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COUNTY LEGISLATIVE BODY
February 23, 1999

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee on the 23rd day of February, 1999.

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, James M. Sullivan, Jr., Rhea "Skip" Taylor, Wayne Thomas, Gordon M. Tomlin and Myles Wilson.

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

Motion was made by Commissioner Kelley, seconded by Commissioner Brewer, and unanimously carried by the Board approving the minutes of the January 1999 meeting.

Having been recommended to the Budget Committee by the County Trustee, motion was made by Commissioner Harris, seconded by Commissioner Morman, and unanimously carried by the Board appointing **J. PAYSON MATTHEWS** as **Back Tax Attorney**.

The matter regarding the Chickasaw Trails Board was not addressed at this time.

Motion was made by Commissioner Kelley, seconded by Commissioner Arnett, and unanimously carried by the Board appointing the following as **Notaries Public**:
District 1: Margaret B. Browning, Kathi Crawford, Cynthia D. Elder, Bryant I. Smith, Brenda S. Springer, Rachel T. Wilkerson; District 8: Mary E. Ward;
District 10: Sherry Bratcher and H. Sam Dowdey.

Chairman Voss presented a copy of a **fire contract** prepared by the attorney for the City of Somerville in conjunction with the other county cities. This was reviewed and approved by our County Attorney Tomlin and presented with the recommendation of Chairman Voss for approval.

Motion was made by Commissioner Kelley, seconded by Commissioner Doyle to accept the contract. Contracts with all the other cities were in possession of County Mayor Voss.

Said motion was unanimously carried.

The adjusted bond of BARBRA J. PARKER, Trustee, was presented for approval. Motion was made by Commissioner Moore, seconded by Commissioner Doyle and unanimously carried by the Board approving said bond. Same being as follows:

SURETY'S BOND NO. 68515462

STATE BOND FORM
COB-7(82)

STATE OF TENNESSEE
COUNTY OF Fayette
OFFICIAL STATUTORY BOND
FOR
COUNTY PUBLIC OFFICIALS
OFFICE OF Trustee

KNOW ALL MEN BY THESE PRESENTS:

That Barbra J. Parker of Somerville (City or Town), County of Fayette Tennessee, as Principal, and

WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of Six Hundred Ninety-Six Thousand Four Hundred and no/100 Dollars (\$696,400.) lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives, successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly X elected appointed to the office of Trustee of and for Fayette County for the (4) year term beginning on the 1st day of September, 1998 and ending on the 31st day of August, 2002

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said Barbra J. Parker Principal, shall:

1. Faithfully perform the duties of the office of Trustee of Fayette County during his term of office or his continuance therein; and
2. Pay over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be null and void; otherwise to remain in full force and effect.

WITNESS our hands and seals this 7th day of January, 1999

WITNESS - ATTEST:
Beverly Feathers

PRINCIPAL:
Barbra J. Parker

SURETY:
WESTERN SURETY COMPANY

by: D. Bult
D. Bult, Asst Sec.

COUNTERSIGNED BY:
Glenda A. Ward
Tennessee Resident Agent

(Attach evidence of authority to execute bond)

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE
COUNTY OF Fayette

Before me, a Notary Public, of the State and County aforesaid, personally appeared Barbra J. Parker with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing bond, and he acknowledged to me that he executed the same.

WITNESS my hand and seal this 11th day of January, 1999

My Commission Expires: December 5th, 1999

Glenda A. Ward
Notary Public

ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota
COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared D. Bult, Ass't Sec.
with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing
bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business
in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the
name of the corporation by himself as such individual.

Witness my hand and seal this 7th day of January, 1999

My Commission Expires:

S. O'CONNOR, 19
My Commission Expires 10-16-2004

S. O'CONNOR

Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee

Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)

Bond and Sureties approved by _____, County Executive
of _____ County, on this _____ day of _____, 19____

Signed:

County Executive

CERTIFICATION:

I, _____, County Clerk of _____ County,
hereby certify that the foregoing bond was approved by the Legislative Body of said county, in open session on the _____
day of _____, 19____, and entered upon the minutes thereof.

Signed:

County Clerk

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

Commissioner Morris reported for the County Development Committee and presented their recommendation to allow the Fayette County Public Works to continue with the roads in Hickory Withe until July 31st, 1999, with the county being reimbursed for that work. This was presented in the form of a motion. Same being seconded by Commissioner Thomas. Said motion carried with Commissioner Kelley "passing" on vote due to a conflict of interest.

The next recommendation of the County Development Committee was to allow the VFW plaque on display in the Courthouse lobby in honor of Fayette County veterans who are members of the VFW to remain. Motion was made by Commissioner Morris, seconded by Commissioner Brewer and unanimously carried by the Board to continue to allow this display.

Motion was made by Commissioner Kelley, seconded by Commissioner Doyle, and unanimously carried by the Board to allow rental of the land at the Industrial Park as farm land on a yearly basis.

As recommended by the County Development Committee, motion was made by Commissioner Morris, seconded by Commissioner Sullivan, and unanimously carried by the Board accepting the following as county roads: **Caitlin Drive, Emma Road, and Kylie Gayle Road.**

Reports were called for from the Education Committee, but none presented.

Commissioner Tomlin reported orally for the Health & Welfare Committee.

Having been recieved by the Budget Committee and presented with their recommendation for passage, Commissioner Harris presented and moved for the adoption of the following Resolution amending the **General Purpose Fund 141 Budget.** Motion was seconded by Commissioner Kelley, and unanimously carried by the Board. Same being as follows:

R E S O L U T I O N 9.2.6.2.

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session on this 23^r day of February, 1999, 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 terminating June 30, 1999 be amended in the following words and figures, to-wit:

**FAYETTE COUNTY BOARD OF EDUCATION
GENERAL PURPOSE FUND
FUND 141
FEBRUARY, 1999**

		INCREASE	DECREASE
00	INSTRUCTION		
00	STUDENT BODY EDUCATION PROGRAM		
00 429	Instructional Supplies and Materials	\$4,804.64	
00 499	Other Supplies and Materials	\$51,074.76	
00 790	Other Equipment	\$39,120.60	
	TOTAL:	\$95,000.00	\$0.00
00	SUPPORT SERVICES		
10	REGULAR INSTRUCTION PROGRAM		
10 189 HSTW	Other Salaries and Wages	\$2,828.88	
10 201 HSTW	Social Security	\$175.36	
10 204 HSTW	State Retirement	\$154.72	
10 212 HSTW	Medicare	\$41.04	
10 399 HSTW	Other Contracted Services		\$3,200.00
	TOTAL:	\$3,200.00	\$3,200.00

GRAND TOTAL: \$98,200.00 \$3,200.00

Total Increase: \$95,000.00

Revenue:	44570	Contributions and Gifts	\$95,000.00
	Total:		\$95,000.00

Revenue:	Prior Total Available Funds	\$19,578,608.70
	Total Increase This Amendment	\$95,000.00
	Total Available Funds This Amendment	\$19,673,608.70

Expenditure:	Prior Total Estimated Expenditures	\$17,893,145.57
	Total Increase This Amendment	\$95,000.00
	Total Est. Expenditures This Amendment	\$17,988,145.57

Commissioner Harris presented the recommendation of the Budget Committee amending the General Fund #101 Budget, and moved for the the adoption of the following Resolution. Motion was seconded by Commissioner Arnett 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 on this 23rd day of February, 1999, it being the fourth Tuesday of the month and the regular monthly meeting 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:

199
COUNTY GENERAL FUND
BUDGET AMENDMENT
F/Y 98/99
February, 1999

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
51500 <u>Election Commission</u>		
348 Postal Charges	\$ 1,000.00	
349 Printing, Stationery & Forms		\$ 1,000.00
56500 <u>Libraries</u>		
335 Maintenance & Repair Services- Building	\$ 1,200.00	
349 Printing, Stationery & Forms		\$ 400.00
435 Office Supplies		\$ 350.00
452 Utilities		\$ 150.00
719 Office Equipment		\$ 300.00
58400 <u>Other Charges</u>		
506 Liability Insurance	\$ 3,000.00	
58600 <u>Employee Benefits</u>		
210 Unemployment Compensation	<u>\$ 6,000.00</u>	_____
TOTAL	\$11,200.00	\$ 2,200.00
Prior Estimated Expenditures		\$6,484,079.00
Total Estimated Expenditures This Amendment		\$6,493,079.00
Estimated Ending Fund Balance as of June 30th, 1999		
Change in Fund Balance This Amendment		\$ 9,000.00

* * * * *

Commissioner Harris acknowledged the receipt of correspondence from the Attorney General's Office regarding tax refund due Mrs. Smith's Frozen Foods.

Commissioner Harris asked that Item 9.2.6.11 regarding transfer of Juvenile Court be addressed prior to the next item of 9.2.6.5, a request from the Office of County Clerk.

Commissioner Harris presented the matter of transferring Juvenile Court from the Office of County Clerk to General Sessions Court with the salary coverage of two employees to be likewise transferred. This was presented with the recommendation of the Budget Committee with motion being made by Commissioner Harris and seconded by Commissioner Morris. Discussion followed bringing up Item 9.2.6.5. This matter, too, had been approved by the Budget Committee to allow the County Clerk to transfer available funds to cover the salary of an employee in that office for the remainder of the budget year. After some discussion, the original motion was withdrawn. Motion was then made by Commissioner Harris, seconded by Commissioner German, and unanimously carried by the Board approving the two requests of both transferring Juvenile Court to General Sessions Court with salary funds and allowing fund transfer in the Office of County Clerk for salary use.

Motion was made by Commissioner Harris, seconded by Commissioner Tomlin, and unanimously carried by the Board that the **Delinquent Tax Attorney** be paid the same salary as set for the prior year.

As recommended by the Budget Committee, Commissioner Harris presented and moved to establish the **Registrar of the Election Commission** as a county employee and allow that position the 5% salary increase given county employees, retroactive to the physical year. Motion was seconded by Commissioner Wilson, and unanimously carried by the Board.

As approved by the Budget Committee, the Jail Contract was presented. Motion was made by Commissioner Harris, seconded by Commissioner Brewer, and unanimously carried by the Board.

Motion was made by Commissioner Harris, seconded by Commissioner Taylor, and unanimously carried by the Board approving a contract with GreenMan Technologies, Inc. of Mississippi for tire disposal.

As approved by the Budget Committee, Commissioner Harris presented and moved to approve the purchase of a new truck for use by the Solid Waste Department to replace a stolen truck. Said motion was seconded by Commissioner Morman, and unanimously carried by the Board.

The matter of the Gazebo on the north courthouse lawn was discussed. Motion was made by Commissioner Harris, seconded by Commissioner Morris, to purchase the gazebo. Said motion carried with Commissioner Kelley voting "no".

Motion was made by Commissioner Sullivan, seconded by Commissioner Harris and unanimously carried by the Board to charge Barker Brothers \$45.00 per ton to dump at the landfill until a contract for this action is in place.

Commissioner Burnette questioned the possibility of fire contracts being available July 1st of each year. Discussion followed.

Thereupon, said meeting adjourned.

JIM VOSS - Chairman
County Attorney

ATTEST:

Dell T. Graham, County Clerk