

FAYETTE COUNTY LEGISLATIVE BODY

October 27, 2003

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BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee, on the 28<sup>th</sup> day of October, 2003.

Present and presiding Chairman Christopher Campbell. Also present, Dell T. Graham, County Clerk and the following County Commissioners: Joann C. Allen, Steve Anderson, Joe B. Burnette, Jr., 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., Myles Wilson and Allen Yancey, Jr.

Absent: Commissioner Richard D. Vaughan.

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

Commissioner Burnette made the Board aware of the passing of Chuck Pugh who had been with law enforcement through the Fayette County Sheriff's Department for quite some time.

The floor was then opened to the public to address items not on the Agenda. Addressing the Board was Debbie Sullivan.

The minutes of the September 2003 meeting were presented for approval. Motion was made by Commissioner Doll and seconded by Commissioner Logan to approve said minutes. Upon Roll Call Vote, the following voted "YES" to adopt same: Commissioners Allen, Anderson, Campbell, Doll, Fowler, Graves, Leifer, Lillard, Logan, McCloud and Yancey. (11)

Voting "NO": Commissioners Burnette, Dowdle, Dowdy, German, Harris, Oglesby and Wilson. (7)

Absent: Commissioner Vaughan.

With this roll call vote, said minutes were approved.

Motion was then made by commissioner Doll and seconded by commissioner Graves to approve the minutes of the October 14, 2003 Special Call Meeting of this Board. Upon Roll Call Vote the following voted "YES": Commissioners Anderson, Campbell, Doll, Graves, Lillard, Logan, McCloud and Yancey. (8)

Voting "NO": Commissioners Allen, Burnette, Dowdle, Dowdy, Fowler, German, Harris, Oglesby and Wilson. (9)

Passing: Commissioner Leifer.

Absent: Commissioner Vaughan.

Said motion failed leaving the minutes of the Special Call Meeting not approved.

At this time County Attorney Rosser suggested that this Board approve a **Memorial Resolution to Judge Paul R. Summers**. Motion was made by Commissioner Leifer, seconded by Commissioner Burnette and unanimously carried by the Board authorizing Mr. Rosser to draw this Resolution for adoption by this Board.

Motion was made by Commissioner Logan, seconded by Commissioner Leifer and unanimously carried by the Board appointing the following as **Notaries Public**: Linda Key, Paula Munz, Laura E. Pumphrey, Dorothy L. Rogers, Sherry A. Simons and Glenda A. Ward.

Now before the Board was the adoption of **Rules of Procedure**. Motion was made by Commissioner Lillard and seconded by Commissioner McCloud to approve the Rules as presented. Commissioner Dowdle requested a change under **Rule 15 G. Committee Meeting Minutes** to show the following addition: "All recommendations, whether positive or minus, be recorded in the minutes that go to Commissioners in their packet, with no censoring allowed". Motion was made by Commissioner Harris, seconded by Commissioner Leifer and unanimously carried by the Board making this addition.

Commissioner Dowdle then reviewed **Rule 5 F. Reconsideration of a Motion** with proposed changes. Much discussion followed. Motion was then made by Commissioner Dowdle, seconded by commissioner Harris and unanimously carried by the Board changing **Rule 5 F.** to read: "When a question has been put to a vote, it shall be in order for any member of the prevailing side to move for reconsideration at any time during that session of

the County Legislative Body. The vote to reconsider requires a majority vote”.

Commissioner Dowdle then addressed Rule 11 G. **Putting the Question** and asked for same to read: “The Presiding Officer shall rise to state or put a question and shall clearly state the question before the County Legislative body before the vote on the question is taken. A member may ask for clarification of the question. The Chairman will address the Legislative Body “is this to terminate debate” . The vote to terminate must be a 2/3 majority up until the result of the vote is announced”. Motion was made by Commissioner Dowdle and seconded by Commissioner Harris to accept the proposed change to **Rule 11 G**. Upon Roll Call Vote the following Commissioners voted “YES”: Commissioners Allen, Burnette, Dowdle, Dowdy, German, Harris, Leifer, Oglesby and Wilson. (9)

Voting “NO”: Commissioners Anderson, Campbell, Doll, Fowler, Graves, Lillard, Logan, McCloud and Yancey. (9)

Absent: Commissioner Vaughan.

Said motion failed.

Vote was then taken on the **Rules of Procedure** as originally presented, but with the amendments made under Rule 15 G. and 5 F. Same was unanimously approved by the, same being as follows:

## **FAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS**

### **RULES**

Rule 1: **Convening the County Legislative Body**

The County Legislative Body shall conduct its regular meetings at the Fayette County Courthouse on the fourth Tuesday of each month at 7:00 p.m. Should any regular meeting fall on a legal holiday, or if an emergency shall arise, the County Legislative Body shall meet on such other date as shall be selected by the Chairman.

Rule 2: **Quorum**

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the County Legislative Body and where a vacancy or vacancies exist in the County Legislative Body the same shall not be included in determining the membership of such County Legislative Body.

Rule 3: **Order of Business**

1. Call to order by the Presiding Officer
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Comments on non-agenda items (10 minute maximum)
6. Reading and approval of minutes of previous meeting
7. Resolutions of memorials, sympathy and commendations
8. Public hearings
9. Elections, Appointments and Confirmations

10. Unfinished Business
  - a. Financial reports
  - b. Reports of Departments and Agencies
  - c. Report of standing committees and action thereon
  - d. Report of special committees and action thereon
  - e. Other unfinished business
11. New business
12. Announcements and statements by members, officials and the public
13. Adjournment

Rule 4: **General**

Rule 4 A: **Who May Address the County Legislative Body**

It is a Commissioner's right to address the Chairman and the County Legislative Body at any appropriate time after proper recognition by the Chairman, which recognition will not be arbitrarily denied. Elected and appointed county officials with expertise or information necessary for clarification of a matter under consideration by the County Legislative Body may address the County Legislative Body at any appropriate time after proper recognition by the Chairman, which recognition will not be arbitrarily denied. Citizens and their representatives are encouraged to speak for or against any matter under consideration or during the Announcements and Statements portion of a meeting. Statements of citizens shall be limited to three (3) minutes per speaker and fifteen (15) minutes total for those speaking in favor, and fifteen (15) minutes total for those speaking in opposition to an item under consideration. These specified time limits may be extended by majority vote of the County Legislative Body.

Rule 4 B. **Gaining the Floor**

In all cases, the member who shall first raise his hand and address the Chairman shall be entitled to speak first. When two or more members shall raise their hands and address the Chairman at the same time, the Chairman shall name the member who shall speak first followed by the other member.

Rule 4 C. **Speaking**

When any member wishes to speak in debate, discussion, or deliver any address on any matter whatsoever to the County Legislative Body, they shall respectfully address the Chairman and shall, after being recognized by the Chairman proceed with the remarks, confining such remarks strictly to the question under debate and avoiding all personalities.

Rule 4 D. **Consent to Yield**

While a person is speaking, the speaker shall not be interrupted, except for a question. If the speaker declines to yield, the speaker shall not be interrupted, but shall yield to questions at the end of the presentation.

Rule 4 E. **Points of Order**

If any member, speaking or otherwise, transgresses the Rules of the County Legislative Body, the Chairman shall, or any member may, call

him to order, in which case the member so-called to order shall immediately cease speaking at which time the point of order shall be at once decided by the Chairman, subject to an appeal to the County Legislative Body. After the decision is rendered, the member having the floor can proceed, subject to the decision made.

Rule 4 F. Appeal on Rulings

Any member may appeal to the County Legislative Body any ruling of the Chairman, and a majority vote of the members present shall decide the appeal.

Rule 4 G. Refusal to be in Order

If any person, member or otherwise, refuses to remain orderly, the Chairman shall have the right to call upon the Sheriff, Deputy Sheriff, or Officer in waiting upon the County Legislative Body to seat such person, and if such person refuses to be seated, or come to order, the Chairman shall have the right to declare such person in contempt and to order his removal from the courtroom. This person may return to the courtroom only on the approval of a majority of the members present.

Rule 4 H. Introduction of a Resolution (Motion)

Any proposed resolution may be introduced by any member of the County Legislative Body.

Rule 4 I. Committee Referrals

Any member wishing to introduce a measure which would require consideration or study shall refer the matter to the Chairman and he shall refer it to the appropriate committee without delay.

Rule 5. Motions and Resolutions

Rule 5 A. Introduction and Debate

Motions may be made only by Commissioners. No motion shall be debated until the same is seconded and stated by the Chairman.

Rule 5 B. Motions in Writing

When a motion shall be made and seconded, it shall be reduced to writing by the proponent or the Clerk and read by the Chairman prior to any debate or vote.

Rule 5 C. Requiring Roll Call

Any motion, except a motion involving the appropriation of funds, may be put to the County Legislative Body for a voice vote by the Chairman, provided, however, any member may require a roll call by the raising of the hand or indication otherwise, either before or after the voice vote. All motions concerning appropriation of funds shall require a roll call vote.

Rule 5 D. Votes Required to Pass a Motion

In order to pass any motion there must be a vote of a majority of the members constituting the County Legislative Body and, not merely a majority of the quorum present.

Rule 5 E. Member May Change Vote

Any member of the County Legislative Body may change his vote before the result of a roll call is announced by the Clerk. It shall be the duty of the Clerk at the end of each roll call, to require of those who passed or were absent when the roll was called if they desire to vote; also, if any one who has voted wishes to change his vote. Then, the result shall be announced by the Clerk.

Rule 5 F. Reconsideration of a Motion

When a question has been put to a vote, it shall be in order for any member of the prevailing side for reconsideration at any time during that session of the County Legislative Body. The vote to reconsider requires a majority vote.

Rule 6. Elections and Appointments

Rule 6 A. Elections with Nominations from the Floor

When the Chairman is to receive nominations from the floor, a member may nominate only one other person. The floor will be kept open until every member has had an opportunity to nominate a person if he so desires before the nominations are closed.

Rule 6 B. Appointive Office

The persons nominated will be introduced before the County Legislative Body if practical and a discussion of each appointee shall follow.

Rule 6 C. Election or Confirmation

All ballots shall be cast by voice vote as each member's name is called by the Clerk. A majority of the full County Legislative Body is required for election or confirmation except as otherwise provided by statute or private act.

Rule 6 D. Second Ballot

If no one is elected on a given ballot, the person receiving the smallest number of votes will be dropped and the ballots cast again until a person is elected by the required majority.

Rule 7. Committees

Rule 7 A. County Legislative Body Committees

The members of all committees of the County Legislative Body, including standing committees, may be nominated from the floor by the members and by the County Mayor and shall be approved by a majority vote of the County Legislative Body. Notwithstanding the above, the members of the Budget Committee shall consist of the chairmen of the other five standing committees and three other County Legislative Body members nominated and approved as set forth above. Any commission member may call for a vote on individual approval of committee members. Upon appointment of the membership of a committee by the County Legislative Body, the committee shall elect its chairman, vice chairman and secretary from its membership. The secretary shall take minutes and tape record the proceedings of the committee meeting.

Rule 8. **Appropriation Requests**

Any and all requests requiring expenditure of local county funds shall be submitted in writing to the Budget Director for review by the appropriate committee and shall have an estimated cost included in or attached to the request or resolution. A reasonable summary of the request shall be included in or attached to the agenda which shall be made available to all members of the County Legislative Body.

Rule 8 A. **Appropriations Except by Bond Issue**

Any and all appropriations except bond issues, to be issued or approved must be filed in triplicate, the original with the Budget Director and copies to the Chairman and the Chairman of the appropriate committee at least fifteen days prior to the meeting of the County Legislative Body.

Rule 8 B. **Appropriations by Bond Issue**

Notice of all proposed appropriations by bond issue shall be filed in triplicate, the original with the Budget Director and copies to the Chairman and Chairman of the appropriate committee at least fifteen days prior to the meeting of the County Legislative Body. The notice shall contain the proposed amount of the bond issue, the purposes for which the bonds are to be issued, and the term of the bond issue.

Rule 8 C. **Committee Recommendations**

The committee to which the request has been referred shall assume one of the following positions: (1) adoption recommended, with or without conditions; (2) rejection recommended; or (3) submitted to the County Legislative Body without recommendation.

Rule 8 D. **Budget Committee Advice**

The Budget Committee shall advise the County Legislative Body as to fund availability before a vote is taken.

Rule 9. **Amending or Suspending the Rules**

Any rule or rules may be suspended or amended at any time by the County Legislative Body by a two-thirds majority of the members.

Rule 10. **Roberts Rules of Order**

All matters not covered herein shall be governed by Robert's Rules of Order as contained in the latest copyrighted edition.

Rule 11. **Presiding Officer**

Rule 11 A. **Election**

Annually, at its first session in September, the County Legislative Body shall elect a Chairman and a Chairman Pro Tempore. The Chairman may be a member of the County Legislative Body or the County Mayor. If the County Mayor is elected, and accepts the position, then the County Mayor shall have no veto power and the Chairman Pro Tempore shall supervise any County Legislative Body staff or consultants hired by the County Legislative Body.

**Rule 11 B. Voting by the Chairman**

If the County Mayor serves as Chairman, he may vote only in the case of a tie vote by the County Legislative Body. If a County Legislative Body member serves as Chairman, he or she may vote on all issues coming before the County Legislative Body but may not vote again to break a tie vote.

**Rule 11 C. Call to Order**

The County Legislative Body shall be called to order by the Chairman. In the absence of the Chairman, the Chairman Pro Tempore shall preside. In the absence of the Chairman Pro Tempore, the County Legislative Body shall be called to order by the County Clerk, and shall elect one of its members to preside over deliberations.

**Rule 11 D. Question of Order**

The Presiding Officer shall preserve order and decorum. He may speak to points of order in preference to other members, rising from his seat for that purpose. He shall decide questions of order, subject to an appeal to the County Legislative Body by any member.

**Rule 11 E. Members Speaking**

Before a member is allowed to speak twice on the same subject, the Presiding Officer shall inquire if there is another member who has not spoken on that subject and who wishes to speak.

**Rule 11 F. Motions**

Once a motion has been made and duly seconded, the motion shall be reduced to writing by the proponent or the Clerk and read by the Presiding Officer so that debate on the motion may begin.

**Rule 11 G. Putting the Question**

The Presiding Officer shall rise to state or put a question and shall clearly state the question before the County Legislative Body before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced.

**Rule 11 H. Agenda to Commissioners**

A copy of the agenda, attachments, and notice calling each County Legislative Body meeting shall be delivered to each member on Thursday prior to the following Tuesday night.

Rule 12. **County Clerk**

Rule 12 A. **Minutes of the County Legislative Body**

The County Clerk shall make copies of the minutes of each County Legislative Body meeting and distribute them not later than ten days after the meeting. The minutes shall be distributed as follows:

1. One copy to each member.
2. One copy upon request to each county office, department and/or commission head.
3. One copy upon request to all public, school and university libraries in the county.
4. One copy upon request to all licenses and operating commercial radio and television stations in the county.
5. One copy upon request to all newspapers published in the county for sale and distribution to the general public.
6. One or more pages shall be made available to the general public at reasonable cost.

Rule 12 B. **Roll Call**

On all appropriations, the Clerk shall call the roll for "Aye" and "No" votes. Names will be called in alphabetical order.

Rule 12 C. **Change of Vote**

It shall be the duty of the Clerk at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if any one who has voted wishes to change his vote. Then the results shall be announced by the Clerk.

Rule 12 D. **Audio Tape of Meetings**

The Clerk shall cause all County Legislative Body meetings and County Legislative Body committee meetings to be tape recorded and shall maintain such tape recordings indefinitely. Members and the public may listen to such tape recordings during the Clerk's normal office hours and copies thereof will be made available at reasonable cost.

Rule 13. **The Sheriff**

The Sheriff shall attend the County Legislative Body meeting while in session, or designate some other officer for that purpose, to preserve order and carry out the orders of the presiding officer of the court.

Rule 14. **County Attorney**

The County Attorney shall attend meetings of the County Legislative Body to advise on matters of Law. He shall also attend committee meeting when called upon by the Chairman of a standing or special committee or a written request signed by a majority of that committee.

**Rule 15. Committees General****Rule 15 A. Officers Election**

Upon appointment of a committee by the County Legislative Body, the members of the committee shall convene and elect a chairman, vice-chairman, and a secretary from its membership and formulate rules for its operation not covered under general regulations pertaining to all committees. If a committee has not carried out the aforementioned requirements within twenty-one days, the Chairman shall call the committee into session before the next regular meeting date of the County Legislative Body and serve as temporary chairman until the committee elects a chairman and proceeds with its required business.

**Rule 15 B. Committee Chairman and Agenda**

Standing committee chairmen should notify the Chairman of the major matters to be reported to the County Legislative Body at the next meeting. This should be done in time for the item to be included on the agenda.

**Rule 15 C. Committee Meeting Open to Membership of County Legislative Body and Public**

All committee meetings shall be open to the public and rules shall be adopted by each committee allowing members of the public a right to address the committee at its meetings. Members of the County Legislative Body who are not members of the committee shall have full right to attend and participate in the discussion and debate on all matters coming before the committee but they shall have no vote on the committee and shall not be paid for their attendance at such committee meeting.

**Rule 15 D. Authority of Committees**

The role and jurisdiction of a County Legislative Body committee is to investigate and study matters, provide information and to present recommendations, as generally described in the title of the committee and as more specifically defined in the subject areas listed under the title. Should any question arise as to jurisdiction of any committee it shall be referred to the County Legislative Body Chairman for determination, subject to an appeal to the County Legislative Body by any County Legislative Body member at its next regular meeting.

**Rule 15 E. Reporting Procedure**

The procedure for reporting the findings of a committee to the County Legislative Body shall be as follows:

1. The committee chairman or a member he so designates shall make the report.
2. Upon completion of a report the speaker shall yield for questions.
3. There shall be a vote on the proposition when a motion is made, reduced to writing, seconded, discussion is concluded and there is a call for the question by the County Legislative Body.

Rule 15 F. Duties of Committee and Subcommittee Officers

The chairman's prime responsibility is to call meetings of the committee, to serve as presiding officer, and to serve as spokesman of the committee in any action or reporting to the County Legislative Body. Further, the chairman should fully understand and make the committee aware of its authority and areas of jurisdiction. The vice-chairman is to assume the role and responsibilities of the chairman in his absence. Should the chairman, for any reason, vacate his position, the vice-chairman will automatically become chairman. The secretary shall be responsible for the taking of minutes, and the filing and distribution of same. The chairman of each committee may vote on all issues coming before the body, just as any other member.

Rule 15 G. Committee Meeting Minutes

The minutes of all committee meetings shall contain the day, time and place the committee convenes, the members present, a summary of matters considered, a record of the voting on the action taken on each recommendation to the County Legislative Body, the time of adjournment, and a tape recording of the entire meeting. All recommendations, whether positive or minus, shall be recorded in the minutes that go to Commissioners in their packet, with no censoring allowed.

Rule 15 H. Vacancies on Committees

If for any reason one or more members of any respective committee vacate their position, the Chairman, subject to the approval of the County Legislative Body, shall fill those vacancies in the same manner as the original members.

Rule 15 I. Special Committees

The County Legislative Body may from time to time appoint such special committees as the circumstances require, but such a special committee shall be disbanded when its assigned work is completed and in no case shall it exist longer than one year unless extended by the County Legislative Body. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.

Rule 15 J. Reporting Referrals

The committee to which a request or resolution has been referred shall make a report to the County Legislative Body at the next regular meeting after its referral unless the County Legislative Body has specified otherwise in its request or resolution.

Rule 15 K. Failure to Meet

If for any reason the chairman of a committee fails to call a meeting, the County Legislative Body Chairman, or two members of a three member committee, or three members of a larger committee may do so.

Rule 15 L. Quarterly Reports

The quarterly reports submitted by the County Officials and departments shall be presented as a part of the appropriate standing committee reports.

Rule 15 M. Technical Assistance

Committees have any and all authority necessary to request the assistance of county, regional, state and federal governmental departments, commission and agencies. Committees cannot obligate the county involving money without approval of the County Legislative Body.

Rule 15 N. Informal Consideration

The County Legislative Body may by a two-thirds vote of the members present agree to informal consideration of a question. The results of votes taken during informal consideration are decisions of the County Legislative Body.

Rule 16. Standing Committees

The Chairman, shall be an ex-officio member of all committees and sub-committees. In this capacity, the Chairman shall offer assistance and advice as needed.

The standing committees of the County Legislative Body are as follows:

Criminal Justice and Public Safety: All matters pertaining to the criminal justice system including law enforcement, courts, and corrections; civil disturbances; juvenile delinquency; alcohol and drug abuse; emergency preparedness; fire prevention and control. (Five members)

Health and Welfare: All matters pertaining to health care, comprehensive health planning, local health services, mental health and emergency medical services; social services and welfare programs, recreation, solid waste management; soil, water, and wildlife conservation; energy conservation, agriculture, flood prevention and control. (Five members)

Education: All matters pertaining to elementary, secondary and adult education; vocational and technical education; library services. (Five members)

County Development: All matters related to general county development; residential, commercial and industrial development; public facilities, subdivision regulation, zoning, building codes; road improvements, highway safety, airport development. (Five members)

Personnel Committee: All general matters related to personnel; compliance with OSHA and TOSHA Regulations including reports and training, personnel policy, Equal Employment Opportunity Legislation, job description, salary administration, salary classification, and employee benefits. This does not include budgetary issues regarding personnel salaries, requests for additional personnel, personnel transfers, etc. (Five members)

Budget: Taxation; finance; investments; property and intergovernmental relations, all matters pertaining to the financial resources of the county and reports and audit findings; issues regarding personnel salaries, requests for promotion, additional personnel and personnel transfer; health insurance plans. (Eight members)

Rule 17. Conflict With Law

In the event that any portion of these rules is determined to be in conflict with applicable law, then that portion in conflict shall be null and of no effect and the remainder of these rules shall remain in full force and effect.

Mayor Taylor presented for appointment to the **Airport Advisory Board, Mark Fidler**. This recommendation had been presented to and approved by the Development committee. Motion was made by Commissioner Anderson, seconded by Commissioner Allen and unanimously carried by the Board making the appointment as recommended.

Mayor Taylor then presented **Will Bowling** for appointment to the **911 Board**. Motion was made by Commissioner Burnette, seconded by Commissioner Harris and unanimously carried by the Board making the appointment as recommended.

Mayor Taylor then presented for appointment to the **Industrial Development Board, Jack Dawson**. Motion was made by Commissioner Wilson, seconded by Commissioner and unanimously carried by the Board making the appointment as presented.

Mayor Taylor reported orally for his office.

Report from the Trustee's Office was filed.

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

Report from the Board of Public Works was filed.

Reports from the Sheriff's Department and Juvenile Court were called for, but none available.

Commissioner Logan, Chairman of the Development committee, reported for that Committee. After discussion on the **Spec Building**, motion was made by Commissioner Logan and seconded by commissioner Leifer authorizing Mayor Taylor to sell the Spec Building at the appraised value or more. Said motion carried, but with one "no" vote and one abstain.

Mayor Taylor reviewed the recommendation of the Development committee to form a **Joint Economic & County Development Board**. After discussion, motion was made by Commissioner Anderson, seconded by commissioner Dowdle and unanimously carried by the Board authorizing Mayor Taylor to negotiate interlocal agreements in order that he may have mayors from each of the cities, a member for individuals who is a property owner who owns land within the Greenbelt and a resident of Hickory With on the Joint Economic & County Development Board.

Commissioner Logan then presented the recommendation of the Deveolpment Committee to approve **Shady Oaks Drive** and **Shady Oaks Circle** as county roads. Motion was made by Commissioner Logan, seconded by Commissioner Allen and unanimously carried by the Board approving said roads.

Commissioner Graves reported for the Criminal Justice & Public Committee.

Reports from the Personnel Committee and the Education Committee were called for, but none presented.

Commissioner Lillard reported for the Health & Welfare Committee.

Commissioner Doll, Budget committee Chairman, presented the recommendation of that committee to approve a Budget Amendment to the **EMA Budget**. Motion was made by Commissioner Doll, seconded by Commissioner Leifer, and unanimously approved by Roll Call Vote approving the following Resolution.

### 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 28th day of October, 2003, 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 03/04  
October, 2003**

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<b>54410 Civil Defense</b>		
105 Supervisor/Director	\$ 24,000.00	
106 Deputy(ies)		\$ 24,000.00
332 Legal Notices	200.00	
355 Travel	600.00	
425 Gasoline	800.00	
435 Office Supplies	<u>1,000.00</u>	<u>                    </u>
<b>Subtotal-54410</b>	<b>\$ 26,600.00</b>	<b>\$ 24,000.00</b>
 <b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT</b>	 <b>\$26,600.00</b>	 <b>\$24,000.00</b>
 Prior Estimated Expenditures		 \$8,228,264.00
Total Estimated Expenditures This Amendment		\$8,254,864.00
Projected Fund Balance before Amendment		\$1,988,044.00
Change in Fund Balance This Amendment		\$ 2,600.00
Estimated Ending Fund Balance as of June 30 <sup>th</sup> , 2004		\$1,985,444.00

Commissioner Doll then reviewed a school bus lease agreement and moved to allow the School Board to enter into a lease for school busses with the understanding that this will not obligate this Commission to provide any new money to the School System to pay the annual lease obligation. Motion was seconded by commissioner McCloud and unanimously carried by roll call vote.

Commissioner Doll then reviewed **Easter Seals** taking over operation of the Fayette County Development Center and their negotiating purchase of that property. As approved by the Budget Committee, motion was made by Commissioner Doll and seconded by commissioner McCloud that the County not waive the current first refusal to purchase option on Fayette county Development Center property. After discussion, Commissioner Doll withdrew his motion and asked that this matter be tabled until next month. Motion was duly seconded and carried, but not unanimously.

Motion was then made by Commissioner Doll, seconded by Commissioner Dowdle to accept the transfer of title to property of **EC/EZ Community Center** located north of Somerville. Said motion carried with Commissioner Leifer passing.

Motion was made by commissioner Doll, seconded by Commissioner German, and unanimously carried by the Boara to table action on the **Solid Waste fees** and operation schedule until the next meeting of this Board, after same has been reviewed by the Health & Welfare Board.

Mayor Taylor distributed to the Commissioners a copy of the land contract and financing for the Justice Complex.

Thereupon, said meeting adjourned.

**CHRISTOPHER CAMPBELL**  
Chairman

ATTEST:

**Dell T. Graham, County Clerk**