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COUNTY LEGISLATIVE BODY

May 26, 1998

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 26th day of May, 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, 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., Hollis O. Robison, Rhea "Skip" Taylor, Wayne Thomas, Gordon Tomlin, Myles Wilson and Allen Yancey, Jr.

Absent: Commissioner J. M. Sullivan, 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 April 1998 meeting.

Having been reviewed by the Planning Commission, Tod Williams reviewed the recommendation for rezoning of property located in Civil District 7 from R - 1 to B -3 for business use.

Chairman Voss opened the floor to the public for comments in favor of or in opposition to the rezoning. With no comments being offered, the floor was declared closed for such comments.

Motion was then made by Commissioner Kelley, seconded by Commissioner Thomas 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 the 26th day of May, 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 Petition of Janet W. Phillips and Robbianne W. Achelphl to rezone the following described real estate situated in the 7th Civil District of Fayette County, Tennessee, from R-1 to B-3 for the purposoe of allowing B - 3 Businesses uses on each site, be approved.

Upon consideration thereof, said resolution was approved.

Same being as follows:

BEGINNING at a back oak on the north boundary line of 200 acre entry in the name of R. N. Bondurant and the northwest corner of downer; thence south with the cast line of dower 71.25 chains to a stake in the middle of the Arlington-Somerville Road; this being the beginning point of the two-acre parcel being described; thence with said road north 48 1/2 degrees west 5 chains, more or

less, to the south right-of-way of I-40 Highway; thence in a northeasterly direction with the south right-of-way line of I-40, 5 chains, more or less to a point in the east line of the above mentioned dower, this line also known as the Williams west boundary line; thence south with this line 5 chains, more or less, to the point of beginning containint two acres, more or less.

BEGINNING at a black oak on the north boundary line of a 200 acre entry in the name of R. N. Bondurant and the northwest corner of dower; thence south with the east line of dower 71.25 chains to a stake in the middle of the Arlington-Somerville Road; thence with said road south 48 1/2 degrees cast 24.02 chains to a stake in said road; the northwest corner of J. P. Douglas 16 acre tract; thence with the west line of said 16 acre tract; thence west with Greenlee's north line 27.91 chains to a stake in Greenlee's east boundary line; thence north 42 1/2 chains to the center of the Arlington-Somerville Road; (this being the beginning point of this 2 acre parcel); thence in a southeasterly direction with the center of the Arlington-Somerville Road 5 chains to a point where the Arlington-Somerville Road interects with the north right-of-way line of the I-40 Highway; thence in a southwesterly direction with the north right-of-way line of I-40 Highway 5 chains, more or less, to a point in the East Greenlee's line; thence north 5 chains, more or less, with the Greenlee's east line to the point of beginning, containing 2 acres, more or less.

* * * * *

Tod Williams then presented the rezoning request of Elmer Mast on property located in Civil District 2 for rezoning from R-1 to I-L for the purpose of allowing a pallett milling and fabricating business. This was presented with the request of the Planning Commission that this request be denied.

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

Motion was then made by Commissioner Taylor, seconded by Commissioner Fowler and unanimously carried by the Board denying the rezoning request.

Motion was made by Commissioner Kelley, seconded by Commissioner Crawford and unanimously carried by the Board appointing the following as Notaries Public: District 1: Bernedia C. Perkins, District 8: Debra K. Beshires; District 14: Dana B. Stephenson.

Chairman Voss then advised that Fayette County had become eligiable to apply for a \$40,000,000 funding to be used over a ten year period.

Erwin Kee reported orally for the Board of Public Works.

Reports were called for from the Board of Education and the County Development Committee, but none presented.

Commissioner Oglesby reported for the Education Committee advising that his committee had met and does recommend that any action of the construction of two new schools for the county be delayed for ninety (90) days. Oglesby put this in the form of a motion; this was seconded by Commissioner Brewer.

Motion was then made by Commissioner Robison, seconded by Commissioner Tomlin to amend the original motion to read that the ninety-day delay apply also to the Bond issue on the schools.

Much discussion followed.

Roll Call Vote was taken on the last motion to delay the Bond issue.

Voting **Yes** : Commissioners Arnett, Brewer, Cox, Crawford, Fowler, German, Hayslett, Kelley, Morman, Oglesby, Robison, Thomas, Tomlin and Yancey. (14)

Voting **NO**: Commissioners Harris, Morris, Taylor and Wilson. (4)

Thereupon, said motion carried.

