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FAYETTE COUNTY LEGISLATIVE BODY

May 23, 2000

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 23rd day of May, 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, Rhea "Skip" Taylor, Wayne Thomas, Gordon M. Tomlin and Myles Wilson.

Absent: Commissioner John S. Sullivan, Sr.

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 Kelley, and unanimously carried by the Board approving the minutes of the April 2000 meeting.

The Rose Race Track matter shown on the agenda was not addressed at this meeting, but will be at a later date.

Motion was made by Commissioner Kelley, seconded by Commissioner Morris, and unanimously carried by the Board adopting the following RESOLUTION establishing a speed limit on Ebenezer Loop, Evergreen Drive and Morris Drive.

RESOLUTION

BE IT RESOLVED, by the Board of County Commissioners and/or County Legislative body of Fayette County, Tennessee, in regular session assembled on this 23rd day of May, being the fourth Tuesday of said month and the regular monthly meeting date of the May 2000 said County Legislative Body, in the Courthouse at Somerville, Tennessee, that pursuant to the provisions of Chapter No 357 of the Private Acts of Tennessee 1967-68, and amended thereto, it shall be unlawful for any person to operate or drive a motor vehicle in excess of forty-five (45) miles per hour on Evergreen Drive, 40 miles per hour on Morris Drive, forty miles per hour on Ebenezer Loop in their entirety, for a distance of seven (7) miles, being located in the Fourteenth 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 Kelley, seconded by Commissioner Taylor, and unanimously carried by the Board adopting the following **RESOLUTION** establishing a speed limit on Price Road .

RESOLUTION

BE IT RESOLVED, by the Board of County Commissioners and/or County Legislative Body of Fayette County, Tennessee, in regular session assembled on this 23rd day of May being the fourth Tuesday of said month and the regular monthly meeting date of the May said County Legislative Body, in the Courthouse at Somerville, Tennessee, that pursuant to the provisions of Chapter No. 357 of the Private Acts of Tennessee 1967-68, and amended thereto, it shall be unlawful for any person to operate or drive a motor vehicle in excess of forty-five (45) miles per hour on Price Road in its entirety, for a distance of five (5) miles, being located in the Twelfth and Fourteenth Civil Districts 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 Kelley, seconded by Commissioner Arnett and unanimously carried by the Board appointing the following as **NOTARIES PUBLIC**: DANIELLE REDFEARN and JEAN W. ROBISON.

No report from the Mayor's office available.

Jim Smith reported orally for the Board of Public Works.

No report from the Board of Education.

Commissioner Morris reported for the County Development Committee then presented and moved for the adoption of the following **RESOLUTION** modifying the county Building Code. Motion was seconded by Commissioner Taylor and unanimously carried by the Board adopting the following:

AN ORDINANCE TO ADOPT VARIOUS STANDARD CODES RELATING TO INSPECTION ACTIVITIES OF UNINCORPORATED FAYETTE COUNTY, TENNESSEE AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES

SECTION 1: WHEREAS, it is the desire of Fayette County Board of Commissioners to adopt in all respects, the various Standard Codes relating to building, gas, mechanical and plumbing, and

WHEREAS the adoption of these codes is done to facilitate proper inspection activities by Fayette County relating to construction of buildings within said unincorporated Fayette County, Tennessee relating to public safety, health and general welfare;

NOW THEREFORE, be it ordained by Fayette County Board of Commissioners that the following codes are hereby adopted by reference as though they were copied herein fully:

STANDARD BUILDING CODE – 1999 EDITION;
STANDARD GAS CODE – 1994 EDITION;
STANDARD MECHANICAL CODE – 1994 EDITION;
STANDARD PLUMBING CODE – 1994 EDITION;
STANDARD UNSAFE BUILDING ABATEMENT CODE – 1985 EDITION

SECTION 2: BE IT FURTHER ORDAINED BY Fayette County Board of Commissioners that any matters in said code which are contrary to existing ordinances of unincorporated Fayette County shall prevail and that the Ordinance entitled Standard Building Code 1994 Edition is hereby repealed and, to the extent any existing Ordinances to the contrary are hereby repealed in that respect only.

SECTION 3: BE IT FURTHER ORDAINED that within said codes, when reference is made to the duties of a certain official named therein, that designated official of Fayette County, Tennessee who has duties corresponding to those of the named official in said code shall be deemed to the responsible official insofar as enforcing the provisions of said code are concerned.

SECTION 4: BE IT FURTHER ORDAINED that this ordinance shall take effect and be in force from and after its passage, the public welfare requiring it.

SECTION 5: BE IT FURTHER ORDAINED that the following amendment adopted by Fayette County Commissioners on March 26, 1996 remain in effect;

- I. Framing member spacing in one and two family dwellings;
 - (A) Members shall be placed no more than sixteen inches on center.
EXCEPTION:
 1. Rafters may be placed twenty four inches on center provided that:
 - (a) Roof sheathing is no less than 5/8 inch plywood with approved clips or 3/4 inch nominal thickness boards,
 - (b) Rafters not nailed directly to ceiling joint must be installed at the top plate with approved metal fastening straps.
- II. Lumber grade
 - (A) Utility grade will not be allowed for wall construction.
 - (B) Roof decking of 3/8 inch thickness or less will not be allowed.

PASSED AND APPROVED by Fayette County Board of Commissioners on the 23rd day of May, 2000.

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

Budget Committee Chairman Ronnie Harris reported orally on the pending tax sales between Largent Contracting, Inc. and home owners.

With the approval of the Budget Committee for passage, motion was made by Commissioner Harris, seconded by Commissioner Morris, and unanimously carried by the Board setting the employer contribution rate on retirement to 5.05%, effective July 01, 2000.

Having been reviewed by the Budget Committee and presented with their recommendation for passage, motion was made by Commissioner Harris, seconded by Commissioner Thomas and unanimously carried by the Board to change county employee insurance coverage to State of Tennessee.

With the approval of the Budget Committee for passage, motion was made by Commissioner Harris, seconded by Commissioner Taylor, and unanimously carried by the Board approving the following amendment to General Purpose Fund #141. Same being as follows:

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

	INCREASE	DECREASE
000		
INSTRUCTION		
100		
REGULAR INSTRUCTION PROGRAM		
100 429 BEPE Instructional Materials and Supplies		\$6,500.00
100 722 Regular Instruction Equipment	\$6,500.00	
100 722 PEPSI Regular Instruction Equipment	\$1,569.33	
TOTAL:	\$8,069.33	\$6,500.00
000		
SUPPORT SERVICES		
120		
HEALTH SERVICES		
120 131 Medical Personnel		\$500.00
120 204 State Retirement		\$500.00
120 413 Drugs and Medical Supplies	\$1,000.00	
TOTAL:	\$1,000.00	\$1,000.00
710		
TRANSPORTATION		
710 412 Diesel	\$55,000.00	
710 425 Gasoline	\$25,000.00	
710 729 Transportation Equipment	\$23,950.00	
TOTAL:	\$103,950.00	\$0.00
000		
CAPITAL OUTLAY		
100		
REGULAR CAPITAL OUTLAY		
100 707 AB1 Building Improvements	\$66,034.00	
100 799 Other Capital Outlay		\$23,950.00
TOTAL:	\$66,034.00	\$23,950.00

90000	CAPITAL PROJECTS		
91300	EDUCATION CAPITAL PROJECTS		
91300 308	Consultants	\$12,857.80	
91300 724	Site Development		\$12,857.80
	TOTAL:	\$12,857.80	\$12,857.80
	GRAND TOTAL:	\$191,911.13	\$44,307.80

Total Increase: \$147,603.33

Revenue:	44570 AB1 Contributions and Gifts	\$20,000.00
	46980 AB1 Other State Grants	\$26,034.00
	47190 AB1 Title XX	\$20,000.00
	Total:	\$66,034.00

Reserve:	35110 PEPSI Designated Reserve	(\$1,569.33)
	39000 Undesignated Fund Balance	(\$80,000.00)
	Total:	(\$81,569.33)

Revenue:	Prior Total Available Funds	\$20,779,884.11
	Total Increase This Amendment	\$66,034.00
	Total Available Funds This Amendment	\$20,845,918.11

Expenditure:	Prior Total Estimated Expenditures	\$20,008,683.61
	Total Increase This Amendment	\$147,603.33
	Total Estimated Expenditures This Amend	\$20,156,286.94

With approval of the Budget Committee for passage, motion was made by Commissioner Harris, seconded by Commissioner Arnett, and unanimously carried by the Board approving the following amendment to the Public Works Budget. Same being as follows:

<u>EXPENDITURES</u>	<u>AMENDMENT</u>	<u>AMENDED TOTAL</u>
62000 Hwy. & Br. Maint		
103 Assistant(s)	\$ 29,000.00	\$ 6,000.00
168 Temp. Personnel	5,000.00	10,800.00
187 Overtime Pay	10,000.00	24,000.00
405 Asphalt-Liquid	1,000.00	9,000.00
409 Crushed Stone	1,000.00	69,000.00
443 Road Signs	3,000.00	12,000.00
446 Small Tools	1,000.00	4,000.00
456 Gravel & Chert	3,000.00	14,000.00
468 Chemicals	20,800.00	4,200.00
499 Other Supplies & Mat'l	3,500.00	5,000.00
Total 62000	\$ 77,300.00	\$1,360,615.00

3100 Oper. & Maint. of Equip.			
336 Maint. & Repair - Equip.	+	\$ 2,000.00	\$ 27,000.00
418 Equip. & Machinery Parts	-	35,000.00	130,000.00
433 Lubricants	-	2,000.00	18,000.00
499 Other Supplies & Mat'l	-	2,000.00	7,000.00
799 Other Capitol Outlay	-	10,000.00	40,000.00
Total 63100	-	\$ 47,000.00	\$ 536,040.00
5000 Other Charges			
452 Utilities	+	\$ 1,000.00	\$ 11,000.00
Total 65000	+	\$ 1,000.00	\$ 143,540.00
68000 Capitol Outlay			
705 Bridge Const.	-	\$ 6,700.00	\$ 93,300.00
799 Other Capitol Outlay	+	130,000.00	140,000.00
Total 68000	+	\$ 123,300.00	\$1,427,780.00
Total Estimated Expenditures:	-	\$ 0.00	\$4,046,295.00

Estimated Ending Fund Balance-

6/30/00

\$413,290.00
(No Change)

Motion was made by Commissioner Harris, seconded by Commissioner Morman, and unanimously carried by the Board approving the following amendment to General Purpose Fund #101. 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 May, 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 May, 2000

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
51100 County Commission		
331 Legal Services	\$ 237.00	
351 Rentals	\$ 3.00	
355 Travel		\$ 237.00
414 Duplicating Services		\$ 3.00
Subtotal-51100	\$ 240.00	\$ 240.00

<u>51300 County Executive</u>		
349 Printing, Stationery & Forms	\$ 2.00	
351 Rentals		\$ 2.00
	<hr/>	<hr/>
Subtotal-51300	\$ 2.00	\$ 2.00
<u>51500 Election Commission</u>		
193 Election Workers	\$ 3,401.00	
332 Legal Notices		\$ 1,001.00
355 Travel		\$ 2,400.00
	<hr/>	<hr/>
Subtotal-51500	\$ 3,401.00	\$ 3,401.00
<u>51600 Register of Deeds</u>		
307 Communication	\$ 336.00	
349 Printing, Stationery & Forms		\$ 336.00
	<hr/>	<hr/>
Subtotal-51600	\$ 336.00	\$ 336.00
<u>51710 Development</u>		
191 Board & Committee Member Fees	\$ 3,500.00	
332 Legal Notices	\$ 400.00	
499 Other Supplies & Materials	\$ 300.00	
599 Other Charges	\$ 400.00	
709 Data Processing Equipment		\$ 4,600.00
	<hr/>	<hr/>
Subtotal-51710	\$ 4,600.00	\$ 4,600.00
<u>51730 Building</u>		
355 Travel	\$ 50.00	
425 Gasoline		\$ 50.00
	<hr/>	<hr/>
Subtotal-51730	\$ 50.00	\$ 50.00
<u>51800 County Buildings</u>		
168 Temporary Personnel	\$ 600.00	
451 Uniforms		\$ 600.00
	<hr/>	<hr/>
Subtotal-51800	\$ 600.00	\$ 600.00
<u>51810 Other Facilities</u>		
335 Maintenance & Repair-Buildings		\$ 100.00
415 Electricity	\$ 100.00	
	<hr/>	<hr/>
Subtotal-51810	\$ 100.00	\$ 100.00
<u>52100 Accounting & Budgeting</u>		
337 Maintenance & Repair-Office Equip		\$ 2.00
351 Rentals	\$ 2.00	
	<hr/>	<hr/>
Subtotal-52100	\$ 2.00	\$ 2.00
<u>52300 Property Assessor's Office</u>		
355 Maintenance & Repair-Buildings		\$ 300.00
425 Gasoline	\$ 300.00	
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Subtotal-52300	\$ 300.00	\$ 300.00

52400 County Trustee's Office

196 In-Service Training		\$ 35.00
320 Dues & Memberships	\$ 35.00	
355 Travel	\$ 550.00	
709 Data Processing Equipment	\$ 425.00	
719 Office Equipment		\$ 975.00

Subtotal-52400 \$ 1,010.00 \$ 1,010.00

52500 County Clerk's Office

106 Deputy (ies)		\$ 3,276.00
435 Office Supplies		\$ 1,100.00
709 Data Processing Equipment	\$ 4,376.00	

Subtotal-52500 \$ 4,376.00 \$ 4,376.00

53100 Circuit Court

194 Jury & Witness Fees	\$ 7,200.00	
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Subtotal-53100 \$ 7,200.00

53320 General Sessions Court Clerk

106 Deputy (ies)		\$ 7,200.00
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Subtotal-53320 \$ 7,200.00

53310 General Sessions Judge

432 Library Books/Media	\$ 350.00	
435 Office Supplies		\$ 350.00

Subtotal-53310 \$ 350.00 \$ 350.00

53400 Chancery Court

106 Deputy (ies)	\$ 85.00	
169 Part-Time Personnel		\$ 85.00
194 Jury & Witness Fees		\$ 1,000.00
355 Travel	\$ 1,000.00	

Subtotal-53400 \$ 1,085.00 \$ 1,085.00

53500 Juvenile Court

337 Maintenance & Repair-Office Equip	\$ 1,800.00	
354 Transportation		\$ 250.00
399 Other Contracted Services		\$ 1,550.00

Subtotal-53500 \$ 1,800.00 \$ 1,800.00

54110 Sheriff's Department

106 Deputy (ies)		\$10,000.00
109 Captain (s)		\$15,000.00
115 Sergeant (s)	\$ 500.00	
351 Rentals	\$ 500.00	
425 Gasoline	\$11,000.00	
451 Uniforms	\$ 600.00	
452 Utilities	\$ 600.00	

Subtotal-54110 \$13,200.00 \$25,000.00

<u>54150 Drug Enforcement</u>		
140 Salary Supplements		\$ 600.00
168 Temporary Personnel	\$ 600.00	
201 Social Security	\$ 37.00	
204 State Retirement	\$ 62.00	
205 Employee & Dependent Insurance	\$ 1.00	
212 Employer Medicare	\$ 65.00	
513 Worker's Compensation		<u>\$ 165.00</u>
Subtotal-54150	\$ 765.00	\$ 765.00
<u>54210 Jail</u>		
148 Dispatchers		\$ 4,000.00
160 Guards		\$ 1,500.00
165 Cafeteria Personnel		\$ 2,609.50
410 Custodial Supplies	\$ 2,500.00	
435 Office Supplies	\$ 500.00	
441 Prisoners Clothing	\$ 2,000.00	
451 Uniforms	\$ 500.00	
452 Utilities	\$ 1,500.00	
716 Law Enforcement Equipment	\$ 500.00	
Subtotal-54210	\$ 7,500.00	\$ 8,109.50
<u>54220 Workhouse</u>		
165 Cafeteria Personnel	\$ 2,609.50	
Subtotal-54220	\$ 2,609.50	
<u>54410 Civil Defense</u>		
307 Communication	\$ 270.00	
349 Printing, Stationery & Forms		<u>\$ 270.00</u>
Subtotal-54410	\$ 270.00	\$ 270.00
<u>54420 Rescue Squad</u>		
338 Maintenance & Repair-Vehicles	\$ 800.00	
Subtotal-54420	\$ 800.00	
<u>54610 County Coroner/Medical Examiner</u>		
309 Contracts with Government Agencies	\$ 6,000.00	
Subtotal-54610	\$ 6,000.00	
<u>54900 Other Public Safety</u>		
142 Mechanic (s)		\$ 1,500.00
335 Maintenance & Repair-Buildings		\$ 500.00
417 Equipment Parts-Light	\$ 5,000.00	
Subtotal-54900	\$ 5,000.00	\$ 2,000.00
<u>55110 Local Health Center</u>		
307 Communication		\$ 725.00
328 Janitorial Services		\$ 265.00
335 Maintenance & Repair-Buildings	\$ 1,000.00	
351 Rentals	\$ 280.00	
413 Drugs & Medical Supplies		\$ 2,750.00
435 Office Supplies	\$ 2,660.00	
452 Utilities		<u>\$ 200.00</u>
Subtotal-55110	\$ 3,940.00	\$ 3,940.00

55120 Rabies and Animal Control

332 Legal Notices	\$	665.00
401 Animal Food & Supplies	\$	50.00
451 Uniforms	\$	215.00
499 Other Supplies	\$	400.00

Subtotal-55120 \$ 665.00 \$ 665.00

555130 Ambulance/Emergency Medical

413 Drugs & Medical Supplies	\$	360.00
451 Uniforms	\$	360.00

Subtotal-55130 \$ 360.00 \$ 360.00

55720 Sanitation Education

204 State Retirement	\$	47.00
205 Employee & Dependent Insurance	\$.04
212 Employer Medicare		\$.04
443 Road Signs		\$ 47.00

Subtotal-55720 \$ 47.04 \$ 47.04

56500 Libraries

337 Maintenance & Repair-Office Equip	\$	1,000.00
432 Library Books/Media	\$	1,000.00

Subtotal-56500 \$ 1,000.00 \$ 1,000.00

57100 Agriculture Extension Service

191 Board & Committee Member Fees	\$	200.00
307 Communication		\$ 200.00

Subtotal-57100 \$ 200.00 \$ 200.00

TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT \$ 67,808.54 \$ 67,808.54

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 30th, 2000 \$ 77,109.00

Motion was made by Commissioner Harris, seconded by Commissioner Brewer and unanimously carried by the Board adopting the following Resolution for continuing budget and tax anticipation notes. Same being as follows:

**A RESOLUTION TO ADOPT A CONTINUING BUDGET
AND TAX RATE FOR THE FISCAL YEAR BEGINNING
JULY 1, 2000, AND TO AUTHORIZE THE ISSUANCE OF
TAX ANTICIPATION NOTES FOR THE COUNTY OF FAYETTE**

WHEREAS, it now appears that the 2000-01 fiscal year budget of Fayette County, Tennessee, will not be approved during the 2000 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 1999-00 Appropriation Resolution are hereby continued until a new 2000-01 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, 1999, 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 2000-01 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, 2001.

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, 2000.

Adopted this 23rd day of May, 2000.

Motion was made by Commissioner Harris, seconded by Commissioner Thomas approving Legislative action on a \$25.00 Wheel Tax increase. Upon roll call vote, the following Commissioners voted "YES": Commissioners Arnett, Bonner, Brewer, Burnette, Doyle, German, Harris, Kelley, Morman, Morris, Taylor, Thomas, Tomlin, Wilson. (14)

Voting "NO" : Commissioners Cox, Graves, Logan, Moore. (4)

Absent: Commissioner Sullivan.

Thereupon, said motion carried increasing the Wheel Tax by \$25.00.

Effective date, July 01, 2000.

With no other matters to be brought before the Board, said meeting adjourned.

JIM VOSS - Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk