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FILE COPY

COUNTY LEGISLATIVE BODY
April 28, 1998

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 28th day of April, 1998.

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, 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. 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 had and entered of record, to-wit:

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

Motion was made by Commissioner Kelley, seconded by Commissioner Morris and unanimously carried by the Board to delay action on the zoning application of Robert Brewster in Civil District 13 for two months.

Tod Williams presented the zoning application of **Wendell Pegram** for change from R -2 to B - 3 on property located in Civil District 7. Motion was made by Commissioner Kelley and seconded by Commissioner Thomas to accept the request.

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

Commissioners voted unanimously on the motion made to accept the rezoning request. 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 on the 28th day of April, 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 Petition of Wendell Pegram to rezone from R-1 (Rural Residential) to R-3 (Restrictive Residential) to prohibit new single wide mobile homes being located in Metro Subdivision and thereby protecting the value of the resident's houses and lots within the following described property (Metro Subdivision) located in Civil District 7 of Fayette County, Tennessee, and upon consideration thereof, the said resolution was adopted by a majority vote of the Commission.

Beginning at a x-tie in the south margin of Cowan Loop, being the NE corner of the Epher Hullom property (191/836), runs thence with the south margin of said road N87°E 230 ft. and N85°15'E 268.3 ft. to a steel fence post, being the NW corner of the Fannie Conley property (154/568), thence with the WBL of said Conley property South 418 ft. to a X-tie, being the NE corner of the Billy Moss property (223/260), thence with the NBL of said Moss property with a fence S85°27'W 209 ft. to a X-tie, being an interior corner of said Moss property, thence with said N2°53'W 38.5 ft. to a X-tie, being an exterior corner of said Moss property, thence with same N89°25'W 87.5 ft. to an iron pipe as found, being the SE corner of said Hullom property, thence with the EBL of said Hullom property with a fence N28°54'W 412.3 fet to the point of beginning, containing 3.62 acres. This being perimeter description of the Robert Brewer, Jr. property as shown in deed book 403 page 506 in the Fayette County Register's Office and designated as parcel No. 17, parcel No. 12 and parcel No. 4.05 on Map No. 156 in the Fayette County Tax Assessor's Office.

The next matter before the Board was the rezoning request of **Marshall Tillman** for property located in Civil District 10 to be rezoned from R-1 to B-3.

Chairman Voss opened the floor to be public for comments in favor of or in opposition to the rezoning. With do comments being offered, the floor was closed.

Motion was then made by Commissioner Sullivan, seconded by Commissioner Morris 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 28th day of April, 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 Petition of Marshall M. Tillman, Jr., to rezone approximately 2.5 acres from R - 1 (Rural Residential) to B - 3 (Community Business) for the purpose of allowing the extension of existing business districts, now just west of Hays Road, westward approximately 530 feet to Teague Branch Creek to allow the location of a billboard on the western portion of the following described property located in Civil District 10 of Fayette County, Tennessee, and upon consideration thereof, the said resolution was adopted by a majority vote of the Court.

Beginning as a point in the north margin of State Highway No. 57 (100 feet wide), this point being the southeast corner of the tract herein described and being South 74 degrees 00 minutes 02 seconds West 100.00 feet along the north margin of said Highway, from the southwest corner of the Joel L. Garrison, Sr. 1 acre tract (Deed Book 294 Page 700) and the southeast corner of the Marshall M. Tillman, Jr. Parcel NO. 3 for 17.88 acres, FROM SAID POINT OF BEGINNING South 74 degrees 00 minutes 02 seconds West 532.25 feet along the north margin of said Highway to the southwest corner of the said Tillman tract, this point being an external corner of the Jamie E. Garber 116.59 acre tract (Deed Book 116, Page 452); THENCE in a northwardly direction, along the centerline of Teague Branch Creek, an east line of the said Garber tract and the west line of the said Tillman tract, the following courses; (2 calls) North 10 degrees 31 minutes 39 seconds East 171.22 feet and North 15 degrees 16 minutes 59 seconds West 59.23 feet to a point; THENCE North 74 degrees 00 minutes 02 seconds East 514.41 feet to a point; THENCE South 00 degrees 23 minutes 02 seconds East 220.56 feet to the point of beginning and containing 2.50 acres

Motion was made by Commissioner Kelley, seconded by Commissioner Morman, and unanimously carried by the Board appointing the following as Notaries Public: District 1: Carolann Feathers, Susan Glover, Tonie Perry, Thomas G. Peebles, Novalyn S. Pulliam, Laina M. Skelton; District 3: Andrea Hope Yarbrow; District 4: Morton P. Carraway, Maria J. Sandy; District 6: Donald G. May; District 8: Linda McMeans, Gaynet L. Walker; District 10: Samuel D. Leggett; District 13: Linda S. Scott, Kelly N. Watson.