Now vote was taken on the original motion to allow a ninety-day delay on action for construction of the two schools. This motion carried.

Report from the Health and Welfare Committee would be covered under Budget Amendments.

Commissioner Kelley addressed the Board for the Criminal Justice & Public Safety Committee and advised that that Board had appointed Commissioners Morris, Taylor, and Yancey to represent that Committee on the County-Wide Fire Committee.

Having been approved by the the Criminal Justice and Public Safety Committee, Commissioner Kelley moved that should a Justice Complex be constructed by the County and after a contract is negotiated, that Barge, Waggoner, Sumner and Cannon be hired as Architects for same. Motion was seconded by Commissioner Morris. After discussion, said motion carried. ✓

Report was called for from the Personnel Committee, but none available.

Having been reviewed by the Budget Committee, motion was made by Commissioner Harris, seconded by Commissioner Fowler and unanimously carried by the Board adopting the following Resolutions of amendments. 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 26th day of May, 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 School Fund #141 be amended in the following words and figures, to-wit:

GENERAL PURPOSE FUND
FUND 141
MAY, 1998

		INCREASE	DECREASE
000	INSTRUCTION		
100	REGULAR INSTRUCTION PROGRAM		
100 116	Teacher		\$7,000.00
100 195	Substitute Teacher	\$12,000.00	
100 204	State Retirement		\$50,000.00
	TOTAL:	\$12,000.00	\$57,000.00
200	SPECIAL EDUCATION PROGRAM		
200 117	Career Ladder Program	\$703.00	
200 128	Homebound Teachers		\$3,000.00
200 163	Teacher Aides	\$2,341.00	
200 201	Social Security		\$792.00
200 204	State Retirement		\$574.00
200 212	Medicare		\$169.00
200 311	Contracts With Other School Systems		\$18,619.00
200 336	Maintenance and Repair Services - Eq.	\$15,000.00	
	TOTAL:	\$18,044.00	\$23,154.00
300	VOCATIONAL EDUCATION PROGRAM		
300 355	Travel		\$150.00
300 116 SY1	Teachers	\$7,440.00	
300 201 SY1	Social Security	\$460.00	
300 204 SY1	State Retirement	\$407.00	
300 212 SY1	Medicare	\$109.00	
300 299 SY1	Other Fringe Benefits	\$33.00	
300 429 SY1	Instructional Supplies and Materials	\$7,828.00	
	TOTAL:	\$16,277.00	\$150.00
000	SUPPORT SERVICES		
230	VOCATIONAL INSTRUCTION PROGRAM		
230 355	Travel	\$150.00	
230 189 SY1	Other Salaries and Wages	\$25,891.00	
230 201 SY1	Social Security	\$1,605.00	
230 204 SY1	State Retirement	\$1,144.00	
230 212 SY1	Medicare	\$375.00	
230 307 SY1	Communications	\$260.00	
230 355 SY1	Travel	\$1,868.00	
230 499 SY1	Other Supplies and Materials	\$7,810.00	
230 599 SY1	Other Charges	\$6,708.00	
	TOTAL:	\$45,811.00	

72610	OPERATION OF PLANT	
72610 499	Other Supplies and Materials	\$2,000.00
72610 599	Other Charges	\$2,000.00
	TOTAL:	\$2,000.00 \$2,000.00

72710	PUPIL TRANSPORTATION	
72710 399	Other Contracted Services	\$2,000.00
72710 412	Diesel Fuel	\$15,000.00
72710 418	Equipment and Machinery Parts	\$1,000.00
72710 425	Gasoline	\$500.00
72710 453	Vehicle Parts	\$2,000.00
72710 599	Other Charges	\$1,500.00
72710 729	Transportation Equipment	\$15,000.00
72710 146	SPED Bus Drivers	\$4,636.00
72710 201	SPED Social Security	\$287.00
72710 204	SPED Retirement	\$375.00
72710 212	SPED Medicare	\$67.00
72710 299	SPED Other Fringe Benefits	\$445.00
72710 313	SPED Contracts With Parents	\$200.00
72710 340	SPED Medical and Dental Services	\$500.00
	TOTAL:	\$24,310.00 \$19,200.00

72810	CENTRAL AND OTHER	
72810 399	Other Contracted Services	\$850.00
72810 499	Other Supplies and Materials	\$358.22
72810 790	Other Equipment	\$491.78
	TOTAL:	\$850.00 \$850.00

76000	CAPITAL OUTLAY	
76100	REGULAR CAPITAL OUTLAY	
76100 707	Building Improvements	\$59,029.00
76100 799	Other Capital Outlay	\$79,029.00
	TOTAL:	\$79,029.00 \$59,029.00

99000	OTHER USES	
99110	OPERATING TRANSFERS TO PRIMARY GOVTS.	
99110 590	Transfers To Other Funds	\$45,000.00
	TOTAL:	\$45,000.00

GRAND TOTAL: \$243,321.00 \$161,383.00

Total Increase: \$81,938.00

Revenues:	47210 SY1 Jobs Training Partnership Ac	\$61,938.00
Reserve:	39000 Undesignated Fund Balance	(\$20,000.00)
Revenue:	Prior Total Available Funds	\$18,517,529.38
	Total Increase This Amendment	\$61,938.00
	Total Available Funds This Amendment	\$18,579,467.38
Expenditure:	Prior Total Estimated Expenditures	\$17,030,700.22
	Total Increase This Amendment	\$81,938.00
	Total Est. Expenditures This Amendment	\$17,112,638.22

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 26th day of May, 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 Budget Amendments for Federal Projects Fund #142, Subfund #850, Vocational Improvement and, The Federal Projects Fund #142, Subfund #876 - Title VI and, The Federal Projects Fund #142, Subfund #880 - Title II be amended in the following words and figures, to-wit:

FAYETTE COUNTY BOARD OF EDUCATION
FEDERAL PROJECTS FUND
FUND 142
SUBFUND 850 - VOCATIONAL IMPROVEMENT
MAY, 1998

		INCREASE	DECREASE
00	INSTRUCTION		
00	VOCATIONAL INSTRUCTION PROGRAM		
000 163	Teacher Aides	\$711.23	
000 189	Other Salaries and Wages	\$3,450.00	
000 201	Social Security		\$84.43
000 204	State Retirement		\$377.62
000 212	Medicare		\$19.98
000 399	Other Contracted Services		\$4,140.00
000 730	Vocational Instruction Equipment	\$6,472.85	
	TOTAL:	\$10,634.08	\$4,622.03
000	SUPPORT SERVICES		
010	OTHER STUDENT SUPPORT		
010 123	Guidance Personnel		\$3,815.25
010 201	Social Security		\$247.91
010 204	State Retirement		\$976.09
010 207	Health Insurance		\$914.84
010 212	Medicare		\$57.96
	TOTAL:	\$0.00	\$6,012.05
	GRAND TOTAL:	\$10,634.08	\$10,634.08

Total Increase/Decrease: \$0.00

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 876 - TITLE VI
 MAY, 1998

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 429 ES1	Instructional Supplies and Materials		\$327.46
71100 722 ES1	Regular Instruction Equipment	\$1,000.00	
	TOTAL:	\$1,000.00	\$327.46
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 355 ES1	Travel		\$672.54
	TOTAL:	\$0.00	\$672.54
	GRAND TOTAL:	\$1,000.00	\$1,000.00

Total Increase/Decrease: \$0.00

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 880 - TITLE II
 MAY, 1998

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 195 PUB	Substitute Teachers		\$280.00
71100 201 PUB	Social Security		\$22.92
71100 212 PUB	Medicare		\$7.82
71100 429 PUB	Instructional Supplies and Materials	\$310.74	
71100 429 ROA	Instructional Supplies and Materials	\$520.00	
	TOTAL:	\$830.74	\$310.74
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 457 ROA	In-Service/Staff Development		\$520.00
	TOTAL:	\$0.00	\$520.00
	GRAND TOTAL:	\$830.74	\$830.74

Total Increase/Decrease: \$0.00

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 May, 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 Central Cafeterial Fund #143 Budget Amendment for the fiscal year ending June 30, 1998 be amended in the following words and figures, to-wit:

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

		INCREASE	DECREASE
3000	OPERATION OF NON-INSTRUCTIONAL SERVICES		
3100	FOOD SERVICE		
3100 189	Other Salaries and Wages		\$1,500.00
3100 201	Social Security		\$1,000.00
3100 204	State Retirement		\$2,000.00
3100 210	Unemployment Compensation Insurance		\$600.00
3100 307	Communications	\$400.00	
3100 399	Other Contracted Services	\$1,200.00	
3100 422	Food Supplies		\$10,000.00
3100 499	Other Supplies and Materials		\$2,500.00
3100 513	Workers' Compensation Insurance		\$816.00
	TOTAL:	\$1,600.00	\$18,416.00

Total Decrease: (\$16,816.00)

Revenues:	43521	Lunch Payments - Children	(\$4,000.00)
	43990	Other Charges for Services	(\$4,000.00)
	44110	Interest Earned	(\$3,940.00)
	47112	Section 11 - Lunch	(\$9,000.00)
	47113	Breakfast	(\$3,500.00)
	Total:		(\$24,440.00)

Revenue:	Prior Total Available Funds	\$2,133,535.21
	Total Decrease This Amendment	(\$24,440.00)
	Total Available Funds This Amendment	\$2,109,095.21

Expenditure:	Prior Total Estimated Expenditures	\$1,756,459.00
	Total Decrease This Amendment	(\$16,816.00)
	Total Est. Expenditures This Amendment	\$1,739,643.00

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 May, 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 County General Fund #101 Budget Amendment for the fiscal year ending June 30, 1998 be amended in the following words and figures, to-wit:

COUNTY GENERAL FUND
BUDGET AMENDMENT
FY 97/98
MAY 1998

TOTAL FUNDS AVAILABLE THIS AMENDMENT	\$6,406,841.51
<u>Adjustments to Revenue Accounts</u>	
44570 Contributions & Gifts	+ 5,000.00
44520 Insurance Recovery	+ 4,811.56
46915 Contracted Prisoner Board	+ 21,385.00
46980 Other State Grants	+ 2,693.70
Total Increase This Amendment	+ 33,890.26
Total Funds Available This Month	\$6,440,731.77
<u>Adjustments to Expenditure Accounts</u>	
51100 County Commission	
191 Board & Committee Member Fees	+ 1,200.00
307 Communication	+ 635.00
355 Travel	+ 500.00
435 Office Supplies	+ 500.00
	+ 2,835.00
51500 Election Commission	
709 Data Processing Equipment	+ 2,693.70
	+ 2,693.70
52400 County Trustee	
709 Data Processing Equipment	+ 533.00
719 Office Equipment	- 533.00
	0
54110 Sheriff's Department	
718 Motor Vehicles	+ 4,811.56
	+ 4,811.56
54210 Jail	
317 Data Processing Services	+ 1,800.00
422 Food Supplies	+ 16,000.00
425 Gasoline	+ 750.00
	+ 18,550.00
55110 Local Health Center	
499 Other Supplies	+ 5,000.00
	+ 5,000.00

Total Increase This Amendment	+ 33,890.26
Prior Estimated Expenditures	\$5,975,730.65
Total Estimated Expenditures	\$6,009,620.91
Estimated Ending Fund Balance as June 30th, 1998	\$ 431,110.86

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 May, 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 Solid Waste Fund #116 Budget Amendment be amended in the following words and figures, to-wit:

SOLID WASTE FUND 116
BUDGET AMENDMENT
FY 97/98
MAY 1998

TOTAL FUNDS AVAILABLE THIS AMENDMENT	\$876,380.00
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Adjustments to Expenditure Accounts

55732 Convenience Center	
314 Contracts - Public Carriers	- 10,000.00
733 Solid Waste Equipment	+ 10,000.00
	<u>0</u>

55754 Landfill Operation & Maintenance	
304 Architects	- 9,800.00
307 Communication	+ 300.00
418 Equipment & Machinery Parts	+ 2,500.00
425 Gasoline	+ 750.00
499 Other Supplies and Materials	+ 1,000.00
506 Liability	+ 2,500.00
510 Trustee	+ 750.00
599 Other Charges	+ 2,000.00
	<u>0</u>

Total Estimated Expenditures	\$639,945.00
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Estimated Ending Fund Balance as of June 30th, 1998	\$236,435.00
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Motion was made by Commissioner Harris, seconded by Commissioner Wilson, and unanimously carried by the Board adopting the following Resolution of continuation of the budget. Same being as follows:

A RESOLUTION TO ADOPT A CONTINUING BUDGET
AND TAX RATE FOR THE FISCAL YEAR BEGINNING
JULY 1, 1999, AND TO AUTHORIZE THE ISSUANCE
OF TAX ANTICIPATION NOTES FOR THE COUNTY OF
FAYETTE

WHEREAS, it now appears that the 1998-99 fiscal year budget of Fayette County, Tennessee, will not be approved during the 1998 July term of the Board of County Commissioners, now;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Fayette County, Tennessee, that amounts set out in the 1997-98 Appropriation Resolution are hereby continued until a new 1998-99 Appropriation Resolution is adopted, and;

BE IT FURTHER RESOLVED, that the property tax rate of \$2.19 per each \$100.00 of taxable property for the fiscal year beginning July 1, 1997, shall remain in effect until a new property tax rate is adopted, and;

BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on tax anticipation notes, provided that such notes are first approved by the State Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenues for the fiscal year 1998-99 have been collected, not exceeding 60% of the appropriations of each individual fund of the continuing budget. The notes evidencing the loans authorized under this section shall be issued under the authority of Title 9, Chapter 21, Tennessee Code Annotated. All said notes shall mature and be paid in full without renewal not later than June 30, 1999.

BE IT FURTHER RESOLVED, that this Resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 1998.

Adopted this 26th day of May, 1998.

AT this time Commissioner Harris made the second reading of the **RESOLUTION TO LEVY A COUNTY WIDE MOTOR VEHICLE TAX**. Much discussion followed, especially on a referendum to increase the Wheel Tax. Motion was made by Commissioner Harris, seconded by Commissioner Tomlin to adopt the Resolution as presented at this second reading. Roll call vot was colled for.

Voting **YES** in favor of the Resolution: Commissioners Arnett, Crawford, Fowler, German, Harris, Hayslett, Kelley, Morman, Morris, Robison, Taylor, Thomas, Tomlin. (13)

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

Passed - not voting: Commissioner Yancey.

Thereupon, said Resolution was adopted. Same being 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 twenty-five dollars (\$25.00), 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 twenty-five dollars (\$25.00) 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 January, 1999, 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 April 28th, 1998, meeting of the Fayette county legislative body.

Passed 2nd reading at the regular May 26th 1998, meeting of the Fayette county legislative body.

Motion was then made by Commissioner Harris, seconded by Commissioner Fowler, and carried by the Board adopting the following **RESOLUTION** addressing the use of the proceeds obtained by an increase in the Wheel Tax.

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 26th day of May, 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 proceeds from the Wheel Tax increase passed on the second and final reading of the Fayette County Commission at its regular meeting on May 26, 1998 be deposited into Debt Service and designated to be used to retire the debt of the School Bonds for new school construction.

* * * * *

Commissioner Harris then presented the Bond Resolution regarding up to \$13,000,000 on general obligation bonds for a Criminal Justice Complex.

Motion was made by Commissioner Fowler, seconded by Commissioner Robison and carried by the Board that action on this matter be delayed for at least ninety-days.

Motion was made by Commissioner Wilson, seconded by Commissioner Kelley, and unanimously carried by the Board adopting the following Revised Resolution from the March 24, 1998 action:

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 May, 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 Resolution acknowledging the development of apartments in Fayette County, Tennessee duly adopted at the regular meeting of this commission on March 24, 1998 and is of record in the Clerk's Office of this Court in Minute Book 4, page 800 be, and the same as hereby, amended as follows:

RESOLUTION

**RESOLUTION ACKNOWLEDGING THE DEVELOPMENT OF
THE PEARL MANOR AND CORNER APARTMENTS**

WHEREAS, elected officials of Fayette County, Tennessee, have committed themselves to improving and enhancing community livability for the citizens they represent; and

WHEREAS, said public officials have determined that the provision of quality affordable housing meets the above stated goal; and

WHEREAS, the application to the Tennessee Housing Development Agency under the Low Income Housing Tax Credit Program for a project to be developed by Fayette County Citizens for Progress will provide quality affordable housing in this county.

NOW, THEREFORE, BE IT RESOLVED that the legislative body of Fayette County supports the above referenced application for two units of affordable housing on Warren Road and six units on Danny Lane.

APPROVED IN OPEN PUBLIC MEETING THIS ___TH DAY OF MARCH, 1998.

Thereupon, said meeting adjourned.

JIM VOSS - Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk