

FAYETTE COUNTY LEGISLATIVE BODY
JUNE 23, 2009

BE IT REMEMBERED that the Fayette County Legislative Body met in regular session at the Bill G. Kelley Criminal Justice Complex in Somerville, Tennessee, on the 23rd day of June, 2009. Present and presiding was Chairman Rhea Taylor. Also present were the following: Sue W. Culver, Fayette County Clerk, James R. Riles, Sheriff; and the following County Commissioners: Ed Allen, Joann Allen, Steve Anderson, Charles Brewer, Joe B. Burnette, Jr., Larry Cook, Odis Cox, Lee "Sissy" Dowdle, John Dowdy, Ron Gant, Willier German, Jr.; Ronald Harris; Tom Karcher; Bill Kelley; David Lillard, Sylvester Logan; George McCloud; Claude Oglesby, and Myles Wilson.

With all Commissioners present, a quorum was met.

The floor was opened to the public for comments on non-agenda items. There was no one who wished to speak, and the floor was closed.

The first item on the agenda was the approval of the minutes for the May 26th meeting. Motion was made to approve by Commissioner Gant, seconded by Commissioner Kelley, and passed unanimously.

Commissioner Logan moved that the following be approved as notaries public: William Bartholomew, Karl Q. Chambless, Deborah Gore, Gwendolyn B. Sparks, and Mary K. Waterbury. The motion was seconded by Commissioner Anderson and passed unanimously by the Board.

Written Financial reports were submitted by the Board of Education, the Board of Public Works, and Fayette County.

Chairman Taylor reported for the County Mayor's office. He announced that Sam McKnight, Ambulance Services Director had reported the collection of \$885,534 in ambulance receipts, and was the only department over budget. Chairman Taylor stated that the state has a budget, but that he is not yet aware of how it will affect the county. However, the State did not allow the new voting machines requested by the Election Commission. This may cost the County \$50,000 in the next year's budget. We will have to budget for that amount, it will be great if we do not have to spend it. They did pass bonding authority for the mega site in Haywood County, so that will probably happen, and he and some commissioners may need to take a trip to Nashville soon. He plans to draft a resolution in support of the project and bring it back to the Commission in the next couple of months. The flooding of several houses in Oakland was documented in a survey by the EMA director. To get state or federal assistance, the damage has to meet a certain level, which was not met in this area. Therefore, disaster relief is probably not coming. However, there may be some reimbursement available in some cases. The State Legislature may have some TEMA funds available for homes not in a flood plain.

Commissioner Logan questioned whether the Board had approved a million dollar appropriation for school buses for the Board of Education last year. Chairman Taylor stated that the School Board came to the Board last year and stated that they had some funds and they needed to be allowed to use them to purchase buses. The Board decided that it would probably be better to spread the expenditure over two or three years, so it was brought up and a bond issue was approved. Since the School Board doesn't have any way to generate funds, this money will have to come from Debt Service.

There was no report for the Sheriff's Department, Board of Education, Juvenile Court, the Board of Public Works, the Trustee's Office, or Planning and Development. Commissioner Wilson reported for the Development Committee. The Committee reviewed a budget amendment for the Public Works Division and passed it on to Budget. The Overgrown Vegetation ordinance was discussed, and will be brought up again at a later date. Commissioner Wilson moved that Appendix G of the 2006 Building Code be approved. This would require that swimming pools, saunas, and hot tubs be constructed to code. Motion was seconded by Commissioner Gant. After some discussion Commissioner Logan moved that the matter be tabled until the next meeting. Commissioner Burnette seconded the motion. The motion passed by majority rule.

Commissioner Wilson stated that the committee also discussed the Rural Preservation and Enhancement District Modification proposal which will go before the planning commission next month. This proposal will change when soil surveys are done and required percentages for green cover, among other changes.

Commissioner German reported for the Health and Welfare Committee, which met on June 8, 2009. The first item of business was to discuss the amount of vacation time ambulance service employees receive. Currently they receive twenty-four (24) hours of vacation per month, which equals one shift of work. The committee approved a motion to change the vacation time allowed each month to twelve (12) hours, and forwarded it to the Personnel Committee.

The Committee also reviewed the various submittals of insurance agencies that want to represent the county as broker. Commissioner German moved that the Bank of Fayette County's proposal be accepted. Motion was seconded by Commissioner Joann Allen, and passed. Commissioners Burnett, Gant, Joann Allen, German, and Karcher abstained from voting, citing an indirect conflict of interest.

Commissioner German stated that the Mayor had reported on the Arlington Park Lagoon, and stated that he is waiting for more information as to the exact number of residents on the lagoon system before setting the fees.

Commissioner German moved that the annual litter grant provided by the state which provides funds (\$35,000) to pick up the litter on the sides of the roads be applied for. Motion was seconded by Commissioner McCloud and passed unanimously by the Board.

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR A LITTER AND TRASH COLLECTING GRANT FROM THE
TENNESSEE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING
THE ACCEPTANCE OF SAID GRANT**

WHEREAS, the County of Fayette intends to apply for the aforementioned grant, from the Tennessee Department of Transportation; and

WHEREAS, the contract for the grant will impose certain legal obligations upon the County of Fayette.