Motion was made by Commissioner Taylor, seconded by Commissioner Brewer and unanimously carried by the Board appointing the following to the **Equalization Board**: Herbert Allen, Jr. Jerry Williams, Marjorie Levy, Jim Foley and Jim Hilliard.

Motion was made by Commissioner Sullivan, seconded by Commissioner Robison, and unanimously carried by the Board appointing the following to the **Adjustment and Appeal Board**: Jimmy Claunch and Mike Jones.

A combined statement of cash receipts and disbursements, combined schedule of bonds and notes payable and combined summary of financial statement were available for the commissioners.

Chairman Voss reported orally on the Chickasaw Trails advising that the City of Piperton is taking action of the annexation of the parcels of property involved.

Chairman Voss reviewed orally delinquent tax sales.

Minutes of the April 7th, 1998, Joint Session Meeting were available to the Commission members.

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

Reports were called for from the Ambulance Service, Fayette County Commission on Aging, Development Office, General Sessions Court, Sheriff's Department, Juvenile Court, Emergency Management and Rabies Control. Written reports were filed.

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

Commissioner Harris reported for the Budget Committee and presented and moved for the approval of the following amendments. Said motion was seconded by Commissioner Sullivan, and unanimously carried by the Board. Same being as follows

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 28th day of April, 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 Purpose School Budget Amendment #141 for the fiscal year terminating June 30, 1998, be amended in the following words and figures:

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

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 116	Teachers		\$5,699.00
71200 201	Social Security		\$1,700.00
71200 204	State Retirement		\$14,000.00
71200 212	Medicare		\$400.00
71200 299	Other Fringe Benefits	\$21,799.00	
	TOTAL:	\$21,799.00	\$21,799.00
71600	ADULT EDUCATION PROGRAM		
71600 116 AB1	Teachers		\$1,890.00
71600 201 AB1	Social Security	\$7.00	
71600 207 AB1	Health Insurance	\$158.00	
71600 299 AB1	Other Fringe Benefits	\$1,000.00	
71600 429 PIC	Instructional Supplies and Materials	\$939.00	
	TOTAL:	\$2,104.00	\$1,890.00

72000		SUPPORT SERVICES			
72260		ADULT EDUCATION PROGRAM			
72260	207	AB1	Health Insurance		\$3,138.00
72260	299	AB1	Other Fringe Benefits	\$138.00	
72260	355	AB1	Travel	\$1,708.00	
72260	599	AB1	Other Charges	\$2,017.00	
72260	189	PIC	Other Salaries and Wages	\$24,440.00	
72260	201	PIC	Social Security	\$1,515.00	
72260	204	PIC	State Retirement	\$977.00	
72260	207	PIC	Health Insurance		\$2,491.00
72260	212	PIC	Medicare	\$355.00	
72260	299	PIC	Other Fringe Benefits	\$1,013.00	
72260	355	PIC	Travel		\$22,608.00
72260	399	PIC	Other Contracted Services		\$1,255.00
72260	499	PIC	Other Supplies and Materials	\$3,985.00	
72260	599	PIC	Other Charges	\$669.00	
			TOTAL:	\$36,817.00	\$29,492.00
			GRAND TOTAL:	\$60,720.00	\$53,181.00

Total Increase: \$7,539.00

Revenues:	47210	PIC	Job Training Partnership Act	\$7,539.00
	49800		Operating Transfers	(\$11,000.00)
			Total:	(\$3,461.00)

Revenue:		Prior Total Available Funds	\$18,520,990.38
		Total Decrease This Amendment	(\$3,461.00)
		Total Available Funds This Amendment	\$18,517,529.38

Expenditure:		Prior Total Estimated Expenditures	\$17,023,161.22
		Total Increase This Amendment	\$7,539.00
		Total Est. Expenditures This Amendment	\$17,030,700.22

9.3.6.3

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 28th day of April, 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 Federal Projects Budget Amendment #142, Subfund 871, Title 1 for the fiscal year terminating June 30, 1998 be amended in the following words and figures:

FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 871 - TITLE I
 APRIL, 1998

		INCREASE		DECREASE
71000	INSTRUCTION			
71100	REGULAR INSTRUCTION PROGRAM			
71100 207	Health Insurance			\$84.00
71100 513	Workers' Compensation Insurance	\$61.00		
	TOTAL:	\$61.00		\$84.00
72000	SUPPORT SERVICES			
72130	OTHER STUDENT SUPPORT			
72130 513	Workers' Compensation Insurance	\$2.00		
	TOTAL:	\$2.00		\$0.00
72210	REGULAR INSTRUCTION PROGRAM			
72210 513	Workers' Compensation Insurance	\$10.00		
	TOTAL:	\$10.00		\$0.00
72610	OPERATION OF PLANT			
72610 513	Workers' Compensation Insurance	\$11.00		
	TOTAL:	\$11.00		\$0.00
72620	MAINTENANCE OF PLANT			
72620 336	Maintenance and Repair Services - Eq.	\$400.00		
72620 499	Other Supplies and Materials			\$400.00
	TOTAL:	\$400.00		\$400.00
	GRAND TOTAL:	\$484.00		\$484.00

Total Increase/Decrease: \$0.00

9.3.6.5

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 28th day of April, 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 Central Cafeteria Budget Amendment #143 for the fiscal year terminating June 30, 1998, be amended in the following words and figures:

9.3.6.4

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 785 - DRUG FREE SCHOOLS
 APRIL, 1998

		INCREASE		DECREASE
72000	SUPPORT SERVICES			
72130	OTHER STUDENT SUPPORT			
72130 189 PUB	Other Salaries and Wages	\$8,000.00		
72130 201 PUB	Social Security	\$496.00		
72130 204 PUB	State Retirement	\$272.00		
72130 212 PUB	Medicare	\$116.00		
72130 355 PUB	Travel			\$7,657.54
72130 399 PUB	Other Contracted Services	\$2,118.48		
72130 499 PUB	Other Supplies and Materials			\$3,344.94
	TOTAL:	\$11,002.48		\$11,002.48

Total Increase/Decrease: \$0.00

9.3.6.4

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 28th day of April, 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 Federal Projects Budget Amendment #142, Subfund 785, Drug Free Schools for the fiscal year terminating June 30, 1998, be amended in the following words and figures:

FAYETTE COUNTY BOARD OF EDUCATION
CENTRAL CAFETERIA FUND
FUND 143
APRIL, 1998

9.3. b.s

		INCREASE		DECREASE
73000	OPERATION OF NON-INSTRUCTIONAL SERVICES			
73100	FOOD SERVICE			
73100 105	Supervisor/Director	\$366.00		
73100 165	Cafeteria Personnel	\$10,000.00		
73100 189	Other Salaries and Wages	\$1,600.00		
73100 201	Social Security	\$1,000.00		
73100 204	State Retirement	\$500.00		
73100 207	Health Insurance			\$509.00
73100 212	Medicare	\$170.00		
73100 307	Communications	\$700.00		
73100 422	Food Supplies			\$40,000.00
73100 499	Other Supplies and Materials	\$1,740.00		
73100 710	Food Service Equipment	\$1,580.00		
	TOTAL:	\$17,656.00		\$40,509.00
99000	OTHER USES			
99100	OPERATING TRANSFERS			
99100 590	Transfers To Other Funds			\$11,000.00
	TOTAL:	\$0.00		\$11,000.00
	GRAND TOTAL:	\$17,656.00		\$51,509.00

Total Decrease: (\$33,853.00)

Revenues:	43521 Lunch Payments - Children	(\$7,350.00)
	43522 Lunch Payments - Adults	(\$300.00)
	43523 Income From Breakfast	(\$2,200.00)
	43524 Special Milk Sales	(\$30.00)
	43990 Other Charges for Services	(\$9,450.00)
	46520 School Food Service	\$706.00
	47111 Section 4 - Lunch	\$500.00
	47112 Section 11 - Lunch	(\$9,000.00)
	47113 Breakfast	(\$9,000.00)
	Total:	(\$36,124.00)

Revenue:	Prior Total Available Funds	\$2,169,659.21
	Total Decrease This Amendment	(\$36,124.00)
	Total Available Funds This Amendment	\$2,133,535.21
Expenditure:	Prior Total Estimated Expenditures	\$1,790,312.00
	Total Decrease This Amendment	(\$33,853.00)
	Total Est. Expenditures This Amendment	\$1,756,459.00

