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FAYETTE COUNTY LEGISLATIVE BODY

October 22, 2002

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 22nd day of October, 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 was John Pitner.

Motion was made by Commissioner German, seconded by Commissioner Leifer and unanimously carried by the Board approving the minutes of the September 05, 2002 Special Session.

Motion was made by Commissioner Allen, seconded by Commissioner Dowdle and unanimously carried by the Board that action on the approval of the minutes of the September 24th, 2002 regular session be addressed at the next regular meeting of this Board.

Motion was made by Commissioner Wilson, seconded by Commissioner Campbell and unanimously carried by the board appointing the following as **Notaries Public:** Molly McCarley and Pamala Woodland.

Chairman Taylor then presented the following for appointment to the **Planning Commission**, as approved by the Development Committee: Will Gresham, Harris Armour, Keith Morris, Tommy Johnson and Dwan Beydler. After discussion, motion was made by Commissioner Anderson, seconded by Commissioner Graves that action on this matter be tabled until the next meeting of this Board, at which time a full slate of all new appointments to the Planning Commission be acted on. A Roll Call Vote was taken. Voting "YES" to table: Commissioners Allen, Anderson, Campbell, Doll, Dowdle, Graves, Lillard, Logan, McCloud, Vaughan, Wilson and Yancey. (12)

Voting "NO": Commissioners Burnette, Dowdy, Fowler, German, Harris and Oglesby. (6)

Passing: Commissioner Leifer.

Thereupon, action on this matter was tabled until the next meeting of this Board.

Recommended for appointment to the 911 Board and approved by the Public Safety Committee were Jeff Hollis, Connie Doyle, Pat Tate, Gary Bullwinkle, Danny Daniel and Dennis Cheairs. After Discussion, motion was made by Commissioner Wilson, seconded by Commissioner Doll to table action on these appointments until the next meeting of this Board at which time all available positions will be filled. Roll Call Vote was taken. Voting "YES" to table: Commissioners Allen, Anderson, Campbell, Doll, Dowdle, Graves, Lillard, Logan, McCloud, Wilson, and Yancey. (11)

Voting "NO": Commissioners Burnette, Dowdy, Fowler, German, Harris, Leifer, Oglesby and Vaughan. (8)

Thereupon, said motion to table action on appointments to the 911 Board was tabled.

Recommended for appointment to the Parks & Recreation Board, as approved by the Health & Welfare Committee, was Richard Settles. Motion was made by Commissioner Campbell, seconded by Commissioner Leifer and unanimously carried by the Board making said appointment.

A combined summary financial statement for July 01, 2002 through September 30, 2002 was filed.

Chairman Rhea presented a RESOLUTION changing the title of County Mayor to County Executive and asked for the approval of same. Motion was made by Commissioner Fowler, seconded by Commissioner Burnette and unanimously carried by the Board approving the following Resolution:

R E S O L U T I O N

Pursuant to Tennessee Code Annotated Section 5-6-101(d), the title of the County Mayor in Fayette County shall be "County Executive".

This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Commission of Fayette County. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Commission and certified to the Secretary of State.

For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in paragraph 2.

Chairman Rhea asked for the Board's suggestion for the County Attorney to address the **Piperton Lawsuit**. Commissioner Anderson submitted a Resolution and moved to adopt same. Motion was seconded by Commissioner Campbell and unanimously carried by the Board adopting the following Resolution:

**RESOLUTION REGARDING FAYETTE COUNTY, TENNESSEE V. TOWN OF
PIPERTON, ET AL., CHANCERY COURT OF FAYETTE COUNTY, TENNESSEE,
DOCKET NO. 12962**

WHEREAS, Fayette County, Tennessee brought suit on behalf of citizens opposing annexation by Piperton pursuant to a petition which was purported to be signed by a majority of property owners by parcel within the territory subject to annexation and which was purported to request Fayette County to represent the interest of said property owners in contesting the proposed annexation;

WHEREAS, information has now come to the attention of Fayette County that the majority of the property owners by parcel within the proposed annexation territory did not sign such petition or petitions and that it has further come to the notice of Fayette County that the petition or petitions did not in fact request Fayette County to represent the interests of said property owners in contesting the proposed annexation;

WHEREAS, the Fayette County Attorney has not received full cooperation from such property owners in pursuing such case; and

WHEREAS, the Fayette County Attorney has informed or is in the process of informing all of said property owners of their right to obtain other representation and to pursue their individual cases against Piperton at their own expense;

NOW, THEREFORE, BE IT RESOLVED, that the Fayette County Attorney is hereby instructed to (A) complete notification to the property owners of their right to obtain other counsel and (B) enter a Notice of Voluntary Dismissal of the case on behalf of Fayette County at Fayette County's cost.

Discussion started on the **Growth Plan Lawsuit**, but it was decided to address this as the last item on the agenda.

Chairman Rhea advised that the County may have to obtain an attorney for representation in the **Lee VS Voss Lawsuit** since our County Attorney Rosser may have a conflict of interest. Discussion followed and it was decided to address this matter with the last item on the agenda.

Commissioner Wilson reported orally for the Board of Education advising that they were awaiting the decision on how the large-school/small-school teacher salary would be covered.

Jim Smith reported for the Board of Public Works advising that the Board of Public Works is now furnishing service to the Hickory Withe area. Chairman Rhea also advised that sales tax of the Hickory Withe area is being held in a special account until the lawsuit is settled. It then will be transferred appropriately.

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

Commissioner Logan reported for the Development Committee reviewing items addressed by them, one being to recommend to this Board to instruct the County Attorney to withdraw the county's request to the Judges that the cost of the urban growth arbitration process be charged to Piperton. Motion was made by Commissioner Anderson and seconded by Commissioner McCloud. Motion was then made by Commissioner Leifer, seconded by Commissioner Harris to table action on this matter. After discussion the following Roll Call Vote was taken. Voting "Yes" to table: Commissioners Burnette, Dowdy, Fowler, German, Harris, Leifer, Oglesby and Wilson. (8)

Voting "No": Commissioners Allen, Anderson, Campbell, Doll, Graves, Lillard, Logan, McCloud, Vaughan and Yancey. (10)

Passing: Commissioner Dowdle.

The motion to table did not carry.

Roll Call Vote was then taken on the original motion which carried unanimously.

Commissioner Graves reported orally for the Criminal Justice & Public Safety Committee advising that their recommendation would be addressed through a budget amendment under the Budget Committee's report.

Commissioner German reported for the Health & Welfare Committee. He advised that Commissioner Richard Vaughan was elected as Vice-Chairman of that Committee. He advised that salary adjustments for the Ambulance Service were approved and reviewed other items addressed by his Board.

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

Commissioner McCloud reported for the Education Committee and advised that Vice-Chairman Vaughan and Secretary Doll had been elected on that Committee. Oral reports followed.

Budget Chairman Doll presented the recommendation of the Budget Committee and the Education Committee to approve an amendment to the General Purpose Fund 141. Motion was made by Commissioner Doll, seconded by Commissioner McCloud and unanimously carried by the Board approving the following Budget Amendment:

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

	INCREASE	DECREASE
71000	INSTRUCTION	
71100	REGULAR INSTRUCTION	
71100 429 SCSRD		\$5,012.00
71100 599 SCSRD		\$73.00
71100 722 SCSRD	\$4,299.00	
71100 116 LMPK	\$99,891.00	
71100 163 LMPK	\$41,122.00	
71100 195 LMPK	\$2,000.00	

71100 201 LMPK	Social Security	\$8,868.00	
71100 204 LMPK	State Retirement	\$5,951.00	
71100 207 LMPK	Health Insurance	\$7,072.00	
71100 212 LMPK	Medicare	\$2,075.00	
71100 299 LMPK	Other Fringe Benefits	\$539.00	
71100 429 LMPK	Instructional Supplies and Materials	\$16,366.00	
71100 722 LMPK	Regular Instruction Equipment	\$12,000.00	
	TOTAL:	\$200,183.00	\$5,085.00

71600	ADULT EDUCATION PROGRAM		
71600 429 RBOG	Instructional Supplies and Materials	\$5,000.00	
	TOTAL:	\$5,000.00	\$0.00

72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 322 LMPK	Evaluation and Testing	\$2,000.00	
72130 499 LMPK	Other Supplies and Materials	\$1,000.00	
72130 599 LMPK	Other Charges	\$3,000.00	
	TOTAL:	\$6,000.00	\$0.00

2210	REGULAR INSTRUCTION PROGRAM		
2210 524 LMPK	Inservice/Staff Development	\$3,000.00	
2210 524 SCSRD	Inservice/Staff Development	\$786.00	
	TOTAL:	\$3,786.00	\$0.00

72260	ADULT EDUCATION PROGRAM		
72260 399 AB1	Other Contracted Services	\$2,000.00	
72260 599 AB1	Other Charges	\$4,471.05	
72260 189 RBOG	Other Salaries and Wages	\$300.00	
72260 201 RBOG	Social Security	\$20.00	
72260 204 RBOG	State Retirement	\$16.00	
72260 212 RBOG	Medicare	\$5.00	
72260 355 RBOG	Travel	\$5,000.00	
72260 399 RBOG	Other Contracted Services	\$14,666.08	
72260 599 RBOG	Other Charges	\$5,000.00	
	TOTAL:	\$31,478.13	\$0.00

2610	OPERATION OF PLANT		
2610 399 LMPK	Other Contracted Services	\$10,000.00	
	TOTAL:	\$10,000.00	\$0.00

72620 MAINTENANCE OF PLANT			
72620 426 LMPK	General Construction Materials	\$10,000.00	
72620 499 LMPK	Other Supplies and Materials	\$10,000.00	
TOTAL:		\$20,000.00	\$0.00

72810 CENTRAL AND OTHER			
72810 189 SSA	Other Salary and Wages	\$5,000.00	
72810 201 SSA	Social Security	\$313.00	
72810 204 SSA	State Retirement	\$313.15	
72810 212 SSA	Medicare	\$81.75	
72810 399 SSA	Other Contracted Services	\$7,704.00	
72810 499 SSA	Other Supplies and Materials	\$1,000.00	
72810 790 SSA	Other Equipment	\$19,000.00	
TOTAL:		\$33,411.90	\$0.00

73000 OPERATION OF NON-INSTRUCTIONAL SERVICES			
73300 COMMUNITY SERVICES			
73300 189 LMPK	Other Salaries and Wages	\$9,000.00	
73300 201 LMPK	Social Security	\$558.00	
73300 204 LMPK	State Retirement	\$391.00	
73300 212 LMPK	Medicare	\$131.00	
73300 299 LMPK	Other Fringe Benefits	\$36.00	
TOTAL:		\$10,116.00	\$0.00

GRAND TOTAL:		\$319,975.03	\$5,085.00
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Total Increase: \$314890.03

Reserve:	34290 AB1	Other Local Education Res.	\$6,471.05
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Revenue:	46590 SSA	Other State Education Funds	\$33,411.90
	46980 LMPK	Other State Grants	\$98,000.00
	47190 RBOG	Title XX	\$30,007.08
	47590 LMPK	Other Federal Thru State	\$147,000.00
	Total:		\$308,418.98

Revenue:	Prior Total Available Funds	\$18,672,005.24
	Audit Adjustments	(\$7,314.56)
	Total Increase This Amendment	\$308,418.98
	Total Available Funds This Amendment	\$18,973,109.66

Expenditure:	Prior Total Estimated Expenditures	\$18,107,031.00
	Total Increase This Amendment	\$314,890.03
	Total Estimated Expenditures This Amend	\$18,421,921.03

Having been reviewed by the Budget Committee and presented with their recommendation for passage, motion was made by Commissioner Doll, seconded by Commissioner German and unanimously carried by the Board adopting the following amendment to the Federal Projects Fund.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 385 - DRUG FREE SCHOOLS
 OCTOBER, 2002

		INCREASE	DECREASE
000	SUPPORT SERVICES		
130	OTHER STUDENT SUPPORT		
130 399 FAA	Other Contracted Services	\$330.00	
130 499 PUB	Other Supplies and Materials		\$3,270.00
130 499 FAA	Other Supplies and Materials	\$1,000.00	
130 499 ROA	Other Supplies and Materials	\$500.00	
130 599 PUB	Other Charges	\$1,440.00	
	TOTAL:	\$3,270.00	\$3,270.00

Total Increase/Decrease: 0.00

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

		INCREASE	DECREASE
1000	INSTRUCTION		
1200	SPECIAL EDUCATION PROGRAM		
1200 429	Instructional Supplies and Materials	\$9,463.00	
	TOTAL:	\$9,463.00	\$0.00

Total Increase: \$9,463.00

Revenue:	47143 Special Education Grants to States	\$9,463.00	
Revenue:	Prior Total Available Funds	\$2,876,601.15	
	Total Increase This Amendment	\$9,463.00	
	Total Available Funds This Amendment	\$2,886,064.15	
Expenditures:	Prior Total Estimated Expenditures	\$2,743,926.77	
	Total Increase This Amendment	\$9,463.00	
	Total Estimated Expenditures This Amendment	\$2,753,389.77	

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

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72120	HEALTH SERVICES		
72120 355	Travel	\$2,300.00	
72120 399	Other Contracted Services	\$16,000.00	
72120 413	Drug and Medical Supplies	\$6,739.00	
	TOTAL:	\$25,039.00	\$0.00
72710	TRANSPORTATION		
72710 313	Contracts with Parents	\$7,200.00	
	TOTAL:	\$7,200.00	\$0.00
	GRAND TOTAL:	\$32,239.00	\$0.00

Total Increase: \$32,239.00

Revenue:	47143 Special Education Grants to States	\$32,239.00
Revenue:	Prior Total Available Funds	\$2,886,064.15
	Total Increase This Amendment	\$32,239.00
	Total Available Funds This Amendment	\$2,918,303.15
Expenditures:	Prior Total Estimated Expenditures	\$2,753,389.77
	Total Increase This Amendment	\$32,239.00
	Total Estimated Expenditures This Amendment	\$2,785,628.77

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 392 - SLIVER GRANT
 OCTOBER, 2002

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72220	SPECIAL EDUCATION PROGRAM		
72220 355	Travel	\$3,654.00	
72220 499	Other Supplies and Materials	\$1,800.00	
72220 524	Inservice/Staff Development	\$8,179.00	
	TOTAL:	\$13,633.00	\$0.00

Total Increase: \$13,633.00

Revenue:	47143 Special Education Grants to States	\$13,633.00
Revenue:	Prior Total Available Funds	\$2,918,303.15
	Total Increase This Amendment	\$13,633.00
	Total Available Funds This Amendment	\$2,931,936.15
Expenditures:	Prior Total Estimated Expenditures	\$2,785,628.77
	Total Increase This Amendment	\$13,633.00
	Total Estimated Expenditures This Amendment	\$2,799,261.77

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

		INCREASE	DECREASE
1000	INSTRUCTION		
1100	REGULAR INSTRUCTION PROGRAM		
1100 499 NW	Other Materials and Supplies		\$2,700.00
1100 722 NW	Regular Instruction Equipment	\$2,700.00	
1100 116 OK	Teachers	\$1,497.00	
1100 201 OK	Social Security	\$93.00	
1100 204 OK	State Retirement	\$50.00	
1100 212 OK	Medicare	\$22.00	
1100 299 OK	Other Fringe Benefits	\$6.00	
1100 429 OK	Instructional Supplies and Materials		\$3,168.00
1100 499 OK	Other Materials and Supplies	\$1,500.00	
1100 189 SM	Other Salaries and Wages	\$1,300.00	
1100 201 SM	Social Security	\$100.00	
1100 212 SM	Medicare	\$22.00	
1100 429 SM	Instructional Supplies and Materials		\$1,000.00
1100 499 SM	Other Materials and Supplies		\$631.00
1100 722 SM	Regular Instruction Equipment		\$2,900.00
	TOTAL:	\$7,290.00	\$10,399.00
000	SUPPORT SERVICES		
210	REGULAR INSTRUCTION PROGRAM		
210 524 SM	In Service/Staff Development	\$3,109.00	
	TOTAL:	\$3,109.00	\$0.00
	GRAND TOTAL:	\$10,399.00	\$10,399.00

Total Increase/Decrease: 0.00

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 FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 380 - TITLE II PART D
 OCTOBER, 2002

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers	\$170,034.00	
71100 201	Social Security	\$10,246.19	
71100 204	State Retirement	\$5,618.88	
71100 207	Medical Insurance	\$4,181.16	
71100 212	Medicare	\$2,396.29	
71100 299	Other Fringe Benefits	\$621.72	
	TOTAL:	\$193,098.24	\$0.00
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 599	Other Charges	\$5,000.00	
	TOTAL:	\$5,000.00	\$0.00
72210	REGULAR INSTRUCTION PROGRAM		
72210 189	Other Salaries and Wages	\$7,500.00	
72210 201	Social Security	\$465.00	
72210 204	State Retirement	\$255.00	
72210 212	Medicare	\$108.75	
72210 299	Other Fringe Benefits	\$28.22	
72210 355	Travel	\$5,860.79	
72210 524	Inservice/Staff Development	\$40,000.00	
72210 524 FFA	Inservice/Staff Development	\$7,134.68	
72210 524 ROA	Inservice/Staff Development	\$2,638.32	
	TOTAL:	\$63,990.76	\$0.00
72410	OFFICE OF THE PRINCIPAL		
72410 185	Educational Incentives	\$15,000.00	
	TOTAL:	\$15,000.00	\$0.00
	GRAND TOTAL:	\$277,089.00	\$0.00
Total Increase:	\$277,089.00		
Revenue:	47189 Title II Eisenhower Professional Dev.	\$277,089.00	
Revenue:	Prior Total Available Funds	\$2,931,936.15	
	Total Increase This Amendment	\$277,089.00	
	Total Available Funds This Amendment	\$3,209,025.15	
Expenditures:	Prior Total Estimated Expenditures	\$2,799,261.77	
	Total Increase This Amendment	\$277,089.00	
	Total Estimated Expenditures This Amendment	\$3,076,350.77	

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

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers	\$20,000.00	
71100 201	Social Security	\$1,240.00	
71100 204	State Retirement	\$680.00	
71100 212	Medicare	\$290.00	
71100 722	Regular Instruction Equipment	\$7,675.00	
71100 722 FFA	Regular Instruction Equipment	\$5,099.88	
71100 722 ROA	Regular Instruction Equipment	\$1,886.12	
	TOTAL:	\$36,071.00	\$0.00
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 355	Travel	\$500.00	
	TOTAL:	\$500.00	\$0.00
	GRAND TOTAL:	\$37,371.00	\$0.00
Total Increase: \$37,371.00			

Revenue:	47142 Innovative Education Prog. Strategies	\$37,371.00
Revenue:	Prior Total Available Funds	\$3,209,025.15
	Total Increase This Amendment	\$37,371.00
	Total Available Funds This Amendment	\$3,246,396.15
Expenditures:	Prior Total Estimated Expenditures	\$3,076,350.77
	Total Increase This Amendment	\$37,371.00
	Total Estimated Expenditures This Amendment	\$3,113,721.77

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 272 - TITLE I SCHOOL IMPROVEMENT
 OCTOBER, 2002

		INCREASE	DECREASE
1000	INSTRUCTION		
1100	REGULAR INSTRUCTION PROGRAM		
1100 399	Other Contracted Services	\$4,450.00	
1100 429	Instructional Supplies and Materials	\$3,907.76	
1100 722	Regular Instruction Equipment	\$34,135.93	
	TOTAL:	\$42,493.69	\$0.00

/2000	SUPPORT SERVICES		
/2210	REGULAR INSTRUCTION PROGRAM	\$27,000.00	
/2210 524	In Service/Staff Development	\$27,000.00	\$0.00
	TOTAL:		
	GRAND TOTAL:	\$69,493.69	\$0.00

Total Increase: \$69,493.69

Revenue:	47590 Other Federal Funds Thru State	\$69,493.69
Revenue:	Prior Total Available Funds	\$3,246,396.15
	Total Increase This Amendment	\$69,493.69
	Total Available Funds This Amendment	\$3,315,889.84
Expenditures:	Prior Total Estimated Expenditures	\$3,113,721.77
	Total Increase This Amendment	\$69,493.69
	Total Estimated Expenditures This Amendment	\$3,183,215.46

Motion was made by Commissioner Doll, seconded by Commissioner McCloud, and unanimously carried by the Board approving the following General Fund Budget Amendment as recommended by the Budget Committee.

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 22nd day of October, 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
October, 2002**

	INCREASE	DECREASE
<u>Adjustment to Equities Account:</u>		
34154 Reserved for Litigation Tax-Jail/Workhouse		\$25,000.00
Subtotal-34154		\$25,000.00
TOTAL INCREASE/DECREASE TO EQUITIES ACCOUNT		\$25,000.00

PENDITURES000 Capital Outlay

799 Other Capital Outlay	+	\$ 27,000.00	\$ 27,000.00
Total 68000:	+	\$ 27,000.00	\$ 948,000.00
Total Estimated Expenditures:	+	\$ 27,000.00	\$4,178,897.00
cess of Est. Revenues Over nder) Est. Expenditures		(22,195)	(293,265)
c. Ending Fund Balance, June 30		(22,195)	\$402,764.00

Having been reviewed by the Budget Committee and presented with their recommendation to approve, motion was made by Commissioner Doll, seconded by Commissioner Graves, and unanimously carried by the Board approving the sale of approximately four (4) acres in the Industrial Park to Jim Goodman for \$6,000 with the first option to buy back at the same sale price if construction has not been made on this land within a two year period.

Having been reviewed by the Education Committee and the Budget Committee and presented with their recommendation for approval, motion was made by Commissioner Doll and seconded by Commissioner Leifer to change the position and salary of the Library Deputy I to Administrative Assistant effective July 01, 2002. Mike Jaeger, Chairman of the Library Board, addressed the Board in favor of this position change; Jimmie German, General Sessions Clerk, addressed in opposition. Discussion followed.

Motion was then made by Commissioner Burnette, seconded by Commissioner Harris to table action on this motion until all offices present their employee review to the Personnel Committee. Discussion followed. Roll Call Vote was taken on this motion to table. Voting "YES" to table, Commissioners Burnette, Dowdy, Fowler, German, Harris, Oglesby. (6)

Voting "NO" : Commissioners Allen, Anderson, Campbell, Doll, Dowdle, Graves, Leifer, Lillard, Logan, McCloud, Vaughan, Wilson and Yancey. (13)

Said motion to table failed.

Now action was taken on the original motion to change the title and salary of the Library Deputy I to Administrative Assistant. Motion was made by Commissioner Wilson to adopt this motion by acclamation. Same was so ordered.

Ten minute recess was taken.

The Growth and Annexation plan was now before the Board. Chairman Rhea presented the plan as approved by the Subcommittee on Growth and Annexation.

Commissioner Allen then presented the following revised plan and moved for the adoption of this growth plan necessary to meet the criteria of PL 1101. Motion was seconded by Commissioner McCloud. Same being as follows:

Adjustment to Designated Funds:

35110 Designated for Purpose 1	<u>\$79,145.37</u>
Subtotal-35110	\$79,145.37
TOTAL INCREASE/DECREASE TO DESIGNATED FUND	\$79,145.37

Adjustment to Expenditure Accounts:

	INCREASE	DECREASE
<u>56700 Parks and Fair Boards</u>		
724 Site Development	<u>\$79,145.37</u>	
Subtotal-56700	\$79,145.37	
<u>91120 Administration of Justice Projects</u>		
304 Architects	<u>\$25,000.00</u>	
Subtotal-91120	\$25,000.00	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT	\$104,145.37	

Prior Estimated Expenditures	\$8,624,176.00
Total Estimated Expenditures This Amendment	\$8,728,321.37
Projected Fund Balance before Amendment	\$2,090,381.00
Change in Fund Balance This Amendment	\$ 00.00
Estimated Ending Fund Balance as of June 30 th , 2003	\$2,090,381.00

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With the Public Works Budget Amendment having been approved by the Budget Committee, motion was made by Commissioner Doll, seconded by Commissioner Burnette, and unanimously carried by the Board approving same as follows:

<u>VENUES</u>		<u>AMENDMENT</u>	<u>AMENDED TOTAL</u>
<u>000 Other Local Revenues</u>			
530 Sale of Equipment	+	\$ 4805.00	\$ 4805.00
Total 44000:	+	\$ 4805.00	\$156,105.00
Total Estimated Revenues:	+	\$ 4805.00	\$3,885,632.00

1. Outside the cities' UGB limits, the county would be rural, with the exceptions as noted:
2. The cities would have as their UGB's the ones agreed on in 1999, with the exception of Hickory Withe and Braden (using the one agreed on in 12/2000), and using the clarifications and changes that follow:
3. The cities would be granted the same rights as granted La-Grange (if an application is made for a rezoning, it would go to that city's planning commission for a recommendation, then to the County's Planning Commission);
4. The Hickory Withe area (which would include an area which has been in the city limits of the Town of Hickory Withe as well as the UGB for the Town of Hickory Withe as identified on the map agreed to on 12/2000) would be a PGA.
5. I-40 Exit 42 would be Planned Growth Area (PGA) with a one mile radius from the center of I-40 and State Route 222;
6. Rossville would get up to Raleigh-LaGrange Road;
7. Braden goes to Longtown with a one mile radius south of I-40 from the intersection of I-40 and Hwy 59;
8. Gallaway goes to I-40;
9. Gallaway, Braden would split an area south of I-40 with a one mile radius where I-40 and Braden Road meet, with Gallaway getting the portion west of Braden Road and Braden getting the portion east of Braden Road.

Discussion followed with the floor being opened for public comments. After further discussion, the following Roll Call Vote was taken on the motion as presented. Voting "YES" to approve the motion, Commissioners Allen, Anderson, Campbell, Fowler, Harris, Lillard, Logan, McCloud, Oglesby and Yancey. (10)

Voting "NO" : Commissioners Burnette, Dowdy, German, Graves, Leifer and Vaughan. (6)

Passing: Commissioners Doll, Dowdle and Wilson. (3)

Thereupon, said motion passed.

This meeting adjourned for an Attorney/Client meeting.

Upon reconvening the matter was to appoint an attorney for representation in the Lee VS Voss/Fayette County lawsuit. After discussion motion was made; seconded and unanimously carried to allow Chairman Rhea to select an attorney to be approved by this Board

Thereupon, said meeting adjourned.

RHEA TAYLOR - Chairman
County Mayor

ATTEST:

Dell T. Graham, County Clerk