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**FAYETTE COUNTY LEGISLATIVE BODY**

**February 24, 2004**

**BE IT REMEMBERED** That the Fayette County Legislative Body met in regular session at the Courthouse in Somerville, Tennessee on the 24<sup>th</sup> day of February, 2004.

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., Richard D. 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. No one came forward to address the Board.

Motion was made by Commissioner Wilson, seconded by Commissioner Dowdle and unanimously carried by the Board approving the minutes of the January 2004 meeting of this Board.

Chairman Campbell then opened the floor to the public for comments in favor of and in opposition to a Fayette County Resolution to add requirements for personal airstrips. No comments were offered. The floor was closed to the public.

Motion was made by Commissioner Fowler, seconded by Commissioner Dowdle and unanimously carried by the Board appointing the following as Notaries Public: Kim Calvary and Janice C. Tapp.

Mayor Taylor submitted Billy Wilson for appointment to the Fayette County Construction Appeals Board as approved by the Development Committee. Motion was made by Commissioner Logan, seconded by Commissioner Fowler and unanimously carried by the Board making the appointment.

Mayor Taylor presented the recommendation of the Development Committee to appoint to the Fayette County Agricultural Committee Harris Armour, Jane Hodges Mitchell and Charles Dacus. Motion was made by Commissioner Fowler, seconded by Commissioner Dowdle and unanimously carried by the Board making the appointment as recommended.

Mayor Taylor reported orally for the Mayor's office.

Reports were called for from the Trustee's Office, Board of Education, Board of Public Works, Sheriff's Department and Juvenile Court, but none submitted.

Commissioner Logan, Chairman of the Development Committee, turned the floor over to Kevin Park of the Development Commission who reviewed a Resolution amending requirements for a personal airstrip.

Motion was made by Commissioner Lillard, seconded by commissioner McCloud and unanimously carried by the Board to approve the Resolution to add requirements for personal airstrips. Same being as follows:

### RESOLUTION

#### A RESOLUTION TO AMEND THE FAYETTE COUNTY ZONING RESOLUTION TO ADD REQUIREMENTS FOR PERSONAL AIRSTRIPS

**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 Resolution 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 24<sup>th</sup> day of February 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 language be added to **ARTICLE VIII - DEFINITIONS, SECTION 1** and existing language be subsequently renumbered:

**1.2 Personal Airstrip** – Any private area of land or water, used solely by a single landowner or occupant, designated, set aside, used or intended for use, for the landing and takeoff of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

**SECTION 2.** BE IT FURTHER RESOLVED that the following language be added to **ARTICLE VII – PROVISIONS FOR LAND USE DISTRICTS, SECTION 2, SUB-SECTION 2.1.1.1 Use Permitted as a Special Exception**

Personal Airstrips shall be permitted in any area designated as R-1 and Rural on the August 2003 Fayette County Growth Plan or any subsequently amended plan, as an accessory use to a single residence or farming operation following the review of a site plan by the Board of Zoning Appeals, which demonstrates that the following conditions will be met:

- a. airstrip shall serve one private residence; and
- b. a minimum parcel size of 50 acres shall be required as suggested by the FAA; and
- c. airstrip shall be clearly incidental to a residence or farming operation; and
- d. airstrip shall be situated so that landings and takeoffs do not occur over a residence or residential area or place of public gathering; and
- e. ends of runways shall be at least 500 feet from any adjoining property line; and
- f. airstrip shall be limited to non-commercial and incidental crop dusting purposes; and
- g. any portion of the airstrip shall be located at least 300 feet from any property line; and
- h. a completed FAA Form 7480-1 shall be submitted with any request; and
- i. the Board may require other information be presented or impose conditions that would protect the living standards of citizens and property in the area of the request, including but not limited to sound barriers, hours of operation, size and type of aircraft, etc., depending on the circumstances of each individual case; and
- j. all airstrips (both existing and future) shall be required to register and acquire an annual license/registration from the Fayette County Development Office. No fee shall be charged for said license/registration.

**SECTION 3. BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage, THE PUBLIC WELFARE REQUIRING IT.**

Commissioner Graves, Chairman of the Criminal Justice & Public Safety Committee, reported for that committee. As approved by that committee, motion was made by Commissioner Graves, seconded by Commissioner Leifer and unanimously carried by the Board approving the following Resolution authorizing application and administration of the proposed HOME GRANT.

**RESOLUTION FOR APPLYING AND ADMINISTERING A HOME GRANT**  
February 15, 2004

WHEREAS, Fayette County has an approved Growth Plan according to TCA 6-58-107, has established a Joint Community and Economic Development Committee, as required by TCA 6-58-114, and is eligible to apply for grants;

WHEREAS, Fayette County is eligible to apply for a HOME grant, whose purpose is to upgrade lower income housing; and

**WHEREAS, Fayette County wishes to address the poor condition of low income housing; and**

**WHEREAS, Fayette County will be asking for the maximum grant available, which is \$500,000, and will require no expenditure of funds for a match; and**

**WHEREAS, Fayette County is a member of and contributor to Delta Human Resources, and wishes to enter into a contract with Delta Human Resources to administer the HOME grant, if awarded;**

**NOW, THEREFORE, BE IT RESOLVED by the County Commission of Fayette County that the County Mayor be authorized to enter into and sign any contracts necessary to apply for and administer the proposed HOME grant.**

Adopted this 24 day of February, 2004.

Mayor Taylor then advised that his recommendation for Fayette County Fire Chief would be presented at a later date. Some discussion followed.

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

Commissioner Lillard, Chairman of the Health & Welfare Committee reported for that committee. Motion was made by Commissioner Vaughan, seconded by commissioner Wilson that all property currently leased by the County for the Parks and Recreation Department be turned back over to the rightful owner, the Fayette County School System. Much discussion followed.

Commissioner Vaughan then made motion to amend his motion that if the County Commission chose not to let the land go back to its rightful owner, then \$81,736.00 be funded this year to Parks & Recreation; \$75,000.00 would be matching funds through a grant through June 30<sup>th</sup>; then with a twelve month extension, \$75,000.00 would be available the next budget year; and to restore the Parks & Recreation Board with Charles Trailer as director. Motion was seconded by Commissioner Dowdle.

Chairman Campbell then advised that the amendment was in direct conflict with the original motion. Much discussion continued. Roll Call Vote was then taken on the original motion. Same being as follows: Voting "YES" Commissioners Dowdle, Dowdy, German, Harris, Oglesby, Vaughan and Wilson. (7)

Voting "NO": Commissioners Allen, Anderson, Burnette, Doll, Fowler Graves, Leifer, Lillard, Logan, McCloud and Yancey. (11)

Said motion failed.

Commissioner Anderson then presented and moved that the County Mayor, as authorized, seek with the advise and counsel of the County Attorney, any or all of the following: a declaratory judgment from the court of proper jurisdiction construing the lease and the rights and responsibilities of the County and the School Board; an action or actions seeking enforcement of the lease in the alternative money damages to recover from the appropriate parties the counties expensed in performing the defending the lease and such other relief as the Mayor on the advise of counsel deems necessary or appropriate.

Further resolve that if further action is desired from this Commission, that the Mayor be encouraged to recommend a special meeting of this Commission to take such action.

This motion was seconded by Commissioner Logan.

Commissioner Anderson then amended his motion, with second by Commissioner Leifer, to allow the Mayor and County Attorney to seek any other negotiation, arbitration or mediation as the Mayor, on advise of counsel, deems necessary or appropriate.

Motion was then made by Commissioner Vaughan to amend the motion to first seek arbitration. No second to the amendment was offered.

Roll Call Vote was taken on the motion. Voting "YES": Commissioners Allen, Anderson, Burnette, Doll, Dowdy, Fowler, German, Graves, Harris, Leifer, Lillard, Logan, McCloud, Oglesby and Yancey. (15)

Voting "NO": None.

Passing: Commissioner Dowdle, Vaughan and Wilson. (3)

Said motion passed.

Recess was called for.

Back in session.

Motion was made by Commissioner Vaughan, seconded by Commissioner German, to table action of sub-leasing school land for youth activities until after litigation, arbitration, etc. Upon Roll Call Vote, the following voted "YES" Commissioners Allen, Anderson, Burnette, Dowdle, Dowdy, Fowler, German, Graves, Harris, Oglesby, Vaughan, Yancey. (12)

Voting "NO": Commissioners Doll, Leifer, Lillard, Logan and McCloud. (5)

Passing: Commissioner Wilson.

Said motion carried.

Motion was then made by Commissioner Lillard, seconded by Commissioner Anderson to approve the lease agreement as to form. Said motion carried with Commissioners Vaughan and Wilson passing.

Motion was then made by Commissioner Lillard, seconded by Commissioner McCloud to appoint Mayor Taylor as interim director of Parks & Recreation until such period of time as necessary. Motion was withdrawn.

Motion was made by Commissioner Vaughan that David Lillard be appointed as Director of Parks and Recreation. No second was made.

Motion was then made by Commissioner Lillard, seconded by Commissioner Leifer and unanimously carried by the Board adopting the following Clean Air Early Action Resolution:

#### CLEAN AIR EARLY ACTION RESOLUTION

**WHEREAS, the federal Clean Air Act ("CAA") requires that air quality in every state meet healthy based National Ambient Air Quality Standards, which includes a standard for ground level ozone:**

**WHEREAS, in 1997, the Environmental Protection Agency promulgated an 8-hour ground level ozone standard;**

**WHEREAS, ground level ozone is a prime ingredient in smog during the warmer weather seasons and can act as an irritant that may aggravate respiratory diseases and otherwise affect human health;**

**WHEREAS, monitoring by the Tennessee Department of Environment and Conservation and the four local air programs operating under a Certificate of Exemption from the Tennessee Air Pollution Control Board indicates that certain counties in Tennessee, may be approaching or exceeding the 8-hour ground level ozone standard;**

**WHEREAS, exceedance of the 8-hour ground level ozone standard by a county will cause that county or portions of that county to be classified as "non-attainment for ground level ozone under CAA;**

**WHEREAS, a non-attainment classification may result in restrictive permitting requirements including a defined growth policy for industry and restrictions on the distribution and use of federal highway funds within a non-attainment county, thereby resulting in negative economic impacts and diminished job growth;**

**WHEREAS, Section 68-201-103 of the Tennessee Air Quality Act instructs the Tennessee Air Pollution Control Board and Department of Environment and Conservation to protect air quality in such a fashion as to maximize industrial development and full employment levels in the state;**

**WHEREAS, the local officials of counties of the state that may be exceeding the 8-hour ground level ozone standard place great value and importance on the health of their citizens and the related need for clean air;**

**WHEREAS, the Tennessee Air Pollution Control Board views participation in the Early Action Program as a proactive means of achieving compliance with the 8-hour ground level ozone standard ahead of the federally-mandated compliance date while avoiding unnecessary and burdensome federal restrictions that normally apply to non-attainment areas.**

**NOW, THEREFORE in recognition of the above provisions, the Fayette County Commission adopts this resolution to express its support for the process of developing an Early Action compact for potential non-attainment in Fayette County in conformity with EPA's guidance on this subject. Further the Fayette County Commission adopts these measures and encouragements to be a part of the Memphis Metropolitan Area's Early Action Compact:**

1. Low RVP (7.8 psi) gasoline (at refinery)
2. Stage I vapor recovery (at fueling stations)
3. Electric or propane-fueled forklifts
4. Ozone Alert program: Drive 55
5. Gas cap for vehicles giveaway
6. Lower speed limit from 70 to 55 mph for heavy duty (18 wheels) trucks during ozone season and increased enforcement
7. Intelligent Transportation System (electronic signs on roadway provide real time info to drivers)
8. Use TDOT "enhancements" grants to link greenways/bikeways/bike racks/pedestrian walkways
9. Adopt open burning restrictions during peak ozone periods
10. Provide the public with information through education programs and community events
11. Develop an air quality web page to provide the public with information
12. Encourage the use of catalyst and low sulfur diesel
13. Encourage car pooling and the use of area wide ride share incentives

Commissioner Doll, Chairman of the budget committee, then reported for that committee. Motion was made by Commissioner Doll, with second by Commissioner Wilson, and unanimously carried by roll call vote, approving the following amendment to the General Fund Budget.

**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~~ 24<sup>th</sup> day of February, 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  
February, 2004**

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>51100 County Commission</u>		
331 Legal Services	\$59,883.72 *	
Subtotal-51100	\$59,883.72	
<u>52400 County Trustee's Office</u>		
355 Travel	\$ 1,400.00	
709 Data Processing	<u>2,626.90</u>	
Subtotal-52400	\$ 4,026.90	
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT</b>	<b>\$63,910.62</b>	

\* Administrative Judge Services-Fayette County/\$52,842.21; Hickory Withe/\$7,040.51 Growth Plan arbitration

Prior Estimated Expenditures	\$8,259,864.00
Total Estimated Expenditures This Amendment	\$8,323,774.62
Projected Fund Balance before Amendment	\$1,980,444.00
Change in Fund Balance This Amendment	\$ 63,910.62
Estimated Ending Fund Balance as of June 30 <sup>th</sup> , 2004	\$1,916,533.38

Motion was then made by Commissioner Doll, seconded by Commissioner Leifer and unanimously carried by Roll Call Vote, approving the following amendments to the School Federal Budget Amendments.

FAYETTE COUNTY BOARD OF EDUCATION  
 FEDERAL PROJECTS FUND  
 FUND 142  
 SUBFUND 471 - TITLE I  
 FEBRUARY, 2004

		INCREASE	DECREASE
71000	INSTRUCTION		
71000	REGULAR INSTRUCTION PROGRAM		
71100 429	Instructional Supplies and Materials	\$57,200.00	
71100 599	Other Charges		\$57,200.00
71100 722	Regular Instruction Equipment	\$57,200.00	
	TOTAL:	\$114,400.00	\$57,200.00
72000	SUPPORT SERVICES		
72700	TRANSPORTATION		
72710 599	Other Charges		\$57,200.00
	TOTAL:	\$0.00	\$57,200.00
	GRAND TOTAL:	\$114,400.00	\$114,400.00

Total Increase/Decrease: \$0.00

These funds were in reserve for supplemental services and transportation as required by NCLB. Not all will be needed, funds are moved for use for supplies and equipment



FAYETTE COUNTY BOARD OF EDUCATION  
 FEDERAL PROJECTS FUND  
 FUND 142  
 SUBFUND 474 - TITLE I SCHOOL IMPROVEMENT  
 FEBRUARY, 2004

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers	\$15,350.00	
71100 201	Social Security	\$952.00	
71100 204	State Retirement	\$520.00	
71100 212	Medicare	\$223.00	
71100 429	Instructional Supplies and Materials	\$4,470.00	
71100 599	Other Charges	\$47,660.00	
71100 722	Regular Instruction Equipment	\$4,242.00	
	TOTAL:	\$73,417.00	\$0.00

Total Increase: \$73,417

Revenue: 47590 Other Federal Thru State \$73,417.00

Revenue: Prior Total Available Funds \$3,994,507.37  
 Total Increase This Amendment \$73,417.00  
 Total Available Funds This Amendment \$4,067,924.37

Expenditures: Prior Total Estimated Expenditures \$3,994,507.37  
 Total Increase This Amendment \$73,417.00  
 Total Estimated Expenditures This Amendment \$4,067,924.37

FAYETTE COUNTY BOARD OF EDUCATION  
 FEDERAL PROJECTS FUND  
 FUND 142  
 SUBFUND 498 - READING FIRST GRANTS  
 FEBRUARY, 2004

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116 CT	Teachers	\$20,500.00	
71100 116 JF	Teachers	\$20,500.00	
71100 116 LM	Teachers	\$20,500.00	
71100 116 NW	Teachers	\$20,500.00	
71100 116 SM	Teachers	\$20,500.00	
71100 116 SW	Teachers	\$20,500.00	
71100 201 CT	Social Security	\$1,271.00	
71100 201 JF	Social Security	\$1,271.00	
71100 201 LM	Social Security	\$1,271.00	
71100 201 NW	Social Security	\$1,271.00	
71100 201 SM	Social Security	\$1,271.00	
71100 201 SW	Social Security	\$1,271.00	
71100 204 CT	State Retirement	\$695.00	
71100 204 JF	State Retirement	\$695.00	
71100 204 LM	State Retirement	\$695.00	
71100 204 NW	State Retirement	\$695.00	
71100 204 SM	State Retirement	\$695.00	
71100 204 SW	State Retirement	\$695.00	
71100 207 CT	Health Insurance	\$1,945.00	

71100 207 JF	Health Insurance	\$1,945.00
71100 207 LM	Health Insurance	\$1,945.00
71100 207 NW	Health Insurance	\$1,945.00
71100 207 SM	Health Insurance	\$1,945.00
71100 207 SW	Health Insurance	\$1,945.00
71100 212 CT	Medicare	\$297.00
71100 212 JF	Medicare	\$297.00
71100 212 LM	Medicare	\$297.00
71100 212 NW	Medicare	\$297.00
71100 212 SM	Medicare	\$297.00
71100 212 SW	Medicare	\$297.00
71100 336 CT	Maintenance & Repair Services - Eq.	\$3,500.00
71100 336 JF	Maintenance & Repair Services - Eq.	\$3,500.00
71100 336 LM	Maintenance & Repair Services - Eq.	\$3,500.00
71100 336 NW	Maintenance & Repair Services - Eq.	\$3,500.00
71100 336 SM	Maintenance & Repair Services - Eq.	\$3,500.00
71100 336 SW	Maintenance & Repair Services - Eq.	\$3,500.00
71100 399 CT	Other Contracted Services	\$30,606.00
71100 399 JF	Other Contracted Services	\$25,455.00
71100 399 LM	Other Contracted Services	\$30,606.00
71100 399 NW	Other Contracted Services	\$22,879.00
71100 399 SM	Other Contracted Services	\$25,455.00
71100 399 SW	Other Contracted Services	\$20,303.00
71100 429 CT	Instructional Supplies and Materials	\$125,736.00
71100 429 JF	Instructional Supplies and Materials	\$132,587.00
71100 429 LM	Instructional Supplies and Materials	\$125,736.00
71100 429 NW	Instructional Supplies and Materials	\$136,013.00
71100 429 SM	Instructional Supplies and Materials	\$132,587.00
71100 429 SW	Instructional Supplies and Materials	\$139,439.00
71100 599 CT	Other Charges	\$7,000.00
71100 599 JF	Other Charges	\$7,000.00
71100 599 LM	Other Charges	\$7,000.00
71100 599 NW	Other Charges	\$7,000.00
71100 599 SM	Other Charges	\$7,000.00
71100 599 SW	Other Charges	\$7,000.00
	TOTAL:	\$1,158,650.00

## 72000 SUPPORT SERVICES

## 72210 REGULAR INSTRUCTION PROGRAM

72210 355 CT	Travel	\$8,450.00
72210 355 JF	Travel	\$6,750.00
72210 355 LM	Travel	\$8,450.00
72210 355 NW	Travel	\$5,900.00
72210 355 SM	Travel	\$6,750.00
72210 355 SW	Travel	\$5,050.00
	TOTAL:	\$41,350.00

GRAND TOTAL:

\$1,200,000.00

Total Increase: \$1,200,000.00

Revenue:	47590 Other Federal Thru State	\$1,200,000.00
Revenue:	Prior Total Available Funds	\$4,067,924.37
	Total Increase This Amendment	\$1,200,000.00
	Total Available Funds This Amendment	\$5,267,924.37
Expenditures:	Prior Total Estimated Expenditures	\$4,067,924.37
	Total Increase This Amendment	\$1,200,000.00
	Total Estimated Expenditures This Amendment	\$5,267,924.37

Motion was then made by Commissioner Doll, seconded by Commissioner McCloud and unanimously carried by the board approving the following GASB 34 Compliance Resolution:

**RESOLUTION  
ESTABLISHING POLICIES AND PROCEDURES  
FIXED ASSET ACCOUNTING  
FAYETTE COUNTY, TENNESSEE**

WHEREAS, it is necessary for the county to be in compliance with Generally Accepted Accounting Principles (GAAP) and GASB Statement No. 34; and

WHEREAS, it is necessary for the county commission to establish policies and procedures for booking fixed assets in accordance with the above standard; and

WHEREAS, the attached set of policies and procedures is the suggested set of guidelines to be adhered to.

NOW THEREFORE BE IT RESOLVED by the Fayette County Legislative Body that the attached set of policies and procedures is approved as the guidelines to be followed in the booking of all county assets so the county will be in compliance with Statement #34 of GASB.

Motion was then made by Commissioner Doll, seconded by Commissioner Leifer and unanimously carried by the Board approving the following Resolution for applying and administering a Home Grant.

RESOLUTION FOR APPLYING AND ADMINISTERING A HOME GRANT  
February 15, 2004

**WHEREAS**, Fayette County has an approved Growth Plan according to TCA 6-58-107, has established a Joint Community and Economic Development Committee, as required by TCA 6-58-114, and is eligible to apply for grants;

**WHEREAS**, Fayette County is eligible to apply for a HOME grant, whose purpose is to upgrade lower income housing; and

**WHEREAS**, Fayette County wishes to address the poor condition of low income housing; and

**WHEREAS**, Fayette County will be asking for the maximum grant available, which is \$500,000, and will require no expenditure of funds for a match; and

**WHEREAS**, Fayette County is a member of and contributor to Delta Human Resources, and wishes to enter into a contract with Delta Human Resources to administer the HOME grant, if awarded;

**NOW, THEREFORE, BE IT RESOLVED** by the County Commission of Fayette County that the County Mayor be authorized to enter into and sign any contracts necessary to apply for and administer the proposed HOME grant.

Adopted this 24 day of February, 2004.

Motion was made by Commissioner Doll, seconded by Commissioner McCloud and unanimously carried by the Board adopting the following Resolution setting the fee for the Delinquent Tax Attorney.

**RESOLUTION SETTING DELINQUENT TAX ATTORNEY'S FEE**

**WHEREAS**, *Tennessee Code Annotated*, §§ 67-5-2404, allows the County Trustee to choose the Delinquent Tax Attorney; and,

**WHEREAS**, the County Trustee has chosen Payson Matthews as the Delinquent Tax Attorney;

**WHEREAS**, the County Mayor approves of the Trustee's choice, as is required by *Tennessee Code Annotated*, §§ 67-5-2404;

**WHEREAS**, the Trustee must negotiate a fee with the Delinquent Tax Attorney, and said fee can be no higher than ten (10) percent of the land taxes collected;

**NOW, THEREFORE, BE IT RESOLVED** by the county legislative body of Fayette County that the fee for the Delinquent Tax Attorney shall be ten (10) percent of the delinquent taxes collected.

Adopted this 24 day of February, 2004.

Motion was made by Commissioner Doll, seconded by Commissioner Burnette, to adopt the following Resolution to sell the Spec Building at the Industrial Park. Said motion carried by Roll Call Vote, with Commissioner Anderson abstaining.

**RESOLUTION TO SELL SPECULATIVE BUILDING AT THE SOMERVILLE INDUSTRIAL PARK**

**WHEREAS**, Fayette County has received an offer of two hundred and fifty thousand (250,000) dollars for the Speculative Building and 9.2 acres in Somerville Industrial Park; and,

**WHEREAS**, Fayette County built the building with a Rural Business Enterprise Grant from Rural Economic Development Agency; and

**WHEREAS**, Fayette County must get approval for the selling price from Rural Economic Development Agency, if that price is less than the appraised price; and

**WHEREAS**, the offered price is less than the appraised price; and

**WHEREAS**, the building was finished in 1997 and this is the first serious offer we have had;

**NOW, THEREFORE, BE IT RESOLVED** by the county legislative body of Fayette County that the County Mayor may accept the offer, or higher if required, and be authorized to sign any such documents needed to complete the sale.

Adopted this 24 day of February, 2004.

Commissioner Doll yielded the floor to Commissioner Lillard to address the Adequate Facilities Tax. After his review, motion was made by Commissioner Lillard, seconded by Commissioner Anderson to forward the County's request for and Adequate Facilities Tax to our State Legislators for approval. Much discussion followed. Upon Roll Call Vote, the following voted "YES" Commissioners Allen, Anderson, Doll, Fowler, Graves, Lillard, Logan, McCloud, Vaughan, Yancey. (10)

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

Chairman Campbell then voted "Y" to make (11) "Y" and (8) "NO" votes.

Said motion carried.

Now before the Board was the matter of a sight for the Justice Complex. After a review by Mayor Taylor, motion was made by Commissioner Wilson, seconded by Commissioner Dowdle to move forward with the recommendation of the Joint Committee for acceptance of the Wilson property as the site of choice for the jail site, with contingency in the contract for real estate survey, soil elevation and inclusion of a public hearing prior to completion of the real estate contract.

Discussion followed.

Commissioner Wilson withdrew his motion.

Motion was then made by Commissioner Doll, seconded by Commissioner McCloud that the Wilson site be selected for the jail site subject to the normal terms and conditions in a contract. Said motion carried with Commissioner Vaughan voting "NO" and Commissioner Harris passing due to a possible conflict of interest.

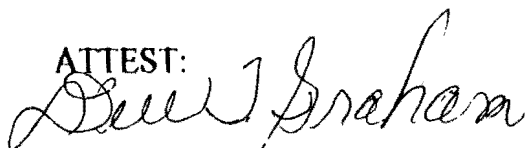
With no other matters to be brought before this Board, said meeting adjourned.



Christopher L. Campbell

Chairman

ATTEST:



Dell T. Graham, County Clerk