Motion was made by Commissioner Harris, seconded by Commissioner Arnett, and unanimously carried by the Board adopting the following Resolution amending the Public Works Budget #131. Same being as follows:

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 28th day of April, 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 Public Works Budget Amendment #131 for the fiscal year terminating June 30, 1998 be amended in the following words and figures:

<u>Revenues</u>	<u>Amendment</u>	<u>Amended Total</u>
44520 Insurance Recovery	+ \$ 4,000	\$ 4,000
44570 Contributions & Gifts	+ 11,000	23,000
46920 Gasoline & Fuel Tax	+ 20,000	1,755,000
48120 Paving & Maint. (Cities)	+ <u>14,000</u>	<u>60,000</u>
Sub Total	+ \$ 49,000	
46410 St. Bridge Program	- <u>198,000</u>	<u>194,000</u>
Total Revenues	- 149,000	3,598,920

Expenditures

62000 Highway & Bridge Maintenance		
405 Liquid Asphalt	- 10,000	12,000
409 Crushed Stone	+ 15,000	65,000
443 Road Signs	- 3,000	14,000
456 Gravel & Chert	+ 12,000	15,000
187 Overtime Pay	- <u>3,000</u>	<u>40,000</u>
Total 62000	+ \$ 11,000	\$1,322,800

<u>Expenditures</u>	<u>Amendment</u>	<u>Amended Total</u>
63100 Operation & Maint. of Equipment	- \$ 3,000	\$ 119,935
142 Mechanics	- 8,000	80,000
412 Diesel	+ 6,000	161,000
418 Equipment Parts	+ 2,000	9,000
424 Garage Supplies	+ <u>3,000</u>	<u>23,000</u>
433 Lubricants		
Total	0	\$ 493,935

68000 Capital Outlay			
705 Bridge Construction	+	55,000	\$ 165,000
713 Highway Construction	+	25,000	245,000
714 Highway Equipment	-	8,000	267,000
726 St. Aid Projects	-	172,000	384,000
791 Other Construction (Surfacing)	-	60,000	500,000
(\$188,000 left to spend by 6/30)			
 Total 68000	-	\$ 160,000	\$ 1,915,760
<hr/>			
Total Expenditures	-	\$ 149,000	\$ 4,182,977

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 amending the General Fund #101 Budget. Same being as follows:

9.3.6.7

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 28th day of April, 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 for the fiscal year terminating June 30, 1998, be amended in the following words and figures:

COUNTY GENERAL FUND
BUDGET AMENDMENT
FY 97/98
APRIL, 1998

TOTAL FUNDS AVAILABLE THIS AMENDMENT \$6,406,841.51

Adjustments to Expenditure Accounts:

51500 <u>Election Commission</u>			
193 Election Workers	+		700.00
	+		700.00
 53100 <u>Circuit Court Clerk</u>			
317 Data Processing Services	-		5.00
320 Dues and Membership	+		5.00
			<u>0</u>

1	Supervisor/Director	-	17	00
201	Social Security	-	1,085.00	
204	State Retirement	-	595.00	
205	Employee & Dependent Insurance	-	1,016.00	
212	Employer Medicare	-	254.00	
355	Travel	-	3,000.00	
499	Other Supplies and Materials	-	<u>6,550.00</u>	
		-	30,000.00	
53400	<u>Chancery Court</u>			
169	Part-time Personnel	+	5,600.00	
189	Other Salaries and Wages	-	<u>5,600.00</u>	
			0	
55110	<u>Local Health Center</u>			
191	Board & Committee Members Fees	+	110.00	
307	Communications	-	200.00	
335	Maintenance & Repairs Services, Bldgs.	-	1,120.00	
413	Drugs and Medical Supplies	-	1,390.00	
435	Office Supplies	-	500.00	
709	Data Processing Equipment	+	<u>3,100.00</u>	
			0	
55120	<u>Rabies Control</u>			
169	Part-time Personnel	-	1,700.00	
338	Maintenance & Repairs Vehicles	+	1,000.00	
499	Other Supplies and Materials	+	<u>700.00</u>	
			0	
55150	<u>Maternal and Child Health Services</u>			
105	Supervisor/Director	+	17,500.00	
201	Social Security	+	1,085.00	
204	State Retirement	+	595.00	
205	Employee & Dependent Insurance	+	1,016.00	
212	Employer Medicare	+	254.00	
355	Travel	+	3,000.00	
499	Other supplies and Materials	+	<u>6,550.00</u>	
		+	30,000.00	
55160	<u>Dental Health Services</u>			
162	Clerical Personnel	+	6,624.00	
312	Contract with Private Agencies	-	8,912.00	
355	Travel	+	<u>2,288.00</u>	
			0	
55720	<u>Sanitation Education</u>			
443	Road Signs	+	533.00	
499	Other Supplies and Materials	-	<u>533.00</u>	
			0	
57100	<u>Agricultural Extension Service</u>			
316	Contributions	-	95.00	
320	Dues and Memberships	+	<u>95.00</u>	
			0	
58220	<u>Airport</u>			
452	Utilities	+	450.00	
506	Liability Insurance	+	<u>653.00</u>	
		+	1,103.00	
Total Increase This Amendment		\$	1,803.00	
Prior Estimated Expenditures		\$	5,973,927.65	
Total Estimated Expenditures		\$	5,975,730.65	
Estimated Ending Fund Balance as of June 30th, 1998		\$	431,110.86	