NOW, THEREFORE, BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular session assembled on this 23rd day of June, 2009, in the Bill G. Kelley Criminal Justice Complex in Somerville, Tennessee.

1. That Rhea Taylor is authorized to apply on behalf of Fayette County, for a litter and trash collecting grant from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then Rhea Taylor is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the litter and trash collecting grant by Fayette County.

The Personnel Committee did not meet.

Commissioner Dowdy reported for the Criminal Justice/Public Safety Committee, stating that the committee met on June 9, 2009, and reviewed a grant for \$55,774, applied for by the Sheriff's Department for law enforcement equipment. This grant is part of the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation. Commissioner Dowdy moved that the application be approved. Motion was seconded by Commissioner Wilson, and passed unanimously.

The Committee also discussed a grant awarded to the Moscow Fire Department by the state prior to the County taking over the operations of the department. The match that is required is \$40,000, and is already budgeted in the fire department's budget. The committee recommended approval and forwarded it to the Budget Committee.

The Mayor requested that the committee authorize him to hire Kevin Poe, a certified Engineer, to assemble plans and oversee the construction of a shop for the Sheriff's office. The committee recommended approval and passed the matter to the Budget Committee. Chairman Taylor updated the Board on the progress of the project, stating that he had met with Mr. Poe and that it doesn't look like the construction of the shop will cost much more than \$120,000. Any services beyond what he has been hired to do will run \$135 per hour. Commissioner Lillard moved that the Mayor be authorized to hire Mr. Poe, and that the budget be capped at \$120,000. These funds will come from Adequate Facilities Tax funds. The motion was seconded by Commissioner Gant and passed unanimously.

Ed Gaugh addressed the committee and requested funds for a shed to cover the county's mobile command vehicle. The matter was approved and forwarded to the Budget Committee.

Commissioner Dowdle reported for the Education Committee. The Committee reviewed several budget amendments for the school board and forwarded them to budget with recommendation that they be approved.

The School Board's budget was reviewed, but since the state's budget had not been passed, the matter was tabled until next month.

Commissioner Harris reported for the Budget Committee. He moved that the following general fund budget amendments be approved. Motion was seconded by Commissioner German, and passed unanimously by the Board.

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 23rd day of June, 2009, 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 08/09
June, 2009**

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>54310 Fire Prevention</u>		
718 Motor Vehicles		<u>\$39,270.00</u>
Subtotal-54310		\$39,270.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS		\$39,270.00 *

* Match for fire truck under City of Moscow CDBG Grant

<u>Adjustment to Reserve Accounts:</u>	INCREASE	DECREASE
35120 Designated for Purpose #2	<u>\$39,270.00</u>	
TOTAL INCREASE/DECREASE TO RESERVE ACCOUNT	\$39,270.00 **	

** Fayette County will receive ownership or an extremely long lease for supplying the match.

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RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 23rd day of June, 2009, 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 08/09
June, 2009**

<u>Adjustment to Reserve Accounts:</u>	INCREASE	DECREASE
34170 Reserved for Aging Programs		<u>\$ 44,489.42</u>
TOTAL INCREASE/DECREASE TO RESERVE ACCOUNTS:		\$ 44,489.42
<u>Adjustment to Revenue Accounts:</u>	INCREASE	DECREASE
41520 Building Permits		\$ 6,000.00
42141 Circuit Drug Fees		\$ 730.00
42341 General Sessions Drug Fees		\$ 2,050.00
43120 Patient Charges		\$34,500.00
43360 Library Fees		\$ 820.00
47180 Community Development		\$ 5,100.00
47990 Other Direct Federal Revenue		<u>\$20,000.00</u>
TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS		\$69,200.00

Fund 101 Budget Amendment

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June, 2009

Adjustment to Expenditure Accounts:

INCREASE

DECREASE

51100 County Commission

331 Legal Services \$150,000.00

Subtotal-51100 \$150,000.00

51220 Beer Board

191 Board & Committee Members \$ 1,000.00

332 Legal Notices 500.00

Subtotal-51220 \$ 1,500.00

51300 County Mayor

307 Communication \$ 450.00

332 Legal Notices 400.00

355 Travel 300.00

399 Other Contracted Services \$ 1,650.00

425 Gasoline 500.00

Subtotal-51300 \$ 1,650.00 \$ 1,650.00

51400 County Attorney

189 Other Salaries \$ 190.00

191 Board & Committee Members 100.00

199 Other Per Diem & Fees 58,800.00

201 Social Security 2,800.00

212 Employer Medicare 550.00

Subtotal-51400 \$62,440.00

51500 Election Commission

168 Temporary Personnel \$ 3,060.00

169 Part Time Personnel 3,209.00

193 Election Workers \$ 8,306.00

307 Communication 1,500.00

332 Legal Notices 2,800.00

337 Main & Repair-Office Equipment 1,000.00

349 Printing, Stationery & Forms 329.00

355 Travel 1,900.00

435 Office Supplies 2,692.00

719 Office Equipment 1,000.00

Subtotal-51500 \$12,898.00 \$12,898.00

<u>Fund 101 Budget Amendment</u>	-3-	June, 2009
<u>51710 Development</u>		
103 Assistant(s)		\$ 7,000.00
599 Other Charges	\$ 7,000.00	<u> </u>
Subtotal-51710	\$ 7,000.00	\$ 7,000.00
<u>52100 Accounting & Budgeting</u>		
301 Accounting Services		\$ 750.00
435 Office Supplies	<u>750.00</u>	<u> </u>
Subtotal-52100	\$ 750.00	\$ 750.00
<u>52310 Reappraisal Program</u>		
348 Postal Charges	\$ 6,015.33	
351 Rentals		\$ 5,333.00
355 Travel	<u> </u>	<u>682.33</u>
Subtotal-52310	\$ 6,015.33	\$ 6,015.33
<u>52400 County Trustee</u>		
349 Printing, Stationery & Forms		\$ 59.81
719 Office Equipment	<u>\$ 59.81</u>	<u> </u>
Subtotal-52400	\$ 59.81	\$ 59.81
<u>52500 County Clerk's Office</u>		
189 Other Salaries and Wages	\$ 1,289.00	
307 Communication	<u> </u>	<u>\$1,289.00</u>
Subtotal-52500	\$ 1,289.00	\$1,289.00
<u>53100 Circuit Court</u>		
196 In Service Training	\$ 426.00	
719 Office Equipment	<u> </u>	<u>\$ 350.00</u>
Subtotal-53100	\$ 426.00	\$ 350.00
<u>53300 General Sessions Court</u>		
337 Main & Repair-Office Equip.	\$ 200.00	
348 Postal Charges		\$ 76.00
351 Rentals	<u> </u>	<u>400.00</u>
Subtotal-53300	\$ 200.00	\$ 476.00

Fund 101 Budget Amendment

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June, 2009

53320 General Session Court Clerk

349 Printing, Stationery & Forms \$ 200.00

Subtotal-53320 \$ 200.00

53330 Drug Court

201 Social Security \$ 2,780.00

Subtotal-53330 \$ 2,780.00

54310 Fire Prevention

338 Maint & Repair-Vehicles \$20,000.00
339 Matching Share \$ 3,400.00
499 Other Supplies & Materials 3400.00
502 Building & Contents Insurance 1,035.00
506 Liability Insurance 3,452.00
513 Workmen's Comp Insurance 4,487.00
707 Building Improvements 20,000.00

Subtotal-54310 \$27,887.00 \$27,887.00

54410 Civil Defense

307 Communication \$ 250.00
355 Travel \$ 350.00
599 Other Charges 1,300.00
790 Other Equipment \$ 1,200.00

Subtotal-54410 \$ 1,550.00 \$ 1,550.00

55110 Local Health Center

348 Postal Charges \$3,500.00
435 Office Supplies \$ 3,000.00
452 Utilities 500.00

Subtotal-55110 \$ 3,500.00 \$ 3,500.00

55130 Ambulance

164 Attendants \$14,500.00
169 Part Time Personnel \$35,000.00
187 Overtime Pay 35,000.00
307 Communication 1,800.00
333 Licenses 1,250.00
337 Main & Repair-Office Equip. 200.00
349 Printing, Stationery & Forms 1,250.00

<u>Fund 101 Budget Amendment</u>	-5-	June, 2009
412 Diesel Fuel		17,000.00
718 Motor Vehicles		<u>2,000.00</u>
Subtotal-55130	\$54,000.00	\$54,000.00
<u>56300 Senior Citizens Assistance</u>		
339 Matching Share	<u>\$44,489.42</u>	
Subtotal-55130	\$44,489.42	
<u>56500 Libraries</u>		
499 Other Supplies & Materials	<u>\$ 820.00</u>	
Subtotal-56500	\$ 820.00	
<u>58130 Housing and Urban Development</u>		
706 Building Construction	<u>\$ 5,100.00</u>	
Subtotal-58130	\$ 5,100.00	
<u>58300 Veteran's Services</u>		
105 Supervisor		\$ 2,850.00
435 Office Supplies	<u>\$ 2,850.00</u>	
Subtotal-58300	\$ 2,850.00	\$ 2,850.00
<u>58500 Contributions to Other Agencies</u>		
316 Contributions	<u>\$20,000.00</u>	
Subtotal-58500	\$20,000.00	
<u>58600 Employee Benefits</u>		
185 Education Incentive-Other		\$ 6,000.00
186 Longevity Pay		5,500.00
210 Unemployment Compensation	\$17,000.00	
513 Workman's Comp Insurance		<u>4,000.00</u>
Subtotal-58600	\$17,000.00	\$15,500.00
<u>58900 Miscellaneous</u>		
509 Refunds	<u>\$ 6,000.00</u>	
Subtotal-58900	\$ 6,000.00	

TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS	\$428,904.56	\$136,935.14
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Prior Estimated Expenditures	\$13,133,171.00
Total Estimated Expenditures this Amendment	\$13,311,441.00
Projected Fund Balance before Amendment	\$ 2,378,840.00
Change in Fund Balance this Amendment	\$ 178,270.00
Estimated Ending Fund Balance as of June 30, 2009	\$ 2,200,570.00

Commissioner Harris moved that the following amendment to the Solid Waste Budget be approved. Motion was seconded by Commissioner Brewer and passed unanimously.

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 23rd day of June, 2009, 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 Solid Waste Fund #116 Budget Amendment be amended in the following words and figures, to-wit:

**COUNTY SOLID WASTE FUND
BUDGET AMENDMENT
F/Y 08/09
June, 2009**

<u>Adjustment to Expenditure Accounts:</u>	<u>INCREASE</u>	<u>DECREASE</u>
<u>55732 Convenience Centers</u>		
733 Solid Waste Equipment		<u>\$70,000.00</u>
Subtotal-55732		\$70,000.00
<u>55754 Landfill Operation & Maintenance</u>		
119 Accountants/Bookkeepers	\$ 750.00	
144 Equipment Operators-Heavy		\$18,320.00
168 Temporary Personnel	5,500.00	
187 Overtime Pay	12,070.00	
308 Consultants		\$1,500.00
322 Evaluation & Testing		3,000.00
336 Legal Notices	1,500.00	
418 Equipment & Machinery Parts		1,150.00
450 Tires & Tubes	4,150.00	
724 Site Improvement	4,000.00	
733 Solid Waste Equipment		4,000.00
799 Other Capital Outlay	<u>198,000.00</u>	
Subtotal-55754	\$225,970.00	\$27,970.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS	\$225,970.00	\$97,970.00

Commissioner Harris moved that the following amendment to the Adequate Facilities Tax Fund be approved. Motion was seconded by Commissioner Dowdy and approved 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 23rd day of June, 2009, 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 Adequate Facilities/Development Tax Fund #125 be amended in the following words and figures, to-wit:

**ADEQUATE FACILITIES/DEVELOPMENT TAX
BUDGET AMENDMENT
F/Y 08/09
June, 2009**

<u>Adjustment to Revenue Accounts:</u>	INCREASE	DECREASE
40285 Adequate Facilities/Development Tax		<u>\$ 9,500.00</u>
TOTAL INCREASE/DECREASE TO REVENUE ACCOUNT:		\$ 9,500.00
 <u>Adjustment to Expenditure Account:</u>		
58400 Other Charges		
509 Refunds	\$ 7,000.00	
510 Trustee's Commission	<u>2,500.00</u>	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT:	\$ 9,500.00	
 Change in Fund Balance This Amendment:		 \$ 00.00

Commissioner Harris moved that the following amendment to the Debt Service Fund be approved. Motion was seconded by Commissioner McCloud, and passed unanimously.

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 23rd day of June, 2009, 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 Debt Service Fund #151 Budget Amendment be amended in the following words and figures, to-wit:

**COUNTY DEBT SERVICE FUND
BUDGET AMENDMENT
F/Y 08/09
June, 2009**

<u>Adjustment to Fund Balance:</u>	INCREASE	DECREASE
39000 Undesignated Fund Balance		<u>\$ 1,760.00</u>
TOTAL INCREASE/DECREASE TO FUND BALANCE:		\$ 1,760.00
<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>82310 General Government</u>		
510 Trustee's Commission	\$ 1,200.00	
699 Other Debt Service	<u>350.00</u>	
Subtotal-82310	\$ 1,550.00	
<u>82330 Education</u>		
699 Other Debt Service	<u>\$ 210.00</u>	
Subtotal-82330	\$ 210.00	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS		\$ 1,760.00

Commissioner Harris moved that the following amendment to the Capital Projects budget be approved. The motion was seconded by Commissioner Burnette and passed unanimously.

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 23rd day of June, 2009, 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 Other Capital Projects Fund #189 be amended in the following words and figures, to-wit:

**OTHER CAPITAL PROJECTS
BUDGET AMENDMENT
F/Y 08/09
June, 2009**

<u>Adjustment to Revenue Accounts:</u>	INCREASE	DECREASE
46980 Other State Grants		<u>\$141,679.21</u>
TOTAL INCREASE/DECREASE TO REVENUE ACCOUNT:		\$141,679.21

Adjustment to Expenditure Account:

<u>91190 Other General Government Projects</u>		
331 Legal Services	\$ 1,330.00	
717 Maintenance Equipment	76,674.21	
724 Site Development	<u>63,675.00</u>	
Subtotal-91190	\$141,679.21	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNT:	\$141,679.21	

Change in Fund Balance This Amendment:	\$ 00.00
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Commissioner Harris moved that the following amendments to the school budget be approved. Motion was seconded by Commissioner Oglesby, and passed unanimously.

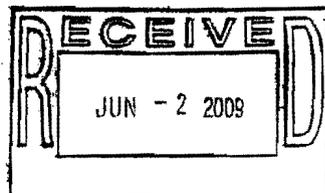
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 FAYETTE COUNTY BOARD OF EDUCATION
 GENERAL PURPOSE FUND
 FUND 141
 JUNE, 2009

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 311	Contracts w/Other School Systems		\$22,625.00
71200 312	Contracts w/Private Agencies	\$22,625.00	
	TOTAL:	\$22,625.00	\$22,625.00
72000	SUPPORT SERVICES		
72710	TRANSPORTATION		
72710 146	Bus Drivers	\$10,300.00	
72710 201	Social Security	\$649.00	
72710 204	State Retirement	\$940.00	
72710 212	Medicare	\$160.00	
72710 299	Other Fringe Benefits	\$551.00	
72710 307	Communications		\$10,000.00
72710 412	Diesel		\$52,600.00
72710 425	Gasoline	\$15,000.00	
72710 450	Tires and Tubes		\$8,000.00
72710 453	Vehicle Parts	\$43,000.00	
	TOTAL:	\$70,600.00	\$70,600.00
	GRAND TOTAL:	\$93,225.00	\$93,225.00

Total Increase/Decrease: \$.00

200 312 incurred contract cost for speech therapist

purchase one tank of gasoline and parts to service all buses that need fixing before the beginning of the 2009-2010 school year. Bus drivers needed for summer touring.



FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 201 - TITLE II, PART A
 JUNE, 2009

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 185	Educational Incentive		\$6,150.00
72210 524	Inservice Staff Development	\$6,150.00	
	TOTAL:	\$6,150.00	\$6,150.00

Total Increase/Decrease: \$0.00

To move funds where not needed to line item to fund staff development this summer.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 231 - TITLE II, PART D
 JUNE, 2009

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 429	Instructional Supplies and Materials		\$53.00
	TOTAL:	\$0.00	\$53.00
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 524	In-service Staff Development	\$53.00	
	TOTAL:	\$53.00	\$0.00
	GRAND TOTAL:	\$53.00	\$53.00

Total Increase/Decrease: \$0.00

Additional needed in staff development to finish the year.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 301 - TITLE III
 JUNE, 2009

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 429	Instructional Supplies and Materials	\$1,085.22	
	TOTAL:	\$1,085.22	\$0.00
72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 355	Travel		\$1,085.22
	TOTAL:	\$0.00	\$1,085.22
	GRAND TOTAL:	\$1,085.22	\$1,085.22

Total Increase/Decrease: \$0.00

Additional needed for supplies and materials for ESL teachers and not needed for travel.

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 801 - VOCATIONAL CARL PERKINS
 JUNE, 2009

		INCREASE	DECREASE
71000	INSTRUCTION		
71300	VOCATIONAL EDUCATION PROGRAM		
71300 163	Educational Assistants		\$294.00
71300 201	Social Security		\$18.55
71300 204	State Retirement		\$25.61
71300 212	Medicare		\$4.73
71300 429	Instructional Supplies and Materials		\$378.20
71300 499	Other Supplies and Materials		\$2,035.84
71300 599	Other Charges		\$1,178.88
71300 730	Vocational Instruction Equipment	\$8,353.77	
	TOTAL:	\$8,353.77	\$3,935.81
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 355	Travel		\$5,013.99
72130 524	In-Service/Staff Development		\$11.73
	TOTAL:	\$0.00	\$5,025.72
72230	VOCATIONAL EDUCATION PROGRAM		
72230 196	In-Service Training	\$135.00	
72230 201	Social Security	\$8.00	
72230 204	State Retirement	\$9.75	
72230 212	Medicare	\$1.75	
72230 355	Travel	\$453.26	
	TOTAL:	\$607.76	\$0.00
	GRAND TOTAL:	\$8,961.53	\$8,961.53

Total Increase/Decrease: \$0.00

FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 90S - IDEA ARRA
 JUNE, 2009

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72220	SPECIAL EDUCATION PROGRAM		
72220 355	Travel	\$16,942.00	
	TOTAL:	\$16,942.00	\$0.00
72710	TRANSPORTATION		
72710 729	Transportation Equipment	\$309,000.00	\$0.00
	TOTAL:	\$309,000.00	\$0.00
	GRAND TOTAL:	\$325,942.00	\$0.00
Total Increase: \$325,942.00			
Revenue:	47143 IDEA Special Education Grants to States	\$325,942.00	
Revenue:	Prior Total Available Funds	\$4,282,944.95	
	Total Increase This Amendment	<u>\$325,942.00</u>	
	Total Available Funds This Amendment	\$4,608,886.95	
Expenditures:	Prior Total Estimated Expenditures	\$4,282,944.95	
	Total Increase This Amendment	<u>\$325,942.00</u>	
	Total Estimated Expenditures This Amendment	\$4,608,886.95	

ARRA funds used to purchase vans and buses for special education students for the 09/10 yr.

FAYETTE COUNTY BOARD OF EDUCATION
 CENTRAL CAFETERIA FUND
 FUND 143
 JUNE, 2009

		INCREASE	DECREASE
73000	OPERATION OF NON-INSTRUCTION SERVICES		
73100	FOOD SERVICE		
73100 710	Food Service Equipment	\$3,000.00	
	TOTAL:	\$3,000.00	\$0.00

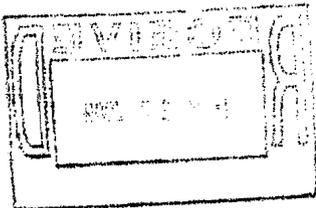
Total Increase: \$3,000.00

Revenue:	43990 Other Charges	\$3,000.00
	Total:	\$3,000.00

Revenue:	Prior Total Available Funds	\$3,229,377.41
	Total Increase This Amendment	\$3,000.00
	Total Available Funds This Amendment	\$3,232,377.41

Expenditure:	Prior Total Estimated Expenditures	\$2,628,151.00
	Total Increase This Amendment	\$3,000.00
	Total Estimated Expenditures This Amend.	\$2,631,151.00

increase needed for purchase of replacement computers for food service office.



Commissioner Harris moved that the following amendment to the Public Works budget be approved to reflect refunds and the Trustee's Commission. Motion was seconded by Commissioner Wilson and passed unanimously.

