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FAYETTE COUNTY LEGISLATIVE BODY

February 26, 2002

**BE IT REMEMBERED** That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 26th day of February, 2002.

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, Ronnie Graves, Willie German, Rounce Harris, Sylvester Logan, Calvin Moore, Alonzo Norman, Jr., David Morris, John S. Sullivan, Sr., Rhea "Skip" Taylor, Wayne Thomas, Gordon M. Tomlin and Nyles Wilson.

Absent: Commissioners Carl Doyle and David Kelley.

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

Motion was made by Commissioner Graves, seconded by Commissioner Logan and unanimously carried by the Board approving the minutes of the January 2002 meeting.

Motion was made by Commissioner Tomlin, seconded by Commissioner Sullivan, and unanimously carried by the Board adopting the following Resolution recognizing ALFRED ALLEN HODGES former County Commissioner:

**RESOLUTION IN RECOGNITION OF ALFRED ALLEN HODGES YEARS OF SERVICE TO THE COMMUNITY**

WHEREAS, ALFRED ALLEN HODGES retired as a Fayette County Commissioner after serving on said Commission from September, 1950 until August, 1966 and

WHEREAS, he was a lifelong resident of Hickory Withe, Tennessee;

WHEREAS, he was engaged and employed as a farmer, community leader and a County Commissioner and

WHEREAS, Alfred Allen Hodges died on Tuesday, March 27, 2001 at 8:00 P.M. at the age of eighty two (82) years of age and

WHEREAS, Alfred Allen Hodges was born May 8, 1918 in Hickory Withe Tennessee the son of the late John (Jack) Rodgers and Mary Ellen Sammons Hodges, early residents of Hickory Withe. He was a 1937 graduate of Fayette County High School. Alfred Allen Hodges served for over three years in the Army Air Corp during World War II. He was a member of the 60th Fighter Squad and was station for a period in Burma and

WHEREAS, Alfred Allen Hodges was a farmer and land owner in Hickory Withe throughout his life; he was a devoted and faithful member of the Hickory Withe Presbyterian Church where he was an officer since 1935 and

WHEREAS, he was a Fayette County Commissioner for thirty years and a Fayette County Farm Bureau director for thirty one years and

WHEREAS, he was a member of the VFW Post 5013 and was Post Commander from 1985 to 1990 and

WHEREAS, for over forty years Alfred Hodges was Trustee of the Mt Pleasant Cemetery Association and care taker of the cemetery; and

WHEREAS, upon his retirement from farming Alfred Allen Hodges remained very active; that he volunteered at the Veterans Administration Hospital for twelve years receiving numerous service awards; that he was a regular visitor to the residents of the Somerville Nursing Home and

WHEREAS, his hobbies included restoration of antique automobiles in which he restored a 1924 Dodge and won many awards at area car shows and

WHEREAS, the 101st General Assembly of the State of Tennessee past a resolution honoring him for his services to the community, specifically his volunteer work at the Veterans Administration Hospital and his involvement with the VFW Post No. 5013 and

WHEREAS, Alfred Allen Hodges served as a spokesman of the Hickory Withe Community for many years and is well known for his love of Fayette County and Hickory Withe and

WHEREAS, Alfred Allen Hodges was instrumental in the incorporation and creation of the City of Hickory Withe in Fayette County, Tennessee and

WHEREAS, Alfred Allen Hodges was married to Mary Otie Murrell Hodges on May 14, 1943; that he had a son, John Allen Hodges of Jackson, Tennessee, a daughter, Jane Hodges Mitchell of Hickory Withe, Tennessee; that he had three grandchildren, Terry Ann Mitchell of Hickory Withe, Tennessee, Melanie Jane Mitchell of Memphis, Tennessee and John Michael Hodges of Memphis, Tennessee and

WHEREAS, he lived an exemplary life and was a credit to his community and

WHEREAS, Fayette County, Tennessee has been diminished by his passing and the Fayette County Commission wishes to record upon its minutes its statement of admiration, respect and affection for Alfred Allen Hodges and for his lifetime of service and leadership in the community.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF FAYETTE COUNTY, TENNESSEE wishes to honor Alfred Allen Hodges for his thirty years of services to the Fayette County Board of Commissioners, for his service to the City of Hickory Withe, Tennessee and the community, for

a point, thence north 02° 56' 45" west, 37.18 feet to a point in the south right-of-way line of U.S. Hwy No. 64; thence, north 78° 26' 47" east with the south right-of-way of said U.S. Hwy No. 64, 4.74 feet to a found right-of-way monument; thence, north 8° 57' 32" west with the south right-of-way of said U.S. Hwy No. 64, 20.78 feet to the point of beginning and containing 24.28 Acres of land.

Motion was made by Commissioner Norman, seconded by Commissioner Arnett and unanimously carried by the Board appointing the following as **Notaries Public**: Linda D. Carneal, W. F. Carneal, Jr., Tammy J. Crump, Dianne Y. German, Kimberlee D. Kee, Lenita McCraw, Joyce J. Murphy, Linda B. Pleasants, Tricia A. Porter and Terri L. Richmond.

Motion was made by Commissioner Tomlin, seconded by Commissioner German, and unanimously carried by the Board appointing the following to the **Agricultural Committee**: Jane Mitchell, Bill Cowan, Jr., and Wayne Thomas.

Motion was made by Commissioner Burnette, seconded by Commissioner Brewer, and unanimously carried by the Board appointing **J. Payson Matthews** as **Back Tax Attorney**.

Commissioner Graves asked the Chairman to address **Item 8.3 Appointment to 911 Board**. Chairman Voss advised that appointments were previously recommended by the 911 Board and the Director of 911 Board notifying when appointments were to be made. Future appointments will be made by the appropriate committee. He also advised that findings on the 922 Audit would be public record.

Report for the Board of Education will be reported under the County Development Committee report.

A written report from the Board of Public Works was filed.

Report from the Sheriff's Department was called for, but none available.

As recommended by the County Development Committee for passage, motion was made by Commissioner Morris, seconded by Commissioner Moore and unanimously carried by the Board accepting **Lake Point Cove** as a new subdivision road.

Commissioner Morris then addressed the problem on **LEACH ROAD**. This led to much discussion. Several suggestions were made to solve this problem as were several motions, which were withdrawn. Motion was then made by Commissioner Taylor, seconded by Commissioner Sullivan to allow Mrs. Thompson to obtain a plan for correction of the problem with the cost not to exceed \$8,000.00. Said motion carried with one (1) "NO" vote.

Motion was made by Commissioner Morris, seconded by Commissioner German, and unanimously carried by the Board to authorize request for proposal for engineering service for the Jail/Criminal Justice Center if this has not already been awarded to Barge-Waggoner-Summer & Cannon.

his service to the Veterans Administration, for his service to the VFW Camp No. 5013 for his defense of the United States during World War II, that great peril to his own life; for being a loving father, a faithful husband and leading an exemplary life in his community, his Church, Fayette County and at his home. It is hereby moved that a resolution commending Alfred Allen Hodges be approved; that it be of record and that said resolution be spread upon the minutes of the Fayette County Board of Commissioners.

Todd Williams of the Planning Commission presented the rezoning request of Dr. Edward Weber Ivy regarding property located on Highway 64 east of the Town of Hickory Withe and Whitworth Creed in Civil District 7 for use as a professional office complex. This was presented with the recommendation of the Planning Commission for rezoning from R - 3 to B - 1.

The floor was then opened to the public for comments in favor of or in opposition to the rezoning. None were presented.

Motion was then made by Commissioner Graves, seconded by Commissioner Thomas and unanimously carried by the Board rezoning said property, same being described as follows:

Beginning at a point in the south right-of-way line of U.S. Hwy No. 64, said point being a found concrete right-of-way marker, thence, from said point of beginning, north  $76^{\circ} 40' 53''$  east with the south right-of-way of said U.S. Hwy No. 64, 649.32 feet to a point; thence, north  $76^{\circ} 13' 29''$  east with the south right-of-way of said U.S. Hwy No. 64, 405.49 feet to a found right-of-way monument thence, north  $78^{\circ} 33' 13''$  east with the south right-of-way of said U.S. Hwy No. 64, 98.65 feet to a found right-of-way monument; thence, north  $87^{\circ} 37' 36''$  east with the south right-of-way of said U.S. Hwy 64, 149.56 feet to a found right-of-way monument; thence, north  $91^{\circ} 14' 47''$  east with the south right-of-way of said U.S. Hwy No. 64, 7.78 feet to a point; thence leaving said U.S. Hwy No. 64 right-of-way, south  $13^{\circ} 19' 07''$  east 326.78 feet to a point; thence, south  $59^{\circ} 03' 19''$  west, 771.23 feet to a point; thence, along a curve to the right with a radius of 725.00 feet a tangent length of 39.64 feet, a central angle of  $5^{\circ} 51' 23''$ , the long chord of which bears south  $17^{\circ} 59' 27''$  west for a distance of 79.18 feet; thence along the arc of said curve for a distance of 79.22 feet to a point; thence south  $20^{\circ} 55' 10''$  west 322.03 feet to a point; thence, along a curve to the left with a radius of 725.00 feet, a tangent length of 223.40 feet, a central angle of  $34^{\circ} 14' 17''$ , the long chord of which bears south  $03^{\circ} 48' 01''$  west for a distance of 426.82 feet; thence along the arc of said curve for a distance of 433.24 feet to a point, thence, south  $13^{\circ} 19' 07''$  east, 102.00 feet to the eastern top of bank of an existing ditch; thence along the eastern top of bank of said ditch the following calls, north  $44^{\circ} 57' 13''$  west, 98.25 feet to a point; thence, north  $54^{\circ} 54' 31''$  west 218.66 feet to a point; thence, north  $74^{\circ} 10' 30''$  west, 61.73 feet to a point; thence, north  $75^{\circ} 36' 37''$  west, 53.09 feet to a point; thence, north  $55^{\circ} 56' 01''$  west, 29.72 feet to a point; thence, north  $85^{\circ} 30' 29''$  west, 32.84 feet to a point; thence, south  $87^{\circ} 49' 27''$  west, 37.74 feet to a point; thence, south  $70^{\circ} 29' 09''$  west 74.53 feet to a point; thence, north  $15^{\circ} 30' 52''$  west, 49.46 feet to a point, thence, north  $14^{\circ} 07' 53''$  east, 20.48 feet to a point; thence, north  $07^{\circ} 33' 51''$  east, 36.66 feet to a point, thence north  $29^{\circ} 07' 15''$  west, 45.78 feet to a point; thence, north  $31^{\circ} 58' 37''$  west, 39.57 feet to a point; thence north  $05^{\circ} 57' 33''$  west, 113.32 feet to a point; thence, north  $04^{\circ} 98' 14''$  west, 40.06 feet to a point, thence, north  $06^{\circ} 24' 40''$  east, 21.76 feet to a point; thence, north  $05^{\circ} 36' 31''$  east; 33.65 feet to a point; thence, north  $24^{\circ} 12' 44''$  east 71.16 feet to a point; thence, north  $40^{\circ} 11' 01''$  east 33.47 feet to a point; thence, north  $05^{\circ} 49' 58''$  east 137.80 feet to a point; thence, north  $13^{\circ} 11' 37''$  east, 173.99 feet to a point; thence, north  $02^{\circ} 29' 21''$  west, 44.12 feet to a point; thence north  $50^{\circ} 21' 28''$  east, 21.69 feet to a point; thence, north  $38^{\circ} 31' 45''$  east, 20.13 feet to a point; thence, north  $11^{\circ} 11' 46''$  west, 50.37 feet to a point, thence, north  $32^{\circ} 22' 58''$  west, 36.45 feet to a point; thence, north  $27^{\circ} 50' 22''$  west, 49.28 feet to a point north  $20^{\circ} 33' 45''$  west, 63.55 feet to a point; thence, north  $29^{\circ} 13' 36''$  west, 34.66 feet to

Having been reviewed by the Budget Committee and presented with their recommendation for passage, motion was made by Commissioner Harris, seconded by Commissioner Graves and unanimously carried by the Board adopting the following Resolution amending the General Fund. 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 26th day of February, 2002, 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 01/02  
February, 2002**

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>51300 County Executive</u>		
320 Dues and Memberships	\$ 100.00	
425 Gasoline		\$ 100.00
<b>51300-Subtotal</b>	<b>\$ 100.00</b>	<b>\$ 100.00</b>
<u>54310 Fire Prevention and Control</u>		
169 Part Time Personnel	\$ 2,500.00	
790 Other Equipment		\$ 2,500.00
<b>54310-Subtotal</b>	<b>\$ 2,500.00</b>	<b>\$ 2,500.00</b>
<u>54420 Rescue Squad</u>		
167 Maintenance Personnel	\$ 12,000.00	
499 Other Supplies and Materials		\$ 12,000.00
<b>54420-Subtotal</b>	<b>\$ 12,000.00</b>	<b>\$ 12,000.00</b>
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT</b>	<b>\$ 14,600.00</b>	<b>\$ 14,600.00</b>

Prior Estimated Expenditures	\$7,436,794.00
Total Estimated Expenditures This Amendment	\$7,436,794.00
Projected Fund Balance before Amendment	\$ 371,068.00
Change in Fund Balance This Amendment	\$ 00.00
Estimated Ending Fund Balance as of June 30 <sup>th</sup> , 2002	\$ 371,068.00

Commissioner Tomlin reported orally for the Health & Welfare Committee advising that their recommendations were being presented to this Board for action.

Commissioner Brewer reported for the Personnel Committee presenting their recommendation of Drs. James Burnett, Lawrence Blair, Frank DeFolight and Paul Scates as selective physicians for workers' compensation. Motion was made by Commissioner Moore, seconded by Commissioner Brewer and unanimously carried by the Board approving this recommendation.

The matter of additional vacation days was also addressed by that committee, but no recommendation made. Commissioner Brewer advised that office had rather have salary increases rather than additional vacation days.

No report from the Education Committee.

Commissioner Harris, Chairman of the Budget Committee, presented their recommendation to change a portion of the county boundary line between Fayette County and Tipton County. This would be southwest on Hwy 70 for approximately 5 1/2 miles involving an approximate 123 acre loss to Fayette County. Motion to approve this recommendation was made by Commissioner Harris, seconded by Commissioner Wilson, and unanimously carried by the Board.

Having been reviewed by the Budget Committee and presented with their recommendation for passage, motion was made by Commissioner Harris, seconded by Commissioner Norman and unanimously carried by the Board to participate in the **Group Work Camp 2003** by funding of \$17,000.00.

Motion was made by Commissioner Harris, seconded by Commissioner Arnett and unanimously carried by the Board to accept the recommendation of the Budget Committee and approve a Resolution on prayer in public schools.

The airport runway extension was the next matter before the Board. Commissioner Harris advised that the recommendation of the Budget Committee was that this extension **not** be approved. Motion was then made by Commissioner Taylor, seconded by Commissioner Wilson to apply for the grant for the extension of the airport runway with appropriation for matching funds. After much discussion, the following Roll Call Vote was taken: **YES:** Commissioners Bonner, Brewer, Coe, Graves, Harris, Logan, Moore, Morris, Taylor, Thomas and Wilson. (11)

**NO:** Commissioners Arnett, Burnette, German, Norman, Sullivan and Tomlin. (6)

Absent: Commissioners Doyle and Kelley.

Thereupon, said motion carried.

Presented with the recommendation 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 amendments to the General Purpose School Fund 141 and the Central Cafeteria Fund 143.

FAYETTE COUNTY BOARD OF EDUCATION  
GENERAL PURPOSE FUND  
FUND 141  
FEBRUARY, 2002

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 399 JEFF	Other Contracted Services //		\$1,180.00
71100 499 JEFF	Other Supplies and Materials	\$2,208.20	
71100 722 JEFF	Regular Instruction Equipment		\$128.20
	TOTAL;	\$2,208.20	\$2,208.20
71300	VOCATIONAL EDUCATION PROGRAM		
71300 116 VEP	Teachers		\$2,622.00
71300 201 VEP	Social Security		\$162.50
71300 204 VEP	State Retirement		\$365.00
71300 212 VEP	Medicare		\$38.00
71300 299 VEP	Other Fringe Benefits		\$70.00
71300 201 WEP	Social Security	\$19.86	
71300 204 WEP	State Retirement		\$66.00
71300 212 WEP	Medicare	\$5.18	
71300 299 WEP	Other Fringe Benefits		\$7.00
	TOTAL:	\$25.04	\$3,330.60
72000	SUPPORT SERVICES		
72230	VOCATIONAL EDUCATION PROGRAM		
72230 189 VEP	Other Salaries and Wages	\$337.00	
72230 201 VEP	Social Security	\$19.92	
72230 204 VEP	State Retirement		\$63.80
72230 212 VEP	Medicare	\$5.65	
72230 299 VEP	Other Fringe Benefits		\$76.00
72230 307 VEP	Communications		\$379.00
72230 355 VEP	Travel		\$34.90
72230 499 VEP	Other Supplies and Materials	\$101.52	
72230 189 WEP	Other Salaries and Wages		\$1,326.50
72230 201 WEP	Social Security		\$82.80
72230 204 WEP	State Retirement		\$138.20
72230 212 WEP	Medicare		\$18.90
72230 299 WEP	Other Fringe Benefits		\$63.00
72230 307 WEP	Communications		\$379.00

72230	355 WEP	Travel		\$142.00
72230	199 WEP	Other Supplies and Materials	\$710.47	
		TOTAL:	\$1,174.56	\$2,704.37

72260		ADULT EDUCATION PROGRAM		
72260	355 FRC	Travel		\$800.00
72260	599 FRC	Other Charges	\$800.00	
		TOTAL:	\$800.00	\$800.00

72320		OFFICE OF THE SUPERINTENDENT		
72320	307	Communications	\$1,000.00	
		TOTAL:	\$1,000.00	\$0.00

72610		OPERATION OF PLANT		
72610	351 VEP	Rentals		\$900.00
72610	415 VEP	Electricity	\$1,628.26	
72610	351 WEP	Rentals		\$900.00
72610	415 WEP	Electricity		\$1,929.00
		TOTAL:	\$1,628.26	\$3,729.00

72710		TRANSPORTATION		
72710	412 VEP	Diesel Fuel	\$10,463.00	
72710	412 WEP	Diesel Fuel	\$930.00	
		TOTAL:	\$11,393.00	\$0.00

GRAND TOTAL: \$18,229.06 \$12,772.2

Total Increase: \$5,456.83

Revenue:	44990	Other Local Revenues	\$2,083.50
	47210 VEP	Job Training Partnership Act	\$5,344.32
	47210 WEP	Job Training Partnership Act	(\$1,970.99)
		Total:	\$5,456.83

Revenue:		Prior Total Available Funds	\$18,465,207.93
		Adjustments to Prior Yr	\$117.23
		Total Increase This Amendment	\$5,456.83
		Total Available Funds This Amendment	\$18,470,781.99

Expenditure:		Prior Total Estimated Expenditures	\$17,998,927.69
		Total Increase This Amendment	\$5,456.83
		Total Estimated Expenditures This Amend	\$18,004,384.52



FAYETTE COUNTY BOARD OF EDUCATION  
CENTRAL CAFETERIA FUND  
FUND 143  
FEBRUARY, 2002

		INCREASE	DECREASE
73000	OPERATIONS OF NON-INSTRUCTIONAL SERVICES		
73100	FOOD SERVICE		
73100 105	Supervisor/Director	\$1,548.00	
73100 119	Accountant/Bookkeeper	\$1,010.00	
73100 165	Cafeteria Personnel	\$20,000.00	
73100 189	Other Salaries and Wages	\$1,192.00	
73100 201	Social Security	\$1,500.00	
73100 204	State Retirement	\$979.00	
73100 207	Health Insurance	\$1,175.00	
73100 212	Medicare	1,111.00	
73100 336	Maintenance and Repair Services/Eq.	\$273.00	
73100 499	Other Supplies and Materials	\$10,000.00	
73100 513	Workers' Compensation Insurance	\$1,644.00	
73100 710	Food Service Equipment	\$8,065.00	
	TOTAL:	\$48,368.00	\$0.00

Total Increase: \$48,368.00

Revenue:	43521 Lunch Payments - Children	(\$20,000.00)
	43522 Lunch Payments - Adults	\$3,500.00
	43523 Income From Breakfast	\$2,000.00
	43990 Other Charges For Services	(\$19,000.00)
	44170 Miscellaneous Refunds	\$6,039.00
	46520 School Food Service	(\$924.00)
	46990 Other State Revenues	(\$36,667.00)
	47111 Section 4 Lunch	\$44,732.00
	47113 Breakfast	\$28,851.00
	47114 USDA Other	(\$1,000.00)
	Total:	\$7,531.00

Revenue:	Prior Total Available Funds	\$2,173,195.42
	Total Increase This Amendment	\$7,531.00
	Total Available Funds This Amendment	\$2,180,726.42

Expenditures:	Prior Total Estimated Expenditures	\$1,783,450.00
	Total Increase This Amendment	\$48,368.00
	Total Estimated Expenditures This Amendment	\$1,831,818.00

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

JIM VOSS - Chairman  
Mayor

ATTEST:

Bell T. Graham, County Clerk

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