

FILE COPY

FAYETTE COUNTY LEGISLATIVE BODY

November 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 November, 2002.

Present and presiding Chairman Rhea Taylor. Also present, Dell T. Graham, County Clerk, and the following County Commissioners: Joann C. Allen, Steve Anderson, Joe B. Burnette, Jr., Christopher L. Campbell, Bob Doll, Lee "Sissy" Dowdle, John F. Dowdy, Thomas Howell Fowler, Willie German, Jr., Ronnie Graves, Ronnie Harris, Myles Leifer, David H. Lillard, Sr., Sylvester Logan, George McCloud, Claude D. Oglesby, Jr., Richard D. Vaughan, Myles Wilson and Allen Yancey, Jr.

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

Chairman Taylor opened the floor for the public to address items not included on the Agenda. Addressing the Board were Richard Coats, Sissy Dowdle, Larry Forrester and Bond Stewart.

Chairman Taylor presented the requests of the Health and Welfare Committee to approve clarification of the minutes of the Health & Welfare Committee for March 11, 2002 and June 27, 2002 and the minutes of the County Legislative Body for March 26, 2002. County Attorney Rosser will address this Board after receiving an opinion from CTAS as to whether this Commission can change the minutes of a prior Commission. Motion was then made by Commissioner Leifer, seconded by Commissioner McCloud and unanimously carried by the Board to table action on the clarification of the minutes as proposed.

With a word correction to be made on the September 2002 minutes, motion was made by Commissioner Logan, seconded by Commissioner Allen and unanimously carried by the Board approving said minutes of the regular meeting of this Board held September 24, 2002.

With corrections to be made on the minutes of the October 2002 regular meeting of this Board, motion was made by Commissioner Logan, seconded by Commissioner Dowdy, and unanimously carried by the Board approving said minutes of the October 2002 regular meeting of this Board.

The next matter before the Board was the zoning application of Sandra Simmons regarding 3.05 acres located in C.D. 12 for zoning from R - 2 to B -3. This was presented with the approval of the Planning Commission and the Development Committee . The floor was then opened to the public for comments in favor of and in opposition to the zoning. Sandra Simmons addressed the Board in favor of the zoning. With no one else wishing to address the Board on this matter, the public hearing was closed.

Motion was made by Commissioner McCloud, seconded by Commissioner Vaughan and carried by the Board approving the zoning of the following described property from R - 2 to B - 3. Commissioner Burnette restrained from voting due to a direct conflict of interest.

Beginning at a point in the south margin of State Hwy No. 57 (100 feet wide), this point being the northeast corner of the Linda Simmons Garcia Tract No. 2 for 1.64 acres (Deed Book 389, Page 62), the northwest corner of the Sandra Kee Simmons Tract No. 3 for 6.66 acres, and being the northwest corner of the tract herein described: From Said Point of Beginning South 79 degrees 48 minutes 18 seconds East 410.00 feet along the south margin of said highway to the northwest corner of the Gary G. Taylor 14.0 acre tract (Deed Book 529, Page 503), Thence South 00 degrees 03 minutes 16 seconds West 299.38 feet to a point in the west line of the said Taylor tract; Thence North 89 degrees 43 minutes 12 seconds West 393.16 feet to a point in the east line of the said Simmons Tract No. 2; Thence North 01 degree 33 minutes 40 seconds West 370.17 feet to the point of beginning and containing 3.05 acres, by calculation.

This being 3.05 acres off the north end of what has been designated in the Fayette County Tax Assessor's Office as Parcel No. 20.00 on Tax Map No. 170.

This being 3.05 acres off the North end of a 6.66 acre tract (known as Tract No. 3). Said tract having been conveyed by Edward W. Simmons to Sandra Kee Simmons by a Quitclaim Deed dated September 16th, 2002, as of record in the Register's Office of Fayette County, Tennessee, in Deed Book 638, Page 35.

Now before the Board was the zoning request of Largent Contracting to rezone from R - 3 to R - 1 for displaying an advertising sign. Said property located in C.D. 7 at the corner of Watson Road and Hwy 64. Chairman Taylor then opened the floor for public hearing. With none of the public addressing the Board, the public hearing was closed. This was presented with the recommendation of the Planning Commission for approval, but with no vote; it was then forwarded to the Development Committee who disapproved rezoning of this property due to the small lot size. After some discussion, motion was made by Commissioner Burnette, seconded by Commissioner Logan to disapprove the rezoning request. Said motion carried, with Commissioner Leifer abstaining.

Motion was made by Commissioner Fowler, seconded by Commissioner Logan and unanimously carried by the Board appointing the following as Notaries Public: Betty W. Drewery, Margie M. Glover, Shanna N. Greer, Donnie C. Kennon, Patricia N. Lessel, Thomas M. Minor, Lois Morris, Melissa Stafford, Mary L. Thompson, John S. Wilder, Sr., and Allen Yancey, Jr.

Chairman Taylor presented for approval appointments to the Planning Commission, noting that it had been recommended that these be acted on individually. Commissioner Lillard questioned the Chairman's intent on filling the seat now held by Dwain Beydler. Chairman Taylor advised that it was his intent at this time to re-nominate Mr. Beydler to that position.

Commissioner Lillard then nominated Harris Armour, Will Gresham, Tommie Johnson and Dwain Beydler for appointment to the Planning Commission, and to table action on the remaining until a full slate comes back to this Board. Motion was seconded by Commissioner Leifer.

Motion was then made by Commissioner Burnette to amend this motion to vote individually on each one recommended by Chairman Taylor. Motion was seconded by Commissioner Harris. The following Roll Call Vote was taken on the motion. Voting "YES" in favor of the motion to amend the original motion and to vote individually on each member: Commissioners Burnette, Dowdle, Dowdy, Fowler, German, Harris, Leifer, Oglesby, Vaughan and Wilson (10).

Voting "NO" on the amended motion: Commissioners Allen, Anderson, Campbell, Doll, Graves, Lillard, Logan, McCloud and Yancey. (9)

Said motion carried.

Vote was then taken on the original motion as amended, which carried with Commissioners Anderson, Logan and Yancey voting "No".

Roll Call Vote was then taken on each individual that was originally presented by Chairman Taylor for approval. Voting in favor of the appointment of **WILL GRESHAM**: Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, Fowler, German, Graves, Harris, Leifer, Lillard, Logan, McCloud, Oglesby, Vaughan, Wilson and Yancey. (19)

Thereupon, Will Gresham was approved to serve on the Planning Commission.

Voting for **Harris Armour**: Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, Fowler, German, Graves, Harris, Leifer, Lillard, Logan, McCloud, Oglesby, Vaughan, Wilson and Yancey. (19)

Harris Armour was approved to serve on the Planning Commission.

Voting for **Tommie Johnson**: Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, Fowler, German, Graves, Harris, Lillard, Logan, McCloud, Oglesby, Vaughan, Wilson and Yancey. (18) Commissioner Leifer abstained.

Thereupon, Tommie Johnson was approved to serve on the Planning Commission

Voting for **Keith Morris**: Commissioners Burnette, Dowdle, Fowler, German, Harris, Oglesby and Wilson (8)

Voting "NO": Commissioners Allen, Anderson, Campbell, Doll, Graves, Lillard, McCloud, Vaughan and Yancey. (9)

Commissioner Leifer abstained.

Commissioner Logan passed.

With these votes Keith Morris was not approved to serve on the Planning Commission.

Voting for Dwain Beydler: Commissioners Allen, Anderson, Campbell, Doll, Graves, Leifer, Lillard, Logan, McCloud, Vaughan and Yancey. (11)

Voting "NO": Commissioners Burnette, Dowdle, Dowdy, Fowler, German, Harris, Oglesby, Wilson. (8)

Dwain Beydler was approved to serve on the Planning Commission.

With completion of action regarding the Planning Commission, the following were elected to serve: Will Cresham, Harris Armour, Tommie Johnson and Dwain Beydler.

Chairman Taylor then presented his recommendations for appointment to the 911 Board, those being Connie Doyle, Jeff Hollis, Pat Tate, Gary Bullwinkle, Danny Daniel, Dennis Cheairs and Martha Jean Watkins. Motion was made by Commissioner Burnette and seconded by Commissioner Dowdy to approve the seven individuals presented. Commissioner Doll asked the Board to vote against those recommended since all County Districts would not be equally represented.

Commissioner Leifer then made motion to amend the original motion for the one position left vacant to be filled from the one of the districts not represented. Chairman Taylor advised that the recommendation would have to be made by him.

Roll Call Vote was then taken on the motion to approve the recommendation of Chairman Taylor. Voting "YES": Commissioners Burnette, Dowdle, Dowdy, Fowler, German, Harris, Leifer, Oglesby, Yancey. (9)

Voting "NO": Commissioners Allen, Anderson, Campbell, Doll, Graves, Lillard, Logan, Vaughan and Wilson. (10)

Said motion failed.

Commissioner Burnette then asked to turn the floor over to Jeff Hollis, Chairman of the Fayette County 911 Board. Mr. Hollis addressed the activities and standing of the 911 Board.

Motion was then made by Commissioner McCloud, seconded by Commissioner Burnette to vote individually on those nominated for appointment to the 911 Board. Upon roll call vote, the following voted: "YES" Commissioners Allen, Anderson, Burnette, Campbell, Dowdle, Dowdy, Fowler, German, Harris, Leifer, McCloud, Oglesby, Wilson and Yancey. (14)

Voting "NO": Commissioners Doll, Graves, Lillard, Logan, Vaughan. (5)
Motion carried to vote individually on each nominee to the 911 Board.

Commissioner Doll pointed out that of the seven nominees for appointment to the 911 Board Jeff Hollis, Gary Bullwinkle and Pat Tate were the three non-county employees or spouses of non-county employees who represent individual districts.

Roll Call Vote was requested on all nominees, but later withdrawn.

Roll Call Vote was called for on CONNIE DOYLE. Voting "YES" to place her on the 911 Board were Commissioners Allen, Burnette, Campbell, Dowdle, Dowdy, Fowler, German, Harris, Leifer, Logan, McCloud, Oglesby, Vaughan, Wilson and Yancey. (15)

Voting "NO": Commissioners Anderson, Doll, Graves and Lillard. (4).
Connie Doyle was elected to serve on the 911 Board.

The next nominee for election to the 911 Board was Jeff Hollis. Mr. Hollis was elected to serve on the 911 Board by a unanimous vote of the Board.

Pat Tate as a nominee was elected to serve on the 911 Board receiving one "no" vote.

Gary Bullwinkle was elected to serve on the 911 Board by a unanimous vote of the Board.

The following Roll Call Vote was taken on the nomination of Danny Daniel to the 911 Board. Voting "YES" Commissioners Burnette, Dowdle, Dowdy, Fowler, German, Harris, McCloud, Oglesby, Wilson and Yancey. (10)

Voting "NO": Commissioners Allen, Anderson, Doll, Graves, Leifer, Lillard, Logan and Vaughan. (8)

Thereupon, Danny Daniel was elected to serve on the 911 Board.

Roll Call Vote was taken on the nomination of Dennis Cheairs to the 911 Board. Voting "YES": Commissioners Burnette, Dowdle, Dowdy, Fowler, German, Graves, Harris, Leifer, Logan, McCloud, Oglesby, Wilson and Yancey. (13)

Voting "NO": Commissioners Allen, Anderson, Campbell, Doll, Lillard and Vaughan. (6)

With this vote Dennis Cheairs was elected to the 911 Board.

Martha Jean Watkins was elected by a unanimous vote to serve on the 911 Board.

With completion of this action on the 911 Board, those elected to serve were Connie Doyle, Jeff Hollis, Pat Tate, Gary Bullwinkle, Danny Daniel, Dennis Cheairs and Martha Jean Watkins.

Financial Reports were covered by a combined summary statement being filed.

Chairman Taylor reported for the Mayor's Office reviewing the net revenue, closing fund balance and the Ambulance service report.

Chairman Taylor presented printed literature on Open Meetings Act/ "Sunshine Law".

Chairman Taylor addressed the procedure of items appearing on various sub-committees' agenda. He advised that items that require deliberation are to be presented to the Chairman and directed to the appropriate committee. The Chairman of that committee would preside over the meeting, call a meeting and report to the County Commission.

Chairman Taylor advised that advertising for a Director of Planning had been made for the last several weeks and applications would be accepted through December 06, 2002. To fill the position, applications will be reviewed by a group of Commissioners, Planning Commission people and staff; their recommendation will then be given to the Mayor to present to the Development Committee who will present their recommendation to the full County Commission.

Chairman Taylor advised that he had appointed Commissioners John F. Dowdy, Myles Leifer and himself to serve on the Comprehensive Growth Plan Committee replacing Earl Dowdy, David Morris and Donnie Leggett. Notice was sent to Vivian England, secretary of the Coordination Committee.

Chairman Taylor reviewed the lagoon problem at Arlington Trailer Park. He asked that the county pay for an appraisal on the approximately five acres involved. Motion was so made by Commissioner Leifer. Larry Forrester then addressed the Board and agreed to issue a letter of opinion at no cost to the County. Commissioner Leifer then withdrew his motion.

Chairman Taylor advised that he had been contacted by Keep America Beautiful who requested to address this Board regarding a clean-up drive they would like to hold around May or June 2003.

Chairman Taylor addressed the Board regarding GIS, Graphic Information System, a computerized system, that tells the exact location from satellite reading. There will be a presentation in either March or April by Tipton County who is involved with this system. The State of Tennessee is pushing this through the Property Assessor's Office to have all maps in the State of Tennessee on computer record to streamline the process of changing property deeds. The State has put down certain criteria on the process with this. Those who would use this system would be 911, utility districts as Chickasaw Electric and Hardeman-Fayette, cities, schools, Fire Departments and probably numerous others.

Chairman Taylor then re-set the December meeting of this Board to December 17th, 2002, since the regular meeting would fall on Christmas Eve.

Commissioner Vaughan addressed the ambulance service noting that there was more money outstanding than paid out, that they were doing a good job, paying their way and not in the hole.

Commissioner Allen asked that her opposition to the appointment of Myles Leifer to the County Coordinating Committee be noted. She felt that since Oakland Mayor Mullins already served on this committee that with this new appointment, Hickory Withe would have no representation should they remain unincorporated. This was so noted.

Commissioner Anderson addressed the "out of meeting discussion" of matters to be acted on by the Board as covered in the report of the Mayor's Office. Discussion followed.

Report from the Board of Education was called for but none presented.

A written report of the October 01, 2002 meeting of the Board of Public Works was filed.

Reports from the Sheriff's Department, Juvenile Court and Commission on Aging were called for, but none presented.

Commissioner Logan reported for the County Development Committee advising that the recommendation of that Board had already been addressed by this Board. Commissioner Leifer asked for a correction of the minutes of the November 21, 2002 meeting of the County Development Committee to show the presiding Commissioner to be Commissioner Leifer.

Commissioner Graves reported for the Criminal Justice & Public Safety Committee. He advised that an appreciation dinner for the volunteer fire departments had been approved. It was advised that policy and guidelines for new appointments would be presented at a later date.

Chairman Taylor advised that the Criminal Justice Committee had recommended that Byron Smith be approved by this Board as County Fire Chief. A Resolution was then presented to create a fire department for Fayette County with Byron Smith serving as County Fire Chief. A second Resolution for funding of this fire department from Situs Based Taxes was then presented. The floor was then opened to Fire Chiefs to address the Board on this matter. Warren Adams with Northeast Fire Department spoke in favor of the Volunteer Fire Departments remaining. Chairman Taylor stated that he had been advised by the Fire Chiefs of the five Volunteer Fire Departments that they wished the system to remain as is. Motion was then made by Commissioner Fowler and duly seconded to adopt the two Resolutions as presented, one being to create a fire department for Fayette County with Byron Smith as the County Fire Chief; and two, the Resolution providing funds for rural fire departments from Situs Based Taxes. Discussion followed. W. D. Boshers of West Fayette Fire Department then addressed the Board supporting the Volunteer Fire Departments with Byron Smith as County Fire Chief.

Vote was then taken on the motion for the adoption of the two Resolutions. Said motion carried with three (3) voting against. Said Resolutions as adopted are as follows:

RESOLUTION TO CREATE A FIRE DEPARTMENT FOR FAYETTE COUNTY

WHEREAS, Fayette County is attempting to provide rural fire service for the entire county through a coordinated effort with the municipalities located within Fayette County, and

WHEREAS, Title 5, Chapter 17 of the Tennessee Code Annotated authorizes counties by resolution of the county legislative body to form a new agency to be known as the county-wide fire department for the purpose of providing fire protection services to all of the county, and

WHEREAS, it is in the welfare of the public of Fayette County that, pursuant to such legislative authority, there be created a new agency in Fayette County to provide coordinated fire protection services in Fayette County, to be headed by a county fire chief appointed as specified by Tennessee Code Annotated, Section 5-17-103, and to have the powers enumerated in Tennessee Code Annotated, Section 5-17-102.

NOW THEREFORE BE IT RESOLVED by the Fayette County Legislative Body in November session on this the 26th day of November, 2002, that:

SECTION 1. There is hereby created a new agency of Fayette County known as the Fayette County Fire Department to provide fire protection services to all of the County, such fire department having the powers specified in Tennessee Code Annotated, Section 5-17-102.

SECTION 2. The Fayette County Fire Department shall be headed by a county fire chief. The county fire chief appointed by the Fayette County Legislative Body is Byron Smith, who shall serve at the will and pleasure of the Fayette County Legislative Body and shall be vested with the powers and duties of the agency pursuant to Tennessee Code Annotated, Sections 5-17-103 and 5-17-104, and with the power to delegate such powers and duties as the county fire chief shall deem advisable.

SECTION 3. This resolution shall take effect upon becoming law, the public welfare requiring it.

Passed this the 26th day of November, 2002.

RESOLUTION

WHEREAS, T.C.A. 5-17-01 provides for Counties to fund Rural Fire Departments with the revenues received from Situs Based Taxes; and

WHEREAS, Fayette County receives certain Taxes which are determined to be Situs Based Taxes, including Hall Income Tax, Beer Tax, Mixed-Drink Tax, and T.V.A. State Revenue Sharing; and

WHEREAS, the total funds received from the above Taxes are at least equal to the amount needed to fund the Fayette County Rural Fire Department;

NOW, THEREFORE, BE IT RESOLVED by the Fayette County Commission, duly assembled at its November 2002 Term, on November 26, 2002, that all Income Tax, Beer Tax, Mixed-Drink Tax and T.V.A. State Revenue Sharing be designated as funding revenue for the Fayette County Rural Fire Department up to the amount necessary and budgeted for the Department, but any sums of the gross of said Taxes over and above the amount necessary to fund the Fayette County Rural Fire Department shall not be designated to fund that Department and shall be available for such other uses as the County Commission may provide.

* * * * *

A five minute recess was then taken.

Commissioner German reported for the Health & Welfare Committee reviewing action taken by that committee. Requiring action by this Board was their recommendation to transfer \$79,145.37 left in the 2001-2002 Parks & Recreation Budget to the same budget for 2002-2003 to be used toward paying the \$81,000.00 bid and contracted work at Oakland Baseball Field. Motion was so made by Commissioner German, seconded by Commissioner Vaughan and unanimously carried by the Board.

Commissioner German then presented the recommendation of the Health and Welfare Committee to request Charles Traylor to give a written detail of exactly where the \$120,000.00 budgeted in the 2002-2003 Parks & Recreation Budget for Site Development would be spent and what grant money would be received and used in conjunction with these funds. Motion was so made by Commissioner German, seconded by Commissioner Vaughan and unanimously carried by the Board.

Commissioner German then reviewed other items addressed by the Health and Welfare Committee.

Commissioner Burnette reported for the Personnel Committee advising that on their first meeting Commissioner John Dowdy was elected Vice Chairman of that committee. Jimmie German was also allowed to serve on the Personnel Committee as an Ex Officio member representing courthouse offices.

This committee did discuss job descriptions where pay scale should be based on the work an individual does rather than their title. The Committee was awaiting a cost estimate to obtain an updated survey on job classifications and pay scales.

Commissioner McCloud reported for the Education Committee with their recommendations to be covered by Budget amendments.

Commissioner Doll, Chairman of the Budget Committee, reviewed the recommendations of that Committee and moved for the approval of amendments to the General Purpose School Fund 141 and the Federal Projects Fund 142. Motion was seconded by Commissioner McCloud and unanimously carried by the Board approving the following:

**FAYETTE COUNTY BOARD OF EDUCATION
GENERAL PURPOSE FUND
FUND 141
NOVEMBER, 2002**

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72710	TRANSPORTATION		
72710 146	Bus Drivers		\$2,000.00
72710 307	Communications	\$2,000.00	
	TOTAL:	\$2,000.00	\$2,000.00

Total Increase/Decrease: .00

**FAYETTE COUNTY BOARD OF EDUCATION
FEDERAL PROJECTS FUND
FUND 142
SUBFUND 285 - DRUG FREE SCHOOLS
NOVEMBER, 2002**

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 123	Guidance Personnel		\$250.00

72130 189	Other Salaries and Wages	\$302.78	\$0.00
72130 201	Social Security	\$3.30	
72130 204	State Retirement	\$10.32	
72130 212	Medicare	\$0.79	
72130 355	Travel		\$288.15
72130 499	Other Supplies and Materials	\$221.87	
72130 599	Other Charges		\$0.91
	TOTAL:	\$539.06	\$539.06

Total Increase/Decrease: .00

FAYETTE COUNTY BOARD OF EDUCATION
FEDERAL PROJECTS FUND
FUND 142
SUBFUND 376 - TITLE V
NOVEMBER, 2002

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers		\$5,000.00
71100 201	Social Security		\$310.00
71100 204	State Retirement		\$140.00
71100 212	Medicare		\$72.50
71100 722	Regular Instruction Equipment		\$1,387.50
	TOTAL:	\$0.00	\$6,910.00

Total Decrease: \$6,910.00

Revenue: 47142 Innovative Education Prog. Strategies (\$6,910.00)

Revenue: Prior Total Available Funds \$3,315,889.84
Total Decrease This Amendment (\$6,910.00)
Total Available Funds This Amendment \$3,308,979.84

Expenditures: Prior Total Estimated Expenditures \$3,183,215.46
Total Decrease This Amendment (\$6,910.00)
Total Estimated Expenditures This Amendment \$3,176,305.46

FAYETTE COUNTY BOARD OF EDUCATION
FEDERAL PROJECTS FUND
FUND 142
SUBFUND 390 - PRESCHOOL
NOVEMBER, 2002

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 163	Teacher Assistants		\$300.00
71200 204	State Retirement		\$60.00
71200 429	Instructional Supplies and Materials	\$360.00	
	TOTAL:	\$360.00	\$360.00

Total Increase/Decrease: \$.00

FAYETTE COUNTY BOARD OF EDUCATION
FEDERAL PROJECTS FUND
FUND 142
SUBFUND 391 - IDEA
NOVEMBER, 2002

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 429	Instructional Supplies and Materials		\$1,000.00
71200 725	Special Education Equipment	\$1,000.00	
	TOTAL:	\$1,000.00	\$1,000.00

Total Increase/Decrease: \$.00

FAYETTE COUNTY BOARD OF EDUCATION
FEDERAL PROJECTS FUND
FUND 142
SUBFUND 399 - READING EXCELLENCE ACT
NOVEMBER, 2002

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 189 JF	Other Salaries and Wages	\$7,504.73	
71100 201 JF	Social Security	\$465.29	

71100 204 JF	State Retirement	\$255.16	
71100 212 JF	Medicare	\$108.82	
71100 429 JF	Instructional Supplies and Materials		\$3,834.00
71100 189 NW	Other Salaries and Wages	\$7,879.33	
71100 201 NW	Social Security	\$488.52	
71100 204 NW	State Retirement	\$267.90	
71100 212 NW	Medicare	\$114.25	
71100 499 NW	Other Materials and Supplies		\$2,700.00
71100 722 NW	Regular Instruction Equipment	\$2,700.00	
71100 116 OK	Teachers	\$1,497.00	
71100 189 OK	Other Salaries and Wages	\$8,194.51	
71100 201 OK	Social Security	\$601.06	
71100 204 OK	State Retirement	\$428.61	
71100 212 OK	Medicare	\$140.82	
71100 429 OK	Instructional Supplies and Materials		\$3,162.00
71100 499 OK	Other Materials and Supplies	\$1,500.00	
71100 189 SM	Other Salaries and Wages	\$13,749.35	
71100 201 SM	Social Security	\$871.86	
71100 204 SM	State Retirement	\$423.28	
71100 212 SM	Medicare	\$202.51	
71100 429 SM	Instructional Supplies and Materials		\$1,000.00
71100 499 SM	Other Materials and Supplies		\$631.00
71100 722 SM	Regular Instruction Equipment		\$2,900.00
	TOTAL:	\$47,393.00	\$14,227.00

72000 SUPPORT SERVICES

72210 REGULAR INSTRUCTION PROGRAM

72210 524 JF	In Service/Staff Development		\$4,500.00
72210 524 NW	In Service/Staff Development		\$8,750.00
72210 524 OK	In Service/Staff Development		\$9,200.00
72210 524 SM	In Service/Staff Development		\$10,716.00
	TOTAL:	\$0.00	\$33,166.00

GRAND TOTAL:

\$47,393.00

\$47,393.00

Total Increase/Decrease: \$.00

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Commissioner Doll then reviewed the General Fund Budget Amendment and moved for the adoption of same. Motion was seconded by Commissioner German. Commissioner Vaughan addressed the Board regarding his concern of the use of appropriated funds on the Site Development under Parks & Fair Board. Vote was then taken on the Budget Amendment as presented which carried with (2) "no" votes. The Budget Amendment 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 November, 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 02/03
November, 2002**

	INCREASE	DECREASE
<u>Adjustment to Designated Fund:</u>		
Designated Fund-Rural Fire Protection		\$15,000.00
Subtotal		\$15,000.00
TOTAL INCREASE/DECREASE TO DESIGNATED FUND		\$15,000.00

	INCREASE	DECREASE
<u>Adjustment to Expenditure Accounts:</u>		
<u>51100 County Commission</u>		
355 Travel		\$ 1,150.00
Subtotal-51100		\$ 1,150.00
<u>51300 County Executive</u>		
320 Dues and Memberships		\$ 1,400.00
437 Periodicals		<u>450.00</u>
Subtotal-51300		\$ 1,850.00
<u>51710 Development</u>		
308 Consultants	\$10,000.00	
Subtotal-51710	\$10,000.00	
<u>51800 County Buildings</u>		
166 Custodial Personnel	\$ 2,500.00	
168 Temporary Personnel		\$ 1,200.00
446 Small Tools		<u>1,300.00</u>
Subtotal-51800	\$ 2,500.00	\$ 2,500.00

November 2002	-2-	General Fund
<u>54310 Fire Prevention and Control</u>		
338 Maint. & Repair-Vehicles		\$10,000.00
499 Other Supplies and Materials	\$25,000.00	<u> </u>
Subtotal-54310	\$25,000.00	\$10,000.00
<u>56700 Parks and Fair Boards</u>		
724 Site Development	\$79,145.37	
Subtotal-56700	\$79,145.37	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT	\$116,645.37	\$15,500.00

Prior Estimated Expenditures	\$8,649,176.00
Total Estimated Expenditures This Amendment	\$8,753,321.37
Projected Fund Balance before Amendment	\$2,090,381.00
Change in Fund Balance This Amendment	\$ 89,145.37
Estimated Ending Fund Balance as of June 30 th , 2003	\$1,991,235.63

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Commissioner Doll reviewed work on the Adequate Facilities Tax which would be presented to the Development and the Budget Committees for action by the Commission in December 2002. Anticipated effective date was set as January 01, 2003.

Commissioner Doll then presented the recommendation of the Budget Committee to take the actions necessary to void the terminology of the Private Act that restricts the County Attorney to be a resident of Fayette County. Motion was so made by Commissioner Doll and seconded by Commissioner Allen. Discussion followed.

Roll Call Vore was taken. Voting "Yes" on the motion: Commissioners Allen, Anderson, Doll, Graves, Lillard, Logan and McCloud. (7)

Voting "No": Commissioners Burnette, Campbell, Dowdle, Dowdy, German, Harris, Leifer, Oglesby, Vaughan, Wilson and Yancey. (11)

Said motion failed.

Thereupon, said meeting adjourned.

RHEA TAYLOR - Chairman
Mayor

ATTEST:

Dell T. Graham, County Clerk