

FAYETTE COUNTY LEGISLATIVE BODY

July 24, 2001

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FILE COPY

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 24th day of July, 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, Willie German, Ronnie Harris, David Kelley, Sylvester Logan, Calvin Moore, Alonzo Morman, Jr., David Morris, John S. Sullivan, Sr., Rhea "Skip" Taylor, Gordon M. Tomlin and Myles Wilson.

Absent: Commissioners Ronnie Graves and Wayne Thomas.

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

Having been reviewed and approved by the Planning Commission and the Development Committee the rezoning request of Larry and Donna Goodwin came before the Board. This was a request to rezone 14.16 acres located in Civil District 9 from R -1 to SA for location of a dog kennel.

The floor was opened for Public Hearing. No comments offered. The floor was closed to the public.

Motion was then made by Commissioner Morris, seconded by Commissioner Arnett and unanimously carried by the Board rezoning the property as requested. Same being as follows:

Beginning at a point in this west line of Old Imogene Smith Tract, this point being 644 feet north of old corner post on the southwest corner of said Smith tract, from said point of beginning, North 322.0 feet to a point by old fence corner, the southwest corner of R.B. Smith 40.35 acre tract and in the east line of old Clarence Willis 40.78 acre tract; thence east along old fence row, 1915.0 feet to a point in the center of Hwy 196 (Canadaville and Hickory Withe Road); thence South along said road, 322.0 feet to a point; thence West, with north line of remainder of Imogene Smith Tract, 1915.0 feet to the point of beginning.

Motion was made by Commissioner Arnett, seconded by Commissioner Logan and unanimously carried by the Board appointing the following as Notaries Public: Dennie Bryant, Deborah F. Craft, Michele Rose, Janet A. Tucker, Sandra K. Wade and Linda L. Wieland.

Motion was made by Commissioner Moore, seconded by Commissioner Arnett and unanimously carried by the Board appointing the following to the Library Board: Joe Rimstidt and Betty Mascari.

Motion was made by Commissioner Morman, seconded by Commissioner Cox and unanimously carried by the Board approving the following Bond of Myles Wilson as Superintendent of Schools:

SURETY'S BOND NO. 69179398

STATE BOND FORM
COB-7(82)

STATE OF TENNESSEE
COUNTY OF Fayette
OFFICIAL STATUTORY BOND
FOR
COUNTY PUBLIC OFFICIALS
OFFICE OF Director of Schools

KNOW ALL MEN BY THESE PRESENTS:

That Myles G. Wilson 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 One Hundred Thousand & no/100 Dollars (\$ 100,000.) 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 X appointed to the office of Director of Schools of and for Fayette County for the (4) year term beginning on the 1st day of July ~~19~~ 2001 and ending on the 1st day of July ~~19~~ 2005

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

That if the said Myles G. Wilson, Principal, shall:

1. Faithfully perform the duties of the office of Director of Schools 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 13th day of June ~~19~~ 2001

WITNESS ATTEST:

J. B. Bowling

PRINCIPAL:

Myles G. Wilson

SURETY:

WESTERN SURETY COMPANY

by:

J. Friman

J. Friman, Ass't. Sec.

COUNTERSIGNED BY:

Glenn 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 Myles G. Wilson 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 19th day of June, 192001

My Commission Expires: December 10th, 192003

Blenda 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 J. Friman, 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 13th day of June, 192001

My Commission Expires: C. ANKENY, 19
My Commission Expires 4-10-2005

C. Ankeny
Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee
Form Approved by the Attorney General, State of Tennessee

Annual Financial Reports of Constitutional Officials were filed by the Clerk & Master, County Clerk, Circuit Court, General Sessions; Trustee, Register of Deeds, Sheriff and Juvenile Court.

Reports of Errors and Double Assessments and Delinquent Real, Personal and Public Utilities Taxes were filed by the Trustee.

Report was called for from the Board of Public Works, but none presented.

Written reports from the Sheriff's Department and Juvenile Court were filed.

Commissioner Morris reported for the County Development Committee. He advised that various committees and departments involved with Leach Road had met jointly. After discussion of the Leach Road project, Chairman Voss announced that a Special Call Meeting would be set to approve a contract between the City of Somerville and Fayette County on Leach Road work.

Commissioner Morris then presented for discussion the matter of **extraordinary septic tanks**. After much discussion, motion was made by Commissioner Morris, seconded by Commissioner Norman to rescind the previous motion regarding extraordinary septic tanks and moved that on all lots that are required to be soil mapped by the State of Tennessee and require a septic system that exceeds a 1,000 gallon septic tank and 500 feet of field line, that a 2' x 2' sign be placed in the center of lot's road frontage within 20' of the public road right-of-way advising that the lot will require an extraordinary septic system. The wording on the sign is to be drafted by the State Health Department, signs to be purchased from the Development Office by the person selling the lot. Said motion was unanimously carried by the Board.

Commissioner Morris presented the recommendation of the Development Committee to recommend that the Planning Commission advertise and make recommendation to the County Commission at the August Commission Meeting for consideration by the County Commission amending the Fayette County Zoning Ordinance. Discussion followed.

Motion was then made by Commissioner Burnette, seconded by Commissioner Taylor and unanimously carried by the Board to recess to allow John Pitner to address the Board on this subject.

With the meeting back in order and after further discussion, Commissioner Morris repeated his motion in full as follows: To recommend that the Planning Commission advertise and make recommendation to the County Commission at the August Commission Meeting for consideration by the County Commission amending the Fayette County Zoning Ordinance as follows:

1. Proposed that a definition of moderate density for residential development in the unincorporated area of Fayette County be three dwellings per acre where there is public water and sewer and one dwelling per acre, or as required by the State of Tennessee Health Department, where there is no public water and sewer.
2. That the R-1 classification be changed to FA and that all property now zoned R-1 be zoned R-2 with the exception of those properties recommended to be rural, by the three judge panel in Nashville, as indicated on the map referenced by their non-binding recommendation.
3. That the R-2 zoning be amended to include the requirement that construction of all new roads be approved for construction by the County Commission prior to submission of a subdivision plat containing the road to the Planning Commission or prior to construction of any roads not requiring submission to the Planning Commission.

After further discussion, motion was seconded by Commissioner Kelley. Verbal vote was declared to have approved the motion. Roll call vote was requested. Voting "YES": Commissioners Arnett, Bonner, Brewer, Cox, Doyle, Harris, Kelley, Moore, Norman, Morris, Tomlin and Wilson. (12)

Voting "NO": Commissioners Burnette, German, Logan, Sullivan and Taylor. (5)

Thereupon, said motion carried.

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

Thereupon, said meeting adjourned.

JIM VOSS - Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk