72260 204 FRC	State Retirement	\$40.00	
72260 299 FRC	Other Fringe Benefits		\$3.00
72260 355 FRC	Travel	\$1,500.00	
72260 599 FRC	Other Charges		\$1,500.00
72260 105 PIC	Supervisor/Director	\$1,572.00	
72260 189 PIC	Other Salaries and Wages	\$101,607.85	
72260 201 PIC	Social Security	\$6,602.30	
72260 204 PIC	State Retirement	\$5,245.55	
72260 207 PIC	Health Insurance	\$12,655.57	
72260 212 PIC	Medicare	\$1,546.18	
72260 299 PIC	Other Fringe Benefits	\$3,159.80	
72260 355 PIC	Travel		\$68,490.52
72260 399 PIC	Other Contracted Services		\$6,691.30
72260 499 PIC	Other Supplies and Materials	\$21,837.00	
72260 599 PIC	Other Charges	\$72,685.69	
	TOTAL:	\$230,002.94	\$78,561.82
	GRAND TOTAL:	\$242,396.21	\$79,894.82

Total Increase: \$162,501.39

Revenues:	46590 AB1 Other State Education Funds	\$355.44
	47120 AB1 Adult Basic Education	(\$38,756.89)
	47590 AB1 Other Federal Thru State	\$49,074.00
	47210 PIC Job Training Partnership Act	\$152,095.39
	Total:	\$162,767.94

Revenue:	Prior Total Available Funds	\$19,292,964.76
	Total Increase This Amendment	\$162,767.94
	Total Available Funds This Amendment	\$19,455,732.70

Expenditure:	Prior Total Estimated Expenditures	\$17,371,124.00
	Total Increase This Amendment	\$162,501.39
	Total Est. Expenditures This Amendment	\$17,533,625.39

R E S O L U T I O N

#9.2.6.3.

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 24th day of November, 1998, 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 including Subfund #885 of the Fayette County Board of Education for the fiscal year ending June 30, 1999, be 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, 1998

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 189 PUB	Other Salaries and Wages		\$292.00
72130 201 PUB	Social Security		\$18.10
72130 204 PUB	State Retirement		\$12.12
72130 207 PUB	Health Insurance		\$248.37
72130 212 PUB	Medicare		\$4.22
72130 399 PUB	Other Contracted Services	\$950.00	
72130 499 PUB	Other Supplies and Materials		\$375.19
72130 355 FAA	Travel	\$50.00	
72130 399 FAA	Other Contracted Services		\$50.00
	TOTAL:	\$1,000.00	\$1,000.00

Total Increase/Decrease: \$0.00

Commissioner Harris then presented the recommendation of the Budget Committee and moved for the adoption of the following Resolution amending the General Fund #101. Said motion was seconded by Commissioner Brewer and unanimously carried by the Board. Same being 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 of this 24th day of November, 1998, it being the fourth day 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 be amended in the following words and figures, to-wit:

COUNTY GENERAL FUND
 BUDGET AMENDMENT
 FY 98/99
 November, 1998

Total Funds Available This Amendment

Adjustment to Expenditure Accounts: INCREASE DECREASE

55110-Health Department
 499-Other Charges \$ 4,695.00 *

51730- <u>Building</u>		
338-Maintenance & Repair Services		
Vehicles		\$ 809.00
718-Motor Vehicles	\$ 809.00	
51800- <u>County Buildings</u>		
410-Custodial Supplies		\$ 500.00
499-Other Supplies & Materials	\$ 500.00	
52300- <u>Property Assessor's Office</u>		
719-Office Equipment		\$ 5,831.00
718-Motor Vehicles	\$ 5,831.00	
52310- <u>Reappraisal Program</u>		
719-Office Equipment		\$ 4,165.00
718-Motor Vehicles	\$ 4,165.00	
Total	\$16,000.00	\$11,305.00
Prior Estimated Expenditures		\$ 6,468,384.00
Total Estimated Expenditures This Amendment		\$ 6,484,384.00
Estimated Ending Fund Balance as of June 30th, 1999		\$ 630,373.00
Change in Fund Balance This Amendment		\$ 4,695.00

* \$4,695.00 to be deducted from Designated Fund Balance Purpose 2.

Item 9.2.6.5 regarding salary request of the Property Assessors Office was not addressed.

Thereupon, said meeting adjourned.

JIM VOSS - Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk