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FAYETTE COUNTY LEGISLATIVE BODY

August 28, 2001

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 28th day of August, 2001.

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 Arnett, and unanimously carried by the Board approving the minutes of the July meeting and the Special Call August meeting.

Now before the Board was the rezoning request of J. C. and Betty Stewart for property located in Civil District 2 to be rezoned from B - 1 to B - 3 for operation of a grocery store. Having been before the Planning Commission, this was presented with their recommendation for passage.

Chairman Voss then opened the floor to the public for comments in favor of and in opposition to the rezoning. With no comments being offered, the floor was closed to the public. Motion was then made by Commissioner German, seconded by Commissioner Graves and unanimously carried by the Board approving the rezoning request. Said location being as follows:

LOT NO. 2: Beginning at a stake this being in south margin of U.S. Highway No. 64, and 1.70 chains north of northwest corner of J. K. Kelley and in a west side line of tract owned by B. K. Morrison, from this point south, with line of Morrison and Kelley 5.75 chains to a rock in fence row; thence North 76 degrees west, with line of Green, 4.80 chains to a stake; thence North 27 degrees west passing at 41 links the southeast corner of a 1 acre lot owned by Havercamp, and on in all, 2.0 chains to an iron stake in the south margin of above mentioned Highway, this being northeast corner of Havercamp; thence North 63 degrees east with south margin of said Highway NO. 64, 6.25 chains to the beginning and containing 1.90 acres, per survey of Ashley G. Wiles, County Surveyor of Fayette County, Tennessee and being the same property conveyed to Bobby G. Miles and wife Brenda Miles by deed of record in said Register's Office in Book 272, Page 52.

LOT NO. 3: Lying just EAST of the village of Laconia on the south side of U.S. Highway 64 and being at a point in the south margin of said highway, the same being M.T. Taylor's northwest corner and running thence South with his west boundary line 105 feet to a stake in B. K. Morrison's north boundary line 320 feet to a stake; thence NORTH (being a new line) 105 feet to a stake on the south margin of U.S. Highway No. 64; thence east with margin of said highway 320 feet to the point of beginning and containing approximately three-fourth (3/4) acre, and being the same property conveyed to Bobby G. Miles and wife, Brenda Miles by deed in said Register's Office in Book 272, Page 52.

BUT EXCLUDING THE FOLLOWING AREAS:

PARCEL NO. 1 BEGINNING at ROW marker on proposed south ROW line of State Project 24004-2217-14, said marker located 100 feet right of Survey Centerline Station 92+75; thence S 43" 43' W 26.93 feet along said proposed ROW line to a ROW marker located 110 feet right of Survey Centerline Station 92+50; thence S 62" 53' 22" W, 282.42 feet along said proposed ROW line to the point of intersection with the common property line between Harman Havercamp and the grantor herein, said point located 123.48 feet right of Survey Centerline Station 89+57.89; thence N 24" 28' 05" W, 23 48 feet along said common property line to the point of intersection with the existing south ROW line of SR 15 said point located 100 feet right of Survey Centerline Station 89+57.89; thence N 65" 32' 00"E. 317.11 feet along said existing ROW line to the point of beginning

PARCEL NO. 2 BEGINNING at a point on the proposed south ROW line of State Project 24004-2217-14, said point on the common property line between Timothy D. Bebee and the grantor herein and located 130 feet right of Survey Centerline Station 96+71.11; thence S 65" 31' 55" W, 25.11 feet along said proposed ROW line to a ROW marker located 130 feet right of Survey Centerline Station 96+50; thence N 69" 28' 05" W. 42.43 feet along said proposed ROW line to a ROW marker on the existing south ROW line of SR 15, said marker located 100 feet right of Survey Centerline Station 96+20; thence N 65" 32' 00" E 70.40 feet along said existing ROW line to the point of intersection with the common corner between Timothy D. Bebee and the grantor herein; said point located 100 feet right of Survey Centerline Station 96+90.39; thence S 02" 32' 00" W, 33.67 feet along the common property line between Timothy D. Bebee and the grantor herein to the point of beginning

Parcels 1 and 2 contain a total of 0 148 acre, more or less

Chairman Voss presented the recommendation of the Development Committee and County Commission to define "Moderate Density" in the Zoning Ordinance and the County Growth Plan as: three (3) houses per acre where there is public water and sewer and one (1) house per acre or as required by State law where no public water and sewer exists. High density is 10,000 square feet of land per home where public water and sewer is available. Low density is more than one (1) acre per house. Chairman Voss opened the floor for public hearing. With no comments being offered, the floor was closed. Motion was then made by Commissioner Morris, seconded by Commissioner Norman to approve this recommendation.

Commissioner Burnette then addressed the Board and advised that under TCA-13-7-107 he did not feel that action could be taken on this matter at this time. After further discussion, motion was made by Commissioner Taylor, seconded by Commissioner Logan and unanimously carried by the Board to table action on this matter until the next full meeting of this Commission.

Motion was then made by Commissioner Doyle, seconded by Commissioner Graves, and unanimously carried by the Board to withdraw the inquiry on roads and R-1 and R-2 change.

Motion was made by Commissioner Kelley, seconded by Commissioner Arnett and unanimously carried by the Board approving the following as Notaries Public: George David Blackburn, Calvin L. Bogan, Sandra B. Griffin, Nancy A. Warner, Mary K. Waterbury and Mary Woods.

Reports from the Mayor's Office and Board of Public Works were called for, but none available.

Myles Wilson reported orally for the Board of Education.

Commissioner Morris, Chairman of County Development, acknowledged Commissioner Taylor who reviewed a Road Pavement Evaluation Summary from the Board of Public Works.

Commissioners discussed the attempt of the City of Piperton to annex. The Commissioners disapproved the Piperton annexation. Motion was made by Commissioner Morris, seconded by Commissioner Kelley, and unanimously carried by the Board authorizing the County Attorney, upon receipt of proper executed and approved petitions, to act on behalf of the citizens against annexation by the City of Piperton.

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

Commissioner Kelley reported orally for the Criminal Justice & Public Committee advising that this committee was reviewing a uniform speed limit for county roads.

Commissioner Tomlin reported orally for the Health & Welfare Committee advising that funds from the sale of old equipment was deposited with the Solid Waste Fund.

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

Commissioner Harris reported for the Budget Committee and presented their recommendation to refund to Eric Zorn the \$500.00 fee paid to the County for rezoning which rezoning request was withdrawn. Motion was made by Commissioner Harris, seconded by Commissioner Graves and unanimously carried by the Board approving the refund.

Commissioner Logan questioned the amount received from the sale of the old equipment as reported by the Health & Welfare Committee, and was advised that the amount received was \$350.00.

Commissioner Taylor questioned the employment of one working on the census for Fayette County. Chairman Voss advised that Reynould Lewis was working through the Development Office on a Census recount for Fayette County.

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

JIM VOSS - Chairman
Mayor

ATTEST:

Dell T. Graham, County Clerk