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**FILE COPY**

FAYETTE COUNTY LEGISLATIVE BODY

April 25, 2000

**BE IT REMEMBERED** That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 25th day of April, 2000.

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, John S. Sullivan, Sr., Rhea "Skip" Taylor, Wayne Thomas, Gordon M. Tomlin and Myles Wilson.

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

Motion was made by Commissioner Kelley, seconded by Commissioner Doyle, and unanimously carried by the Board approving the minutes of the March 2000 meeting.

Tod Williams with the Planning Commission reviewed the request of **Lou-Monta Development Company** to rezone property situated in Civil District 8 from R - 1 to R - 3 for a subdivision development. Having been reviewed by the Planning Commission, this was presented with their recommendation that this rezoning request be **denied**. Discussion followed. Chairman Voss opened the floor to the public for comments. Speaking in opposition to the rezoning was John Huffman; in favor of the rezoning, Andy Montague.

After further discussion, motion was made by Commissioner Burnette, seconded by Commissioner Taylor to suspend the rules and allow a recess. Upon roll call vote, the following voted **YES**: Commissioners Arnett, Bonner, Brewer, Burnette, Cox, Graves, German, Harris, Kelley, Logan, Moore, Morman, Sullivan, Taylor, Thomas and Wilson. (13)

Voting **NO**: Commissioners Doyle, Morris and Tomlin. (3)

Recess was called.

With the meeting back in session, motion was made by Commissioner Doyle, seconded by Commissioner Brewer to approve the rezoning request for Lou-Monta Development Company. Upon roll call, the following voted **YES**: Commissioners Arnett, Bonner, Brewer, Doyle, Harris, Moore, Morris, Sullivan, Tomlin and Wilson. (10)

Voting NO: Commissioners Burnette, Cox, Graves, German, Kelley, Logan, Morman, Taylor and Thomas. (9)

Thereupon, said motion carried approving the rezoning, same being described as follows:

Beginning at a found iron pipe being the northwest corner of the Lou Monta Development Company property recorded in Book 530, Page 323 and the northeast corner of Ronald M. McFarland property recorded in Book 222, Page 854; thence south 89 degrees 16 minutes 07 seconds east along the north line of said property recorded in Book 530, Page 323 and also being the south line of Hickory Hills Subdivision recorded in Plat Book 3, Page 59, 2437.02 feet to a point being the northeast corner of said property recorded in Book 530, Page 323 and the interior corner of Lot 20 of said subdivision recorded in Plat Book 3, Page 59; thence south 01 degrees 04 minutes 46 seconds west along the east line of said property recorded in Book 530, Page 323 and a west line of Lot 20 of said subdivision recorded in Plat Book 3, Page 59, 1310.97 feet to point being a southeast corner of said property recorded in Book 530, Page 323 and on interior corner of the "Mack Person" property; thence north 89 degrees 30 minutes 04 seconds west along a south line of said property recorded in Book 530; Page 323 and a north line of said "Mark Person" property a distance of 564.87 feet to a point, said point being an interior corner of said property recorded in Book 530, Page 323 and a northwest corner of the "Mack Person" property; thence south 01 degrees 04 minutes 46 seconds west 809.49 feet to a point in the north line of "Evelyn Morrell Tomlin" property; thence north 89 degrees 16 minutes 07 seconds west along the south line of said property recorded in Book 530, Page 323, also being the north line of the "Tomlin" property 1685.01 feet to a point in the east line of the Andrew and Robin Montague property recorded in Book 427, Page 244; thence north 01 degrees 08 minutes 42 seconds east along the said east line of said property recorded in Book 427, Page 244 a distance of 188.56 feet to a point, said point being the southeast corner of the Louis and Peggy Montague property recorded in Book 449, Page 400; thence along the south line of said property recorded in Book 449, Page 400, north 87 degrees 04 minutes west, 884.96 feet to a point in the east line of Warren Road; thence continuing with said property recorded in Book 449, Page 400 and along the east line of Warren Road north 11 degrees 30 minutes east a distance of 125.0 feet; thence along the north line of said property recorded in Book 449, Page 400, north 70 degrees 0 minutes east, 914.0 feet to an existing iron pin, said pin being in a west line of the said property recorded in Book 530, Page 323; thence along a west line of said property recorded in Book 530, Page 323, north 01 degrees 08 minutes 42 seconds east, 182.39 feet to a found iron pin, said pin being an interior corner of said property recorded in Book 530, Page 323 and the northeast corner of the Fayette County Citizen property recorded Book 466, Page 155; thence north 87 degrees 42 minutes 18 seconds west along the north line of said Fayette County citizen property, 168.98 feet to a point, said point being the southeast corner of said property recorded in Book 193, Page 509; thence north 00 degrees 13 minutes 56 seconds east along the east line of said property recorded in Book 193, Page 509 and the east line of said property recorded in Book 222, Page 854, 1295.63 feet to the point of beginning and containing 110.40 acres, more or less.

Tod Williams then presented the rezoning request of Snyder Development LLC for property located in Civil District 8 to be rezoned from R - 1 to R - 3 for a subdivision development. Having been reviewed by the Planning Commission, this was presented with their recommendation to deny this request. After discussion, Chairman Voss opened the floor for public comments. Speaking in opposition to the rezoning was Warner Steadman; in favor of, Mark Underwood with ETI Corporation. After discussion, motion was made by Commissioner Doyle to approve the requested rezoning. For lack of a second, the motion failed.

Motion was then made by Commissioner Taylor, seconded by Commissioner Kelley to deny the rezoning request. Said motion carried with one vote against the motion .

Motion was then made by Commissioner Kelley, seconded by Commissioner Morman, and unanimously carried by the Board establishing a speed limit on Rube Scott Drive and Buford Ellington Road in Civil District 8:

#### R E S O L U T I O N

**BE IT RESOLVED**, by the Board of County Commissioners and/or County Legislative Body of Fayette County, Tennessee, in regular session assembled on this 25th day of April, being the fourth Tuesday of said month and the regular monthly meeting date of the April said County Legislative Body, in the Court-house at Somerville, Tennessee, that pursuant to the provisions of Chapter No. 357 of the Private Acts of Tennessee 1967-68, and amended thereto, it shall be unlawful for any person to operate or drive a motor vehicle in excess of thirty (30) miles per hour on Rube Scott Drive and 45 miles per hour on Buford Ellington Road in their entirety, for a distance of six and one-half (6 ½) miles, being located in the Thirteenth 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.

Motion was made by Commissioner Wilson, seconded by Commissioner Morris and unanimously carried by the Board appointing **JAMES CYPRESS** and **BOB OSBURN** to the **Planning Commission**.

Motion was made by Commissioner Morris, seconded by Commissioner Doyle and unanimously carried by the Board appointing **ARTHUR GLOVER** to the **Fayette County Adjustment and Appeals Board**.

Motion was made by Commissioner Graves, seconded by Commissioner Burnette, and unanimously carried by the Board appointing the following to the **Equalization Board**: **Herbert Allen, Jerry Williams, Tim Foley, Jim Hilliard** and **William Powers**.

Motion was made by Commissioner Kelley, seconded by Commissioner Arnett, and unanimously carried by the Board appointing the following as **Notaries Public:** Carmen Camburn, G. Lee Evans, Becky R. Hooton, Joyce K. Mason, Judy McQueen and Dorothy A. Payne.

Combined statement of cash receipts and disbursements and a combined summary of financial statements was filed.

Motion was made by Commissioner Kelley, seconded by Commissioner Brewer and unanimously carried by the Board adopting the following **RESOLUTION** authorizing application for a Litter and Trash Collecting Grant. Same being as follows:

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER AND TRASH COLLECTING GRAND FROM THE TENNESSEE DEPARTMENT OF TANSPORTATION AND AUTHORIZING THE ACCEPTANCE OF SAID GRANT**

WHEREAS, the County of Fayette intends to apply for the aforementioned grant, from the Tennessee Department of Transportation; and

WHEREAS, the contract for the grant will impose certain legal obligations upon the County of Fayette.

NOW, THEREFORE, BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session assembled on this 25th day of April, 2000, in the Courthouse in Somerville, Tennessee,

1. That Jim Voss is authorized to apply on behalf of Fayette for a litter and trash collecting grant from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then Jim Voss is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the litter and trash collecting grant by Fayette County.

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

Report from the County Development Committee was called for, but none presented.

Report from the Education Committee was also called for, but none presented.

Commissioner Kelley reported for the Criminal Justice and Public Safety Committee, advising that the County Jail had been re-certified through October 2000.

Reports from the Health & Welfare Committee and the Personnel Committee were called for, but none available.

Commissioner Harris, Chairman of the Budget Committee, presented the recommendations of that committee, and moved for the following Budget Amendments. Said motion was seconded by Commissioner Morman, and unanimously carried by the Board approving the following Budget Amendments:

**FAYETTE COUNTY BOARD OF EDUCATION  
GENERAL PURPOSE FUND  
FUND 141  
APRIL, 2000**

		INCREASE	DECREASE
<b>71000</b>	<b>INSTRUCTION</b>		
<b>71100</b>	<b>REGULAR INSTRUCTION PROGRAM</b>		
71100 722 ERATE	Regular Instruction Equipment	\$19,498.33	
	<b>TOTAL:</b>	<b>\$19,498.33</b>	
<b>71200</b>	<b>SPECIAL EDUCATION PROGRAM</b>		
71200 116	Teachers		\$90,400.00
71200 128	Homebound Teachers	\$2,000.00	
71200 163	Education Assistants	\$8,000.00	
71200 195	Substitute Teachers	\$10,600.00	
71200 201	Social Security		\$3,400.00
71200 204	State Retirement		\$3,500.00
71200 212	Medicare		\$800.00
71200 311	Contracts w/Other School Systems	\$14,000.00	
71200 312	Contracts w/Private Agencies	\$62,000.00	
	<b>TOTAL:</b>	<b>\$96,600.00</b>	<b>\$98,100.00</b>
<b>72000</b>	<b>SUPPORT SERVICES</b>		
<b>72220</b>	<b>SPECIAL EDUCATION PROGRAM</b>		
72220 355	Travel	\$1,500.00	
	<b>TOTAL:</b>	<b>\$1,500.00</b>	<b>\$0.00</b>
<b>72260</b>	<b>ADULT EDUCATION PROGRAM</b>		
72260 355 FRC	Travel		\$450.00
72260 599 FRC	Other Charges	\$450.00	
	<b>TOTAL:</b>	<b>\$450.00</b>	<b>\$450.00</b>

310	<b>BOARD OF EDUCATION</b>		
310 204	State Retirement	\$100.00	
310 210	Unemployment Compensation	\$6,000.00	
310 513	Workman's compensation Insurance		\$6,100.00
	<b>TOTAL:</b>	\$6,100.00	\$6,100.00
710	<b>TRANSPORTATION</b>		
710 338	Maintenance & Repair Services-Vehicles	\$31,657.64	
	<b>TOTAL:</b>	\$31,657.64	\$0.00
000	<b>OPERATION OF NON-INSTRUCTIONAL SERVICES</b>		
300	<b>COMMUNITY SERVICES</b>		
300 307 EXT	Communications		\$96.00
300 355 EXT	Travel	\$196.00	
300 499 EXT	Other Supplies and Materials		\$100.00
	<b>TOTAL:</b>	\$196.00	\$196.00
	<b>GRAND TOTAL:</b>	\$156,001.97	\$104,846.00

Total Increase: \$51,155.97

Revenue:	44170 ERATE Miscellaneous Refund	\$19,498.33
	44520 Insurance Recovery	\$31,657.64
	<b>Total:</b>	\$51,155.97

Revenue:	Prior Total Available Funds	\$20,721,432.18
	Adj. Prior Year Encumbrances	\$7,295.96
	Total Increase This Amendment	\$51,155.97
	<b>Total Available Funds This Amendment</b>	\$20,779,884.11

Expenditure:	Prior Total Estimated Expenditures	\$19,957,527.64
	Total Increase This Amendment	\$51,155.97
	<b>Total Estimated Expenditures This Amend</b>	\$20,008,683.61

**FAYETTE COUNTY BOARD OF EDUCATION**  
**FEDERAL PROJECTS FUND**  
**FUND 142**  
**SUBFUND 050-VOCATIONAL IMPROVEMENT**  
**APRIL, 2000**

		INCREASE	DECREASE
71000	<b>INSTRUCTION</b>		
71300	<b>VOCATIONAL EDUCATION PROGRAM</b>		
71300 163	Aides		\$417.00
71300 201	Social Security		\$26.39
71300 204	State Retirement		\$17.71
71300 212	Medicare		\$6.38
71300 429	Instructional Supplies and Materials		\$6,195.16
71300 599	Other Charges		\$1,300.00
	<b>TOTAL:</b>	<b>\$0.00</b>	<b>\$7,962.64</b>
72000	<b>SUPPORT SERVICES</b>		
72130	<b>OTHER STUDENT SUPPORT</b>		
72130 123	Guidance Personnel		\$33.92
72130 201	Social Security		\$11.64
72130 204	State Retirement		\$2.17
72130 207	Health Insurance		\$1,100.08
72130 212	Medicare		\$3.22
	<b>TOTAL:</b>	<b>\$0.00</b>	<b>\$1,151.03</b>
72230	<b>VOCATIONAL EDUCATION PROGRAM</b>		
72230 355	Travel	\$9,113.67	
	<b>TOTAL:</b>	<b>\$9,113.67</b>	<b>\$0.00</b>
	<b>GRAND TOTAL:</b>	<b>\$9,113.67</b>	<b>\$9,113.67</b>

Total Increase/Decrease: \$0.00

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**FAYETTE COUNTY BOARD OF EDUCATION**  
**FEDERAL PROJECTS FUND**  
**FUND 142**  
**SUBFUND 085 - DRUG FREE SCHOOLS**  
**APRIL, 2000**

		INCREASE	DECREASE
72000	<b>SUPPORT SERVICES</b>		
72130	<b>OTHER STUDENT SUPPORT</b>		
72130 355 FAA	Travel	\$4,802.00	
72130 399 FAA	Other Contracted Services		\$1,000.00
72130 399 PUB	Other Contracted Services	\$8,000.00	
72130 499 PUB	Other Supplies and Materials		\$11,802.00
	<b>TOTAL:</b>	<b>\$12,802.00</b>	<b>\$12,802.00</b>

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Total Increase/Decrease: \$0.00

FAYETTE COUNTY BOARD OF EDUCATION  
 FEDERAL PROJECTS FUND  
 FUND 142  
 SUBFUND 091 - IDEA  
 APRIL, 2000

		INCREASE	DECREASE
1000	<b>INSTRUCTION</b>		
1200	<b>SPECIAL EDUCATION PROGRAM</b>		
1200 429	Instructional Supplies and Materials	\$20.00	
1200 312	Contracts w/Private Agencies	\$8,437.93	
	<b>TOTAL:</b>	<b>\$8,457.93</b>	<b>\$0.00</b>
2000	<b>SUPPORT SERVICES</b>		
2220	<b>SPECIAL EDUCATION PROGRAM</b>		
2220 312	Contracts w/Private Agencies		\$8,437.93
	<b>TOTAL:</b>	<b>\$0.00</b>	<b>\$8,437.93</b>
	<b>GRAND TOTAL:</b>	<b>\$8,457.93</b>	<b>\$8,437.93</b>
Total Increase:		\$20.00	

Revenue:	47143 Special Education-Grants thru State	\$20.00
Revenue:	Prior Total Available Funds	\$1,935,466.59
	Total Increase This Amendment	\$20.00
	Total Available Funds This Amendment	\$1,935,486.59
Expenditures:	Prior Total Estimated Expenditures	\$1,935,466.59
	Total Increase This Amendment	\$20.00
	Total Estimated Expenditures This Amendment	\$1,935,486.59

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FAYETTE COUNTY BOARD OF EDUCATION  
 CENTRAL CAFETERIA FUND  
 FUND 143  
 APRIL, 2000

		INCREASE	DECREASE
73000	<b>OPERATION OF NON-INSTRUCTIONAL SERVICES</b>		
73100	<b>FOOD SERVICE</b>		
73100 165	Cafeteria Personnel		\$10,500.00
73100 189	Other Salaries and Wages	\$10,500.00	
	<b>TOTAL:</b>	<b>\$10,500.00</b>	<b>\$10,500.00</b>

Commissioner Harris, with the approval of the Budget Committee, presented and moved for the following amendment to the Public Works Fund #131. Motion was seconded by Commissioner Arnett and unanimously adopted by the Board. Same being as follows:

<u>REVENUES</u>			<u>AMENDMENT</u>	<u>AMENDED TOTAL</u>
46410	Bridge Program	-	16,000.00	597,000.00
46420	State Aid Program	-	24,000.00	168,000.00
	Total Estimated REvenues		40,000.00	4,201,530.00
 <u>EXPENDITURES</u>				
61000	Administration			
320	Due and Memberships	-	400.00	3,000.00
351	REntals	+	400.00	2,400.00
599	Other Charges	+	3,000.00	7,000.00
	Total 61000	+	3,000.00	126,215.00
63000	Highway & Bridge Maintenance			
141	Foremen	-	900.00	103,333.00
143	Equipment Operator	-	12,500.00	350,122.00
147	Truck Drivers	-	14,500.00	345,465.00
149	Laborers	-	10,700.00	231,373.00
168	Temp. Personnel	-	24,200.00	15,800.00
186	Longevity Pay	-	2,400.00	27,600.00
	Total 62000	-	65,200.00	1,437,915.00
63100	Operation & Main. of Equipment			
142	Mechanics	-	5,200.00	132,280.00
412	Diesel Fuel	+	3,600.00	93,000.00
425	Gasoline	+	1,400.00	25,760.00
	Total 63100	-	200.00	583,040.00
65000	Other Charges			
308	Consultants	-	700.00	300.00
452	Utilities	+	700.00	10,000.00
	Total 65000	-	.00	142,540.00
66000	Employee Benefits			
201	Social Security	-	2,000.00	114,400.00
204	State Retirement	-	6,000.00	56,225.00
205	Employee Ins.	+	9,000.00	129,000.00
210	Unemployment Comp.	-	1,000.00	4,000.00
	Total 66000	-	.00	384,105.00
68000	Capital Outlay			
726	State Aid Project	-	54,000.00	642,000.00
799	Other Construction	+	66,400.00	249,880.00
	Total 68000	+	12,400.00	1,304,480.00
91200	Highway & Street Capital Proj.			
599	Other Charges	+	10,000.00	68,000.00
	Total 91200	+	10,000.00	68,000.00
TOTAL ESTIMATED EXPENDITURES:		-	40,000.00	4,046,295.00

ESTIMATED ENDING FUND BALANCE 06/30 \$413,290.00 (no change)



Motion was made by Commissioner Harris, seconded by Commissioner Wilson, and unanimously carried by the Board adopting the following Resolution amending the General Purpose Fund #101 budget:

**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 April, 2000, 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:

**COUNTY GENERAL FUND  
BUDGET AMENDMENT  
F/Y 99/00  
April, 2000**

<u>Adjustment to Revenue Accounts:</u>	INCREASE	DECREASE
46310 Health Department Programs	\$ 8,000.00	(Designated funds)
<b>TOTAL INCREASE/DECREASE TO REVENUE ACCOUNT</b>	<b>\$ 8,000.00</b>	

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>51500 Election Commission</u>		
193 Election Workers		\$ 1,000.00
331 Legal Services	\$ 1,000.00	
Subtotal-51500	\$ 1,000.00	\$ 1,000.00
<u>52300 Property Assessor's Office</u>		
106 Deputy (ies)	\$ 2,415.00	
317 Data Processing Services		\$ 2,000.00
355 Travel		\$ 415.00
Subtotal-52300	\$ 2,415.00	\$ 2,415.00
<u>54150 Drug Enforcement</u>		
105 Supervisor/Director	\$ 3,877.00	
201 Social Security	\$ 241.00	
204 State Retirement	\$ 369.00	
Subtotal-54150	\$ 4,487.00	*

\* This is refunded by State to Fayette County through Fund #301/Drug Task Force



<b>54310 Fire Prevention &amp; Control</b>		
708	Communication Equipment	\$ 2,500.00
718	Motor Vehicle	\$ 10,500.00
790	Other Equipment	<u>\$ 8,000.00</u>
	<b>Subtotal-54310</b>	<b>\$ 10,500.00</b>
<b>55160 Dental Health Programs</b>		
355	Travel	\$ 5,000.00
413	Drugs & Medical Supplies	<u>\$ 3,000.00</u>
	<b>Subtotal-55160</b>	<b>\$ 8,000.00</b>
<b>56700 Parks and Fair Boards</b>		
105	Supervisor/Director	\$ 3000.00
191	Board & Committee Member Fees	<u>\$ 3,000.00</u>
	<b>Subtotal-56700</b>	<b>\$ 3,000.00</b>
	<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT</b>	<b>\$ 29,402.00</b>
		<b>\$ 16,915.00</b>

Prior Estimated Expenditures	\$6,590,610.00
Total Estimated Expenditures This Amendment	\$6,590,610.00
Projected Fund Balance before Amendment	\$ 77,109.00
Change in Fund Balance This Amendment	\$ 00.00
Estimated Ending Fund Balance as of June 30 <sup>th</sup> , 2000	\$ 77,109.00

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With no other matters to be brought before this Body, said meeting adjourned.

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JIM VOSS - Chairman  
County Mayor

ATTEST:

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Dell T. Graham, County Clerk