With the recommendation of the Budget Committee for passage, motion was made by Commissioner Harris, seconded by Commissioner Arnett, and unanimously carried by the Board adopting the following Resolution amending the Debt Service Fund #151. Same being as follows:

9.3.6.8

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 28th day of April, 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 Debt Service Fund #151 Budget Amendment for the fiscal year terminating June 30, 1998, be amended in the following words and figures:

DEBT SERVICE AMENDMENT
FY 97-98
APRIL 1998

TOTALS FUNDS AVAILABLE THIS AMENDMENT	\$2,826,700.00
<u>Adjustments to Revenue Accounts</u>	
44110 Interest Earned	+ <u>22,055.00</u>
	+ 22,055.00
Totals Funds Available this Amendment	\$2,848,755.00
Prior Estimated Expenditures	\$1,099,119.00
Estimated Ending Fund as of June 30th, 1998	\$1,749,636.00

Motion was made by Commissioner Harris and seconded by Commissioner Kelley to adopt the following Resolution as the first of two readings increasing the County Wheel Tax by \$25.00 with the funds to be used specifically on the debt service for retirement of the Bonds anticipated to be issued for construction of schools and a justice complex. Said Resolution as follows:

Resolution No. _____

RESOLUTION TO LEVY A COUNTY-WIDE MOTOR VEHICLE TAX

WHEREAS, Tennessee Code Annotated § 5-8-102, authorizes counties to levy a motor vehicle privilege tax as a condition precedent to the operation of a motor vehicle within a county, and

WHEREAS, the need for new revenue sources is great in Fayette County, and

WHEREAS, the county desires to retain the present motor-vehicle privilege taxes levied in Fayette County, Tennessee, by private act and levy an additional motor-vehicle privilege tax through one of the alternative methods provided in Tennessee Code Annotated, Section 5-8-102;

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Fayette County, Tennessee, that:

SECTION 1. For the privilege of using the public roads and highways in Fayette County, Tennessee, there is levied upon motor-driven vehicles, and upon the privilege of the operation thereof, except motorcycles, motor driven bicycles and scooters, farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and motor-driven vehicles owned by any governmental agency or governmental instrumentality and except for other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of twenty-five dollars (\$25.00) for each such motor-driven vehicle, the owner of which resides within said county.

This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owner of which resides within said county.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Fayette County, who is authorized by Tennessee Code Annotated § 67-4-103 to collect such privilege taxes. The County Clerk shall collect this tax at the same time he collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this state. The County Clerk shall deduct a fee of five percent (5%) as authorized in Tennessee Code Annotated § 8-21-701 (55) from the amount of taxes collected and paid over to the County Trustee.

SECTION 3. Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal also issued by the County Clerk, which shall be displayed by affixing the decal on and to the lower right corner of the license plate in the space provided for such decal. The design of the decal shall be determined by the County Clerk and shall be the same size as the state renewal decal. The expense incident to the purchase of such decals herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the County Clerk shall be paid from the General Fund of the County.

SECTION 4. The privilege tax or wheel tax herein levied, when paid together with full, complete, and explicit performance of and compliance with all provisions of this Resolution, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid and on which the decal or emblem has been affixed as herein provided, to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year which will run concurrently with the period established for the state registration fees by Tennessee Code Annotated § 55-4-104.

In the event the wheel tax decal is sold by the Clerk for a period of more or less than a calendar year, the tax imposed shall be proportionate to the annual tax for the vehicle and modified in no other manner, except that the proportional tax shall be rounded off to the nearest quarter of a dollar.

SECTION 5. In the event any motor-driven vehicle for the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unusable or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets, or highways of said county; or in the event that the owner transfers the title to such vehicle, or completely removes therefrom and destroys decal or emblem issued for and placed thereon, and the owner makes proper application to the Clerk for the issuance of a duplicate decal or emblem to be used by him on another vehicle for the unexpired term for which the original decal or emblem was issued, and the Clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal or emblem and the owner pays into the hands of the Clerk the sum of _____ dollars (\$ _____), the Clerk will then issue to such owner a duplicate receipt, canceling the original receipt delivered to him by the owner, and will deliver to the owner a duplicate decal or emblem, which shall be affixed to the motor-driven vehicle for which it is issued, as herein provided, and such duplicate decal or emblem shall entitle the owner to operate or allow to be operated the vehicle upon the streets, roads, and highways of said county for the remainder of the period for which the original decal or emblem was issued. Likewise, in the event a decal or emblem becomes obliterated, erased, or defaced, or is destroyed under the provisions of this Resolution, and is therefore illegible and unusable by the owner, upon proper application made by the owner and filed with the Clerk, showing such circumstances and facts to be true, then the Clerk upon receipt from the owner of _____ dollars (\$ _____) may issue and deliver to the owner, a duplicate decal or emblem.

SECTION 6. This Resolution shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body at two (2) consecutive regularly scheduled meetings.

SECTION 7. For the purpose of approving or rejecting the provisions of this Resolution, it shall be effective upon being approved by a two-thirds (2/3) vote of the Board of County Commissioners of Fayette County at two (2) consecutive regular meetings. For the purpose of collection of the tax herein levied such collection shall begin on the first day of _____, 1998, unless this resolution is subject to a referendum election pursuant to Tennessee Code Annotated § 5-8-102, whereupon the collection of the tax herein levied shall begin on the first day of the month following the month that this resolution is approved at a referendum.

Passed 1st reading at the regular _____, 1998, meeting of the _____ county legislative body.

Passed 2nd reading at the regular _____, 1998, meeting of the _____ county legislative body.

Upon roll call, the following Commissioners voted **YES** in favor of adopting the Resolution: Commissioners Arnett, Brewer, Crawford, Fowler, German, Harris, Hayslett, Kelley, Morman, Morris, Robison, Sullivan, Taylor, Thomas, Tomlin. (15)

Voting **NO**: Commissioners Cox, Oglesby, Wilson and Yancey. (4)

Thereupon, said Resolution passed.

The next matter brought before the Board was an **INITIAL RESOLUTION** on Bonds not to exceed \$13,000,000 for construction of a Justice Complex. This is the first of two required readings. Motion for the adoption of the Resolution was made by Commissioner Harris, seconded by Commissioner Kelley. Same being as follows:

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 28th day of April, 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 Initial Resolution - Bond for Justice Complex for the fiscal year terminating June 30, 1998 be amended in the following words and figures:

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING THIRTEEN MILLION DOLLARS (\$13,000,000) GENERAL OBLIGATION BONDS OF FAYETTE COUNTY, TENNESSEE

BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee (the "County") that for the purpose of financing the acquisition, construction and equipping of a criminal justice center and the construction, renovation and/or equipping of other public buildings of the County there shall be issued bonds of the County in the aggregate principal amount not exceeding \$13,000,000, which shall bear interest at a rate or rates not to exceed seven percent (7%) per annum, and which shall be payable from ad valorem taxes to be levied on all taxable property within the County.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Fayette County, Tennessee that the County Mayor and County Clerk be, and they are, hereby directed and instructed to cause the foregoing initial resolution to be published in full in a newspaper having a general circulation in the county, for one issue of said paper followed by the following statutory notice:

N O T I C E

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the county shall have been filed with the County Clerk protesting the issuance of the bonds, such bonds will be issued as proposed.

Jim Voss, County Mayor
Dell T. Graham, County Clerk

Upon roll call, the following Commissioners voted YES in favor of the Resolution: Commissioners Brewer, Crawford, Fowler, German, Harris, Kelley, Morris, Robison, Sullivan, Taylor, Thomas, Tomlin, Wilson and Yancey. (14)

Voting NO: Commissioners Arnett, Cox, Hayslett, Morman, Oglesby. (5)

Thereupon, said Initial Resolution passed.

Thereupon, said meeting adjourned.

JIM VOSS Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk