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FAYETTE COUNTY LEGISLATIVE BODY
April 27, 2004

BE IT REMEMBERED That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee on the 27th day of April, 2004.

Present and presiding Chairman Christopher L. 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., Richard R. Vaughan, Myles Wilson and Allen Yancey, Jr.

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

The floor was opened to the public to address items not on the Agenda. Addressing the Board were representatives of the American Cancer Society.

Motion was then made by Commissioner McCloud, seconded by Commissioner Dowdy and unanimously carried by the Board approving the minutes of the March 23, 2004 meeting of this Board.

Motion was made by Commissioner McCloud, seconded by Commissioner Leifer to approve the minutes of the April 05, 2004 Special Call Meeting of this Board. Said motion carried, but not unanimously.

The floor was then opened to the public for comments in favor of, or in opposition to speed limits on Shady Oaks Drive, Shady Oaks Circle and Shady Oaks Cove; and for Belmont Road, as well as a rezoning on Orr Road from R - 1 to R - 3. With no comments offered, the floor was closed to the public.

Motion was made by Commissioner Leifer, seconded by Commissioner Logan and unanimously carried by the Board appointing the following as **Notaries Public**: Matthew R. Armour, Judy C. McQueen, Joyce R. Mason, Rebecca S. Rogers, Lathan E. Sowell.

Mayor Taylor then presented for confirmation **Kerry M. Smith** as **County Fire Chief**. Motion was made by Commissioner Graves, seconded by Commissioner Dowdle and unanimously carried by the Board confirming the appointment.

Mayor Taylor reported for his office announcing the resignation of Lisa McDowell as **EMA Director**. He also presented to each commissioner a request to postpone any decision on the use of the Wilson land for Jail construction. He also noted

that he, as Mayor, had not been authorized to purchase that site. The contract was presented to each commissioner for review. Motion was made by Commissioner McCloud, seconded by Commissioner Leifer to accept the terms of the contract giving the Mayor the authority to sign said contract binding Fayette County.

Commissioner Vaughan asked that since he was absent during the last action of this Board that the record show that he did not support the purchase of the Wilson property.

Roll Call Vote in reverse alphabetical order was requested. Upon Roll Call Vote, the following voted "YES": Commissioners Yancey, McCloud, Logan, Lillard, Leifer, Graves, German, Fowler, Doll, Burnette, Anderson and Allen. (12)

Voting "NO": Commissioners Wilson, Vaughan, Oglesby, Dowdy and Dowdle.
(5)

Passing: Commissioner Harris.
Said motion carried.

Report was called for from the Trustee's Office, but none presented .

Report was called for from the Board of Education, but none presented. Commissioner Doll did question Commissioner Wilson on court action regarding a prior employee of the Board of Education.

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

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

Commissioner Logan reported for the Development Committee and advised that recommendations for speed limits had been made.

Commissioner Allen presented the following Resolution setting a speed limit and moved for the adoption of same:

RESOLUTION

BE IT RESOLVED, by the Board of County Commissioners and/or County Legislative Body of Fayette County, Tennessee, in regular session assembled on this 27th day of April, 2004, being the fourth Tuesday of said month and the regular monthly meeting date of the April said County Legislative Body, in the Courthouse at Somerville, Tennessee, that pursuant to the provisions of Chapter No. 357 of the Private Acts of Tennessee 1967-68, and amendment thereto, it shall be unlawful for any person to operate or drive a motor vehicle in excess of twenty-five (25) miles per hour on Shady Oaks Drive, Shady Oaks Circle and Shady Oaks Cove in their entirety, being located in the 7th Civil District of Fayette County, Tennessee; and

BE IT FURTHER RESOLVED that any person violating the provisions of this ion shall be guilty of a misdemeanor and punished accordingly.

Motion was seconded by Commissioner Leifer and unanimously carried by the Board adopting the foregoing Resolution.

Commissioner Dowdle then presented a Resolution to set a speed limit on Belmont Road and moved for the adoption of same:

RESOLUTION

BE IT RESOLVED by the Board of County Commissioners and/or County Legislative Body of Fayette County, Tennessee in regular session assembled on this 27th day of April, 2004, being the fourth Tuesday of said month and the regular monthly meeting date of the April term of said County Legislative Body, in the Courthouse at Somerville, Tennessee, that pursuant to the provisions of Chapter No. 357 of the Private Acts of Tennessee 1967-68, and amendment thereto, ti shall be unlawful for any person to operate or drive a motor vehicle in excess of forty-five (45) miles per hour on Belmont Road in its entirety, for a distance of approximately one and one-half (1.5) miles, being located in the Fifth Civil District of Fayette County, Tennessee; and

BE IT FURTHER RESOLVED that any person violating the provisions of this Resolution shall be guilty of a misdemeanor and punished accordingly.

Motion was seconded by Commissioner Wilson and unanimously carried by the Board.

Commissioner Yancey questioned the proper procedure for submitting road speed limit changes. Discussion followed.

Kevin Perk, Planning Director, then reviewed the rezoning request of Doris and Frank Keith for property located on Orr Road for rezoning from R-1 to R-3. Having been reviewed by the Development Committee and presented with their recommendation for passage, motion was made by Commissioner Allen, seconded by Commissioner Dowdle and carried by the Board adopting the following Resolution rezoning said property:

RESOLUTION

A RESOLUTION TO AMEND THE FAYETTE COUNTY ZONING MAP TO REZONE LAND FROM R-1 (RURAL RESIDENTIAL) TO R-3 (RESTRICTED RESIDENTIAL LOCATED ON ORR ROAD IN THE COUNTY PLANNED GROWTH AREA

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-101 and 13-7-102 the Fayette County Chief Legislative Body has adopted a Zoning Resolution and Map for Fayette County; and

WHEREAS, the Fayette County Regional Planning Commission has recommended the amendment to the Zoning Map to the Fayette County Chief Legislative Body described below in accordance with said section cited above; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-105 a public hearing was held before this body on Tuesday, the 27th day of April 2004, the time and place of which was published with 15 days advance notice:

NOW, THEREFORE BE IT RESOLVED BY THE FAYETTE COUNTY LEGISLATIVE BODY:

SECTION 1. That the following described property, generally known as parcel 16 on Fayette County Tax Map number 82 be rezoned from R-1 (RURAL RESIDENTIAL) to R-3 (RESTRICTED RESIDENTIAL):

Beginning at a point, said point being the intersection of the southern property line of parcel 16 as described on Fayette County Tax Map number 62 as revised in January 2003 and the centerline of Orr Road; thence in a westerly direction directly following the southern property line of said parcel 16 to a point, said point being the intersection with the eastern property line of Parcel 15.04 as described on Fayette County Tax Map number 62 as revised in January 2003; thence in a northerly, easterly and northerly direction, directly following the eastern property lines of parcels 15.04, 15.02 and 9.07 to a point, said point being the intersection of the western property line of said parcel 16 with the southern property line of parcel 16.14 as described on Fayette County Tax Map number 62 as revised in January 2003; thence in a southeasterly direction, directly following the southern property line of said parcel 16.14 to a point, said point being the intersection of said property line of parcel 16.14 with the centerline of Orr Road; thence in a southerly direction, directly following the centerline of Orr Road, back to the point of beginning.

SECTION 2. BE IT FURTHER RESOLEVED that this Resolution shall become effective immediately upon its passage, THE PUBLIC WELFARE REQUIRING IT.

Commissioner Graves reported for the Criminal Justice & Public Safety Committee.

Commissioner Yancey reported for the Personnel Committee.

Commissioner McCloud reported for the Education Committee.

Commissioner Lillard reviewed the meeting of the Health & Welfare Committee.

Commissioner Doll, Budget Committee chairman, reported for that committee. Having been reviewed by the Budget committee and presented with their reconmmendation for passage, the following School Board Budget amendments were reviewed.

FAYETTE COUNTY BOARD OF EDUCATION
GENERAL PURPOSE FUND
FUND 141
APRIL, 2004

10.3.7.1.1

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers	\$175,000.00	
71100 117	Career Ladder		\$2,000.00
71100 163	Teacher Assistants	\$4,600.00	
71100 195	Substitute Teachers	\$30,000.00	
71100 201	Social Security	\$24,000.00	
71100 204	State Retirement	\$7,200.00	
71100 207	Health Insurance	\$32,000.00	
71100 212	Medicare	\$8,600.00	
71100 429	Instructional Supplies and Materials		\$11,516.00
71100 449	Textbooks	\$11,516.00	
	TOTAL:	\$292,916.00	\$13,516.00

71200	SPECIAL EDUCATION PROGRAM	
71200 201	Social Security	\$1,500.00
71200 207	Health Insurance	\$10,500.00
	TOTAL:	\$10,500.00 \$1,500.00

71300	VOCATIONAL EDUCATION PROGRAM	
71300 116	Teachers	\$6,600.00
71300 201	Social Security	\$2,200.00
71300 204	State Retirement	\$220.00
71300 207	Health Insurance	\$13,700.00
71300 212	Medicare	\$400.00
	TOTAL:	\$13,700.00 \$9,420.00

72000	SUPPORT SERVICES	
72120	HEALTH SERVICES	
72120 131	Medical Personnel	\$4,000.00
72120 201	Social Security	\$400.00
72120 204	State Retirement	\$250.00
72120 207	Health Insurance	\$160.00
	TOTAL:	\$160.00 \$4,650.00

72130	OTHER STUDENT SUPPORT	
72130 123	Guidance Personnel	\$30.00
72130 201	Social Security	\$420.00
72130 207	Health Insurance	\$260.00
72130 212	Medicare	\$100.00
	TOTAL:	\$290.00 \$520.00

72210	REGULAR INSTRUCTION PROGRAM	
72210 117	Career Ladder	\$1,000.00
72210 129	Librarian	\$880.00
72210 204	State Retirement	\$710.00
72210 207	Health Insurance	\$600.00
	TOTAL:	\$1,710.00 \$1,480.00

72220	SPECIAL EDUCATION PROGRAM	
72220 117	Career Ladder	\$1,000.00
72220 204	State Retirement	\$40.00
72220 207	Health Insurance	\$5,620.00
72220 212	Medicare	\$40.00
	TOTAL:	\$6,660.00 \$40.00

72230	VOCATIONAL EDUCATION PROGRAM	
72230 201	Social Security	\$260.00
72230 207	Health Insurance	\$390.00
72230 212	Medicare	\$60.00
	TOTAL:	\$390.00 \$320.00

72310	BOARD OF EDUCATION		
72310 186	Longevity Pay		\$2,200.00
72310 513	Workers' Compensation		\$17,550.00
	TOTAL:	\$0.00	\$19,750.00

72320	OFFICE OF THE SUPERINTENDENT		
72320 162	Clerical		\$4,120.00
72320 201	Social Security		\$280.00
72320 204	State Retirement		\$710.00
72320 212	Medicare		\$60.00
	TOTAL:	\$0.00	\$5,170.00

2410	OFFICE OF THE PRINCIPAL		
2410 139	Assistant Principals	\$1,760.00	
2410 161	Secretaries		\$1,300.00
2410 201	Social Security		\$1,040.00
2410 204	State Retirement		\$800.00
2410 207	Health Insurance		\$2,780.00
2410 212	Medicare		\$240.00
	TOTAL:	\$1,760.00	\$6,160.00

2510	FISCAL SERVICES		
2510 207	Health Insurance	\$340.00	
	TOTAL:	\$340.00	\$0.00

2610	OPERATION OF PLANT		
2610 161	Secretary		\$1,740.00
2610 201	Social Security		\$180.00
2610 204	State Retirement		\$1,700.00
2610 207	Health Insurance	\$230.00	
2610 212	Medicare		\$40.00
	TOTAL:	\$230.00	\$3,660.00

2620	MAINTENANCE OF PLANT		
2620 201	Social Security		\$440.00
2620 207	Health Insurance	\$500.00	
2620 212	Medicare		\$100.00
	TOTAL:	\$500.00	\$540.00

2710	TRANSPORTATION		
2710 162	Clerical		\$1,740.00
2710 201	Social Security		\$7,200.00
2710 204	State Retirement		\$8,200.00
2710 207	Health Insurance	\$880.00	
2710 212	Medicare		\$1,690.00
	TOTAL:	\$880.00	\$18,830.00

GRAND TOTAL: \$330,036.00 \$85,556.00

otal Increase: \$244,480.00

Reserve: 39000 Undesignated Fund Balance (\$244,480.00)

Revenue: Prior Total Available Funds \$20,545,272.05
 Total Increase This Amendment \$0.00
 Total Available Funds This Amendment \$20,545,272.05

Expenditure: Prior Total Estimated Expenditures \$19,714,096.20
 Total Increase This Amendment \$244,480.00
 Total Estimated Expenditures This Amend. \$19,958,576.20

This amendment is needed to finish the 2003-04 year. Any excess money is being moved to areas that have estimated shortages. The balance comes from fund balance.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 493 - BEHAVIOR MANAGEMENT PROJECT
 APRIL, 2004

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 116	Teachers		\$12,267.00
71200 189	Other Salaries and Wages	\$1,020.00	
71200 201	Social Security		\$697.00
71200 204	State Retirement		\$2,443.00
71200 212	Medicare		\$163.00
71200 429	Instructional Supplies and Materials		\$4,003.00
71200 499	Other Supplies and Materials	\$3,003.00	
71200 725	Special Education Equipment	\$15,550.00	
	TOTAL:	\$19,573.00	\$19,573.00

Total Increase/Decrease: \$.00

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 493 - BEHAVIOR MANAGEMENT PROJECT
 DECEMBER, 2003

		INCREASE	DECREASE
1000	INSTRUCTION		
1200	SPECIAL EDUCATION PROGRAM		
1200 116	Teachers	\$56,000.00	
1200 189	Other Salaries and Wages	\$24,000.00	
1200 201	Social Security	\$4,961.00	
1200 204	State Retirement	\$3,220.00	
1200 212	Medicare	\$1,161.00	
1200 299	Other Fringe Benefits	\$353.00	
1200 429	Instructional Supplies and Materials	\$4,003.00	
1200 500	Other		

otal Increase: \$99,398

861

venue:	47143 Special Education Grants to States	\$99,398.00
venue:	Prior Total Available Funds	\$3,895,109.37
	Total Increase This Amendment	<u>\$99,398.00</u>
	Total Available Funds This Amendment	\$3,994,507.37
penditures:	Prior Total Estimated Expenditures	\$3,895,109.37
	Total Increase This Amendment	<u>\$99,398.00</u>
	Total Estimated Expenditures This Amendment	\$3,994,507.37

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 499 - REA
 DECEMBER, 2003

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116 JF	Teachers		\$5,400.00
71100 116 NW	Teachers		\$5,400.00
71100 116 SM	Teachers		\$5,400.00
71100 116 OK	Teachers		\$8,000.00
71100 429 OK	Instructional Supplies and Materials	\$8,000.00	
	TOTAL:	\$8,000.00	\$24,200.00
2710	TRANSPORTATION		
2710 146 JF	Bus Drivers	\$2,500.00	
2710 146 NW	Bus Drivers	\$2,500.00	
2710 146 SM	Bus Drivers	\$2,500.00	
2710 201 JF	Social Security	\$155.00	
2710-201 NW	Social Security	\$155.00	
2710 204 SM	Social Security	\$155.00	
2710 204 JF	State Retirement	\$155.00	
2710 204 NW	State Retirement	\$155.00	
2710 204 SM	State Retirement	\$155.00	
2710 212 JF	Medicare	\$37.00	
2710 212 NW	Medicare	\$37.00	
2710 212 SM	Medicare	\$37.00	
2710 299 JF	Other Fringe Benefits	\$230.00	
2710 299 NW	Other Fringe Benefits	\$230.00	
2710 299 SM	Other Fringe Benefits	\$230.00	
2710 412 JF	Diesel	\$1,200.00	
2710 412 NW	Diesel	\$1,200.00	
2710 412 SM	Diesel	\$1,200.00	
2710 425 JF	Gasoline	\$1,123.00	
2710 425 NW	Gasoline	\$1,123.00	
2710 425 SM	Gasoline	\$1,123.00	
	TOTAL:	\$16,200.00	\$0.00
	GRAND TOTAL:	\$24,200.00	\$24,200.00

otal Increase/Decrease: \$0.00

st of materials and supplies increased when teachers added to Oakland st:

A funds mus

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 399 - REA CARRYOVER
 DECEMBER, 2003

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116 SM	Teacher		\$1,600.00
71100 207 SM	Health Insurance	\$1,600.00	
	TOTAL:	\$1,600.00	\$1,600.00

Total Increase/Decrease: \$.00

Insufficient funds budgeted for medical insurance for literacy leader.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 452 - VOCATIONAL INCENTIVE GRANT
 DECEMBER, 2003

		INCREASE	DECREASE
71000	INSTRUCTION		
71300	VOCATIONAL EDUCATION PROGRAM		
71300 355	Travel	\$48.21	
71300 429	Instructional Supplies and Materials		\$23.16
71300 730	Vocational Instruction Equipment		\$25.05
	TOTAL:	\$48.21	\$48.21

Total Increase/Decrease: \$.00

Money left after purchasing equipment and software moved to travel where needed.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 471 - TITLE I
 DECEMBER, 2003

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 207	Health Insurance	\$22,000.00	
71100 599	Other Charges		\$1,500.00
	TOTAL:	\$22,000.00	\$1,500.00
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 196	In-Service/Staff Development	\$1,500.00	
72210 207	Health Insurance	\$9,000.00	
	TOTAL:	\$10,500.00	\$0.00
72710	TRANSPORTATION		
72710 146	Bus Drivers	\$12,000.00	
72710 201	Social Security	\$744.00	
72710 204	State Retirement	\$745.00	
72710 212	Medicare	\$174.00	
72710 299	Other Fringe Benefits	\$1,104.00	
72710 412	Diesel	\$7,800.00	
72710 425	Gasoline	\$7,433.00	
72710 599	Other Charges		\$61,000.00
	TOTAL:	\$30,000.00	\$61,000.00
	GRAND TOTAL:	\$62,500.00	\$62,500.00

Total Increase/Decrease: \$.00

Funds will be used for after school transportation and teacher training as required by NCLB, and health insurance for literacy leader.

FAYETTE COUNTY BOARD OF EDUCATION
 GENERAL PURPOSE FUND
 FUND 141
 DECEMBER, 2003

		INCREASE	DECREASE
1000	INSTRUCTION		
1100	REGULAR INSTRUCTION		
1100 189 SMCS	Other Salaries and Wages	\$750.00	
1100 207 NWCS	Health Insurance	\$2,500.00	
1100 429 NWCS	Instructional Supplies and Materials		\$2,500.00
1100 429 SMCS	Instructional Supplies and Materials		\$750.00
	TOTAL:	\$3,250.00	\$3,250.00
200	SPECIAL EDUCATION PROGRAM		
1200 312	Contracts w/Private Agencies	\$2,797.00	
	TOTAL:	\$2,797.00	\$0.00

000 SUPPORT SERVICES			
60 ADULT EDUCATION PROGRAM			
000	105 AEFF	Supervisor/Director	\$1,632.00
000	116 AEFF	Teachers	\$259.00
000	201 AEFF	Social Security	\$1,027.00
000	204 AEFF	State Retirement	\$221.00
000	212 AEFF	Medicare	\$125.00
000	429 AEFF	Instructional Supplies and Materials	\$966.00
000	524 AEFF	In-Service/Staff Development	\$100.00
60	105 CMSS	Supervisor/Director	\$3,085.10
60	189 CMSS	Other Salaries and Wages	\$63.00
60	201 CMSS	Social Security	\$536.00
60	204 CMSS	State Retirement	\$398.00
60	207 CMSS	Health Insurance	\$1,068.00
60	212 CMSS	Medicare	\$315.00
60	299 CMSS	Other Fringe Benefits	\$150.00
60	322 CMSS	Evaluation and Testing	\$8,700.00
60	355 CMSS	Travel	\$940.00
60	599 CMSS	Other Charges	\$2,700.00
60	599 AB1	Other Charges	\$701.90
		TOTAL:	\$19,687.10 \$3,299.90
		GRAND TOTAL:	\$25,734.10 \$6,549.90

Net Increase: \$19,184.20

Revenue:	46590 AEFF Other State Education Funds	(\$277.00)
	47590 AEFF Other Federal Thru State	(\$589.00)
	47590 CMSS Other Federal Thru State	\$17,955.10
	47143 Special Education Grants	\$2,797.00
	TOTAL:	\$19,886.10

Reserve:	39000 Undesignated Fund Balance	(\$701.90)
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Revenue:	Prior Total Available Funds	\$20,397,705.31
	Adjustments to Beginning Balances	\$54,888.82
	Total Increase This Amendment	\$19,886.10
	Total Available Funds This Amendment	\$20,472,480.23

Expenditure:	Prior Total Estimated Expenditures	\$19,677,009.00
	Total Increase This Amendment	\$19,184.20
	Total Estimated Expenditures This Amend.	\$19,696,193.20

Motion was made by Commissioner Fowler, seconded by Commissioner McCloud and upon roll call vote, said motion carried unanimously amending the School Board Budget.

Commissioner Doll reviewed the General Fund Budget and reviewed amendments recommended by the Budget Committee. Commissioner Doll noted that a request of the District Attorney's Office for \$2,150.00 for summer employment was not shown on the Amending Resolution and asked that same be included. Motion was made by Commissioner Doll and seconded by Commissioner Leifer to approve the amendment with the additional amendment for the District Attorney's Office.

Commissioner Dowdle then questioned the request from the Trustee's Office for office space rental which was not included in the minutes nor the budget amendment. Commissioners

Upon Roll Call

Vote, said motion carried unanimously. Said 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 27th day of April, 2004, 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 April, 2004

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>51500 Election Commission</u>		
355 Travel	\$ 1,000.00	
51500-Subtotal	\$ 1,000.00	
<u>51730 Building</u>		
196 In-Service Training	\$ 500.00	
355 Travel		\$ 500.00
51730-Subtotal	\$ 500.00	\$ 500.00
<u>52300 Property Assessor's Office</u>		
196 In-Service Training		\$ 1,000.00
351 Rentals		500.00
355 Travel	\$ 500.00	
425 Gasoline	1,000.00	
52300-Subtotal	\$ 1,500.00	\$ 1,500.00
<u>54110 Sheriff's Department</u>		
106 Deputy(ies)		\$15,000.00
108 Investigators		10,000.00
109 Captains		15,000.00

140	Salary Supplements	\$ 2,528.00	
205	Employee & Dep Insurance	10,100.00	
307	Communication	825.00	
337	Maint & Repair-Office Equipment		10,000.00
338	Maint & Repair-Vehicles	3,000.00	
425	Gasoline	5,000.00	
506	Liability Insurance	2,956.00	
707	Building Improvements		<u>2,000.00</u>
	54110-Subtotal	\$24,409.00	\$52,000.00
54210 Jail			
140	Salary Supplements		\$ 600.00
160	Guards	\$ 8,300.00	
205	Employee & Dep Insurance	16,500.00	
317	Data Processing Services		3,000.00
335	Maint & Repair-Building		3,000.00
340	Medical & Dental Services	18,000.00	
348	Postal Charges		500.00
410	Custodial Supplies	850.00	
422	Food Supplies	8,000.00	
451	Uniforms		3,000.00
452	Utilities	2,000.00	
499	Other Supplies & Materials		1,500.00
506	Liability Insurance	1,708.00	
707	Building Improvements		1,000.00
708	Communications Equipment		1,500.00
711	Furniture & Fixtures		<u>400.00</u>
	54210-Subtotal	\$55,358.00	\$14,500.00
54420 Rescue Squad			
499	Other Supplies & Materials		<u>\$ 3,000.00</u>
	54420-Subtotal		\$ 3,000.00
54610 County Coroner/Medical Examiner			
309	Contracts with Government Agencies		<u>\$ 7,000.00</u>
	54610-Subtotal		\$ 7,000.00
54900 Other Public Safety			
187	Overtime Pay	\$ 2,000.00	
205	Employee & Dep Insurance	1,500.00	
417	Equipment Parts-Light		\$ 6,000.00
425	Gasoline	700.00	
452	Utilities	<u>1,200.00</u>	
	54900-Subtotal	\$ 5,400.00	\$ 6,000.00
55120 Rabies & Animal Control			
106	Deputy(ies)		\$ 600.00
499	Other Supplies & Materials	\$ 700.00	
718	Motor Vehicles		<u>2,767.00</u>
	55120-Subtotal	\$ 700.00	\$ 3,367.00
55130 Ambulance/Emergency Medical Services			
718	Motor Vehicles	<u>\$ 5,000.00</u>	
	55130-Subtotal	\$ 5,000.00	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT		\$92,367.00	\$86,367.00
Prior Estimated Expenditures			\$8,323,774.62
Total Estimated Expenditures This Amendment			\$8,329,774.62
Projected Fund Balance before Amendment			\$1,916,533.38
Change in Fund Balance This Amendment			\$ 6,000.00
Estimated Ending Fund Balance as of June 30 th , 2004			\$1,910,533.38

As approved by the Budget Committee for passage, motion was made by Commissioner Doll, seconded by Commissioner Dowdle and unanimously carried by roll call vote by the Board approving application for a state grant to assist Medegen Corporation in Gallaway.

Motion was made by Commissioner Doll, seconded by Commissioner Fowler to approve a Revised Adequate Facilities Tax. Discussion followed.

Commissioner Vaughan made motion that funds from a Revised Adequate Facilities Tax apply to construction for both a Jail and Criminal Justice Center.

After further discussion, motion was made by Commissioner Oglesby, seconded by Commissioner Harris to approve up to \$11.2 million to fund the entire criminal justice facility. In addition, that we pass a private act directing the Fayette County Election Commission to place the issue of the Adequate Facilities Tax on the ballot for the November General Election for the people to direct this Board as to whether or not to initiate this tax; and if so, to set a rate. The referendum would incorporate the latest revisions presented to the adequate facilities private act. Discussion followed.

Commissioner Doll then withdrew his original motion.

Commissioner Oglesby then repeated his motion as the full motion on the floor. Second was made by Commissioner Harris. Upon Roll Call Vote, the following voted "YES": Commissioners Burnette, Dowdle, Dowdy, German, Harris, Leifer, Oglesby, Wilson. (8)

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

Said motion failed.

Motion was then made by Commissioner Wilson, seconded by Commissioner Dowdle to borrow \$8.2 million for construction of a Jail & Justice Complex with the remaining funds to come from debt service.

Motion was then made by Commissioner Doll, seconded by Commissioner Logan, to amend the presented motion to approve the \$8.2 million for the Jail/Justice Complex to be paid with, and contingent on, passage and enactment of the Adequate Facilities Tax at the initial rate of \$.15 and \$.30. After further discussion, the following Roll Call Vote was taken on the amending motion. Voting "YES" Commissioners Allen, Anderson, Doll, Dowdle, Fowler, German, Graves, Lillard, Logan, McCloud, Vaughan and Yancey. (12)

Voting "NO": Commissioners Burnette, Dowdy, Harris, Leifer, Oglesby and Wilson. (6)

Chairman Campbell then voted "YES" making the total 13 "YES" and 6 "NO". Said motion carried.

Roll Call Vote was then taken on the original motion. Voting "YES" Commissioners Allen, Anderson, Burnette, Doll, Dowdle, Dowdy, Fowler, German, Graves, Harris, Lillard, Logan, McCloud, Oglesby, Vaughan, Wilson and Yancey. (17)

Voting "NO": Commissioner Leifer.

Said motion carried.

Motion was then made by Commissioner Doll, seconded by Commissioner Allen to approve the amended Adequate Facilities Tax as presented. Upon Roll Call Vote, the following voted "YES" Commissioners Allen, Anderson, Doll, Dowdle, Fowler, German, Graves, Lillard, Logan, McCloud, Vaughan, Wilson and Yancey. (13)

Voting "NO": Commissioners Burnette, Dowdy, Harris, Leifer and Oglesby. (5)

Said motion carried.

Motion was then made by Commissioner Doll, seconded by Commissioner McCloud to approve an increase \$17.23 on Litigation Tax for General Sessions Court. Upon Roll Call Vote, the following voted "YES" : Commissioners Allen, Anderson, Burnette, Doll, Dowdle, Dowdy, Fowler, German, Graves, Harris, Leifer, Lillard, Logan, McCloud, Oglesby, Vaughan and Yancey. (17)

Voting "NO": None.

Passing: Commissioner Wilson.

Said motion carried. Same being as follows:

RESOLUTION TO INCREASE LITIGATION TAXES FOR GENERAL SESSIONS COURT IN FAYETTE COUNTY

WHEREAS, Tennessee Code Annotated § 16-15-5006 authorizes counties to levy a additional litigation tax of up to six dollars (\$6.00) in general sessions court to help fund increases in compensation for general sessions judges required by 1988 Public Chapter 698; and

WHEREAS, Tennessee Code Annotated § 16-15-5006(a) provides further that, if during any fiscal year the amount of revenue generated by the local tax authorized by that section does not sufficiently fund the increase in general sessions judge's compensation mandated by Tennessee Code Annotated, Title 16, Chapter 15, Part 50, the local litigation tax may be raised to an amount more than six dollars (\$6.00) if necessary to fund the mandated increase; provided that such increase be adjusted annually; and

WHEREAS, prior resolutions of the Fayette County Legislative Body imposed the additional litigation tax authorized by Tennessee Code Annotated § 16-15-5006 at the six dollar (\$6.00) level; and

WHEREAS, Fayette County has determined that the six dollar (\$6.00) litigation tax no longer generates sufficient revenue to fund the increases in the general sessions judge's compensation mandated by Tennessee Code Annotated, Title 16, Chapter 15, Part 50;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee, meeting in regular session on this _____ day of _____, 200__, in Somerville, Fayette County, Tennessee, that:

Section 1. On the effective date provided in Section 3, below, the local litigation tax in effect in general sessions court in Fayette County shall be increased by \$11.23 in excess of the six dollars (\$6.00), as authorized by Tennessee Code Annotated § 16-15-5006, thereby increasing this tax to a total of \$17.23.

Section 2. Taxes levied pursuant to this resolution shall be collected in addition to all state and other county litigation taxes in general sessions court and shall be chargeable upon filing in a civil case and upon conviction in a criminal case in general sessions court. The increase authorized by this resolution shall remain in effect in Fayette County until the end of the fiscal year during which this increase is enacted and shall be re-enacted, repealed or adjusted annually to ensure that the revenue generated by this resolution does not exceed the increases in general sessions judge's compensation mandated by Tennessee Code Annotated, Title 16, Chapter 15, Part 50.

Section 3. This resolution shall be effective and the taxes imposed by this resolution shall take effect on the first day of _____, 200__, the public welfare requiring it.

Section 4. The local litigation taxes collected pursuant to this Resolution shall be paid over to the County Trustee monthly and deposited in the county general fund.

Section 5. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application and to that end the provisions of this resolution are declared to be severable.

Section 6. The presiding officer of this legislative body shall certify the passage of this resolution to the Secretary of State as provided in Tennessee Code Annotated § 16-15-5006.

Chairman called for a ten minute recess.
Back in session.

Mayor Taylor presented a Resolution determining to issue general obligation bonds not to exceed \$2.3 million. Motion was made by Commissioner Leifer, seconded by Commissioner Dowdy and unanimously carried by Roll Call Vote approving said Resolution. Same being as follows:

**INITIAL RESOLUTION DETERMINING TO ISSUE NOT TO EXCEED \$2,300,000
GENERAL OBLIGATION BONDS OF FAYETTE COUNTY, TENNESSEE**

Whereas, the Board of County Commissioners of Fayette County, Tennessee (the "County") has determined that it is necessary to acquire land, do site preparation, and construct and equip facilities for use as a new county jail, which facilities may also include a justice complex, and to acquire, construct, renovate and /or equip other buildings or facilities for county use (collectively, the "Project"); and

Whereas, the county is authorized by Sections 9-21-101 et seq. of the Tennessee Code Annotated to issue bonds for such purposes.

Now, Therefore, Be It Resolved by the Board of County Commissioners of Fayette County, Tennessee, as follows:

Section 1. That it is necessary and desirable and in the best interest of the citizens of Fayette County, Tennessee that the County (i) acquire land, do site preparation, and construct and equip a new county jail, which facilities may also include a justice complex, and (ii) acquire, construct, renovate and /or equip other buildings or facilities for county use, and further that the County issue its bonds for such purposes and to pay legal, fiscal, administrative, architectural and engineering costs of the Project and costs incident to the issuance and sale of the bonds.

Section 2. That the Board of County Commissioners of Fayette County, Tennessee hereby determines pursuant to the authority of Sections 9-21-101 et seq. of the Tennessee Code Annotated, as amended, that it shall issue its general obligation bonds for the Project and for other purposes stated above in an aggregate amount not-to-exceed \$2,300,000, that such bonds may be issued in one or more emissions, that such bonds will bear interest as such rate or rates not-to-exceed 5.50%, and that such bonds shall be payable, both principal and interest, from ad valorem taxes levied without limitation as to rate or amount upon all taxable property in the County

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

**CHRISTOPHER L. CAMPBELL
CHAIRMAN**

ATTEST:

Dell T. Graham
County Clerk