FAYETTE COUNTY PUBLIC WORKS DEPARTMENT

117 HIAWATHA STREET
P.O. BOX 579
SOMERVILLE, TENNESSEE 38068

901-465-5222
FAX 901-465-5214

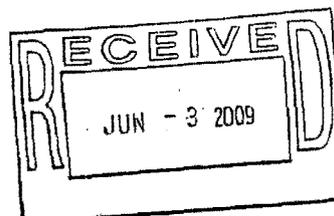
HANK FRANCK, Chairman
ANDREW AVERY, Secretary
ROBERT MCQUEEN

WESLEY PARKS
RUSSELL WICKER
JIM SMITH, Superintendent

BUDGET AMENDMENT No. 3

2008-2009 HIGHWAY FUND 131

<u>EXPENDITURES</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>AMENDED TOTAL</u>
<u>65000 Other Charges</u>			
510 Trustee's Commission	\$ 12,000.00		\$ 58,000.00
Net Change 65000:	\$ 12,000.00		\$ 231,200.00
<u>68000 Capital Outlay</u>			
716 State Aid Projects		\$ (12,000.00)	\$ 148,000.00
Net Change 68000:		\$ (12,000.00)	\$ 1,637,494.00
NET TOTAL EXPENDITURES:		NO CHANGE	
EST. E.F.B., JUNE 30, 2009		NO CHANGE	



Commissioner Harris moved that an amendment to the County Clerk's budget to cover the cost of part-time help be approved. Motion was seconded by Commissioner Dowdy and passed unanimously.

Commissioner Harris moved that the Airport Budget be amended to move money that came in this month to the correct line item. The motion was seconded by Commissioner Burnett, and approved unanimously.

Commissioner Gant moved that the budget amendment for the Solid waste Department be approved to allow the Director to put up a shed, and put white rock under some trailers, in the amount of \$4000. Motion was seconded by Commissioner Kelley, and passed unanimously by the Board.

Commissioner Harris moved that the Property Assessor be authorized to hire a person as an independent contractor to help with the transition of the county going from a 6 year property re-evaluation schedule to a 4 year schedule. The contract has been approved by the county attorney and conforms to the previous resolutions of the commission. The motion was seconded by Commissioner Brewer and passed unanimously.

PROFESSIONAL SERVICES CONTRACT

THIS CONTRACT dated the _____ day of _____, 2009 is between FAYETTE COUNTY, TENNESSEE herein referred to "Employer" and Marion Ray Weatherly of _____, County of Fayette, State of Tennessee herein referred to as "Independent Contractor".

RECITALS

FAYETTE COUNTY is a governmental entity within the State of Tennessee and

WHEREAS, it is in need of consulting services to provide to the Fayette County Tax Assessor's Office for reappraisal needs for the next four years beginning July 1, 2009 and

WHEREAS, coordination and visual inspection with sales verifications are needed to be performed and

WHEREAS, technical support with valuation issues, statistical analysis and valuation modeling is needed and

WHEREAS, Independent Contractor, Marion Ray Weatherly has the skills to perform the services for the County and

WHEREAS, the parties do not wish that the relationship of employer and employee be established but that Marion Ray Weatherly be an independent contractor,

NOW THEREFORE, in consideration of the mutual covenants herein, Ten (\$10.00) Dollars cash in hand paid, plus other good and valuable consideration it is hereby agreed by and between the County and the independent contractor as follows:

SECTION I - DESCRIPTION OF WORK

Work to be performed by Independent Contractor includes all services generally performed by independent contractor in his usual line of business including but not limited to the following:

1. Consulting with the County for the Fayette Tax Assessor's Office for reappraisal needs for the next four (4) years, beginning July 1, 2009.
2. Coordination and visual inspection with sales verifications of real property added to the County tax list.
3. Technical support with valuation issues, statistical analysis and valuation

modeling.

4. The above mentioned technical assistance to the Tax Assessor shall involve the following activities plus any other duties assigned to Independent Contractor by the Tax Assessor:

- a. Residential base rate development;
- b. Residential analysis (V & I);
- c. EFSB Cost Tables Development;
- d. Rural Land Schedule Development;
- e. Home Site Analysis;
- f. Commercial and Industrial Base Rate Development;
- g. Income and Expense Analysis;
- h. Commercial Market Analysis;
- i. Unique Industrial Properties Appraisal;
- j. Small Tract Sales Analysis;
- k. Small Tract Pricing Guide Development;
- l. Sales Adjustments Determination;
- m. Sales Verification Instruction;
- n. Unique Properties Appeal Preparation;
- o. Date Preparation for Appeals Defense;
- p. Overall Statistical Results Review;
- q. Data Quality Reports Production;
- r. Assessable Mineral Interest Valuation;
- s. Assessable Leasehold Interest Valuation;
- t. On the Job Training for Assessor's Staff;
- u. Market Area Delineation Code Review.
- V. Miscellaneous activities related to the above list.

SECTION II - PAYMENT

The County will pay Independent Contractor the total sum of Thirty Thousand (\$30,000.00) Dollars per year for the work to be performed under contract according to the following schedule, the Independent Contractor shall be paid at the end of each month in the gross sum of Two Thousand Five Hundred (\$2,500.00) Dollars per month. The Independent Contractor will be responsible for payment of his own income tax and social security. No deductions shall be removed from the above mentioned sums.

SECTION III - RELATIONSHIP OF PARTIES

The parties intend that an independent contractor/employer relationship will be created by this contractor. Fayette County is interested only in the results to be achieved and the conduct and control of the work will be solely with the Independent Contractor. Independent Contractor is not to be considered an agent or an employee of Fayette County, Tennessee for any purposes, and the employees of the Independent Contractor (if any) are not entitled to any of the benefits that Fayette County provides for Fayette County's employees. It is understood that Independent Contractor is free of contract for similar services to be performed for other persons, businesses or counties or other governmental entities under the

contract with Fayette County, Tennessee.

SECTION IV - LIABILITIES

The work to be performed under this contract will be performed entirely at Independent Contractor's risk, and Independent Contractor assumes all responsibilities for the condition, tools and equipment used in the performance of this contract. Independent Contractor will carry, for the duration of the contract public liability insurance in an amount acceptable to the County. Independent Contractor agrees to indemnify Fayette County for any and all liability or loss arising in any way out of the performance of this contract.

SECTION V - DURATION

Either party may cancel this contract on thirty (30) days written notice. Otherwise this contract shall remain in full force and effect for a term from July 1, 2009 until the June 30, 2013 unless sooner terminated by the option of the Independent Contractor or by the County for cause. This contract may be extended beyond four years by mutual agreement of the parties.

SECTION VI - MINIMUM WORK DAYS

Independent Contractor agrees to work a minimum of one hundred twenty (120) days per year for Fayette County, Tennessee under this agreement.

SECTION VII - INSURANCE

It is agreed that no insurance, either medical or hospitalization, life or accident or any other type or kind of insurance will be provided by Fayette County to the Independent Contractor.

SECTION VIII - PROFESSIONAL SERVICES

The parties to this contract agree that the Independent Contractor is a professional person and that the relation created by this contract is that of Employer/Independent Contractor. Independent Contractor is not an employee or employer, and is not entitled to the benefits provided by Fayette County to its employees, including, but not limited to, group insurance and pension plan. Independent Contractor is not an employee of Fayette County and is not entitled to the benefits provided to Fayette County's employees including but not limited to group insurance and pension plan. Independent Contractor may practice his profession for others during those periods when he is not performing work under this contractor for Fayette County. Fayette County may, during the term of this contract, engage other Independent Contractors to perform the same work that Independent Contractor performs hereunder.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to

be duly executed as of the day and year first above written.

FAYETTE COUNTY

BY: _____
SIGNATURE INDEPENDENT CONTRACTOR

TITLE DATE: _____ DATE: _____

Commissioner Harris moved that the following "Resolution To Institute Electing County Commission Seats By Individual Positions" be approved. The motion was seconded by Commissioner Gant and approved by roll call vote as follows:
Voting "YES": Commissioners Ed Allen, Brewer, Cook, Cox, Dowdle, Dowdy, Gant, German, Harris, Kelley, Lillard, and Oglesby (12)
Voting "NO": Joann Allen, Anderson, Burnette, Karcher, Logan, McCloud, and Wilson (7).
Thereupon, the motion passed.

RESOLUTION TO INSTITUTE ELECTING COUNTY COMMISSION SEATS BY INDIVIDUAL POSITIONS

WHEREAS, Fayette County wants to have the most responsive elective body as possible; and

WHEREAS, T.C.A. 5-5-102(h)(1) allows the County Commission discretion over whether positions will be separately designated on the ballot in multi-member districts and have those positions run for and elected separately within those districts; and

WHEREAS, Individual Commissioners may stand on their record and promote policies for the betterment of the County;

NOW, THEREFORE BE IT RESOLVED by the county legislative body of Fayette County meeting in session at Somerville, Tennessee, on the day of June 23, 2009, that:

1. Fayette County will require the listing of individual County Commission positions in all multi-members districts and have those positions run for and elected separately within those districts;
2. The following positions will be listed as follows, with seniority in office referring to a lower position number:

a. District One -Position One:	Ronald Harris
b. District One - Position Two:	Willie German
c. District One-Position Three:	Tom Karcher
d. District Three- Position One:	Myles Wilson
e. District Three -Position Two:	Charles Brewer
f. District Three-Position Three:	Sissy Dowdle
g. District Four - Position One:	Ed Allen
h. District Four - Position Two:	Larry Cook
i. District Five- Position One:	Claude Oglesby
j. District Five - Position Two:	Steve Anderson
k. District Five - Position Three:	Sylvester Logan
l. District Six - Position One:	David Lillard, Sr.
m. District Six - Position Two:	Ron Gant
n. District Seven - Position One:	Odis Cox
o. District Seven - Position Two:	Joe Burnette
p. District Seven - Position Three:	Bill Kelley
q. District Eight - Position One:	Joann Allen
r. District Eight - Position Two:	George McCloud
3. This resolution shall take effect in the General County Election in August 2010.

APPROVED:

ATTEST:

County Mayor

County Clerk

DATE _____

5-5-102. Membership. —

(a) (1) The county **legislative body** shall be composed of not less than nine (9) nor more than twenty-five (25) members.

(2) There shall be at least nine (9) districts in the county **legislative body** in any county designated as a Class 2 county before January 1, 1999, as established by § 8-24-101.

(b) Members shall reside within and be qualified voters of the districts that they represent.

(c) (1) Notwithstanding any provision of the law to the contrary, any county employee, otherwise qualified to serve as a member of the county **legislative body**, shall not be disqualified from such **legislative** office by reason of being a county employee.

(2) No person elected or appointed to fill the office of county mayor, sheriff, trustee, register, county clerk, assessor of property, or any other county-wide office filled by vote of the people or the county **legislative body**, shall also be nominated for or elected to membership in the county **legislative body**. After June 18, 2005, a director of schools shall not be qualified to serve as a member of the county **legislative body**.

(3) [Deleted by 2008 amendment.]

(4) (A) Any member of a local governing **body** of a county or a municipality who is also an employee of such county or municipality may vote on matters in which such member has a conflict of interest if the member informs the governing **body** immediately prior to the vote as follows:

Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this **body** represents.

(B) In the event a member of a local governing **body** of a county or a municipality has a conflict of interest in a matter to be voted upon by the **body**, such member may abstain for cause by announcing such to the presiding officer. Any member of a local governing **body** of a county or municipality who abstains from voting for cause on any issue coming to a vote before the **body** shall not be counted for the purpose of determining a majority vote.

(C) The vote of any person having a conflict of interest who does not inform the governing **body** of such conflict as provided in subdivision (c)(4)(A) shall be void if challenged in a timely manner. As

used in this section, "timely manner" means during the same meeting at which the vote was cast and prior to the transaction of any further business by the **body**.

(D) Nothing in this subdivision (c)(4) shall be construed as altering, amending or otherwise affecting the provisions of § 12-4-101(a). In the event of any conflict between this subdivision (c)(4) and § 12-4-101(a), the provisions of § 12-4-101(a) shall prevail.

(d) No more than three (3) members shall be elected from any one (1) district.

(e) (1) Members shall serve terms of four (4) years or until their successors are elected and qualified.

(2) Members of the county **legislative body** shall be elected in the regular August election in 1978 and every four (4) years thereafter.

(f) The members of the county **legislative body** shall be known individually as county commissioners and collectively as the board of county commissioners.

(g) The term of office for members of the county **legislative body** shall begin on September 1 next succeeding their election.

(h) (1) The county **legislative body** shall have discretionary authority to determine whether each office in multi-member districts will be separately designated on the ballot, with candidates required to run and to be elected on the basis of such separately designated offices within the district.

(2) No candidate shall qualify for more than one (1) such separately designated office within a multi-member district.

(3) In any county designated as a Class 2 county before January 1, 1999, as established by § 8-24-101, each office in multi-member districts shall be separately designated on the ballot, and candidates shall run and be elected on the basis of such separately designated offices within the district.

(i) If a vacancy shall occur in the office of a member of the county **legislative body**, the vacancy shall be filled as provided for in § 5-1-104(b).

Commissioner Harris moved that the following "Rules to Qualify for Non-Profit Funding From Fayette County Government" be adopted. The motion was seconded by Commissioner Burnette, and passed unanimously.

RULES TO QUALIFY FOR NON-PROFIT FUNDING FROM FAYETTE COUNTY
GOVERNMENT

1. Any organization that conforms to TCA 5-9-109 regulations
2. Any funded organization must provide quarterly reports on their activities. Quarterly reports shall start with July and include how the funds are spent for the general welfare of the county.
3. To qualify for funds, the organization may provide an audit of the organization or may provide a comparable report, as defined by the County Mayor, from one of these commonly available accounting software packages:
 - QuickBooks 2009
 - Quicken 2009
 - Peachtree 2009
 - Microsoft Office Accounting 2009
 - Microsoft Money

Commissioner Harris moved that the following "Resolution To Adopt A Continuing Budget And Tax Rate For The Fiscal Year Beginning July 1, 2009, and To Authorize The Issuance Of Tax Anticipation Notes For The County Of Fayette" to allow the county to operate until a new budget is approved. The motion was seconded by Commissioner Oglesby, and passed unanimously.

**A RESOLUTION TO ADOPT A CONTINUING BUDGET
AND TAX RATE FOR THE FISCAL YEAR BEGINNING
JULY 1, 2009, AND TO AUTHORIZE THE ISSUANCE OF
TAX ANTICIPATION NOTES FOR THE COUNTY OF FAYETTE**

WHEREAS, it now appears that the 2009-10 fiscal year budget of Fayette County, Tennessee, will not be approved prior to the start of the 2009 - 10 fiscal year term of the Board of County Commissioners, now;

THEREFORE, BE IT RESOLVED by the Board of Commissioners of Fayette County, Tennessee, that amounts set out in the 2008-09 Appropriation Resolution are hereby continued until a new 2009-10 Appropriation Resolution is adopted, and;

BE IT FURTHER RESOLVED, that the property tax rate of \$1.74 per each \$100.00 of taxable property for the fiscal year beginning July 1, 2009, shall remain in effect until a new property tax rate is adopted, and;

BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on tax anticipation notes, provided that such notes are first approved by the State Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenues for the fiscal year 2009-10 have been collected, not exceeding 60% of the appropriations of each individual fund of the continuing budget. The notes evidencing the loans authorized under this section shall be issued under the authority of Title 9, Chapter 21, Tennessee Code Annotated. All said notes shall mature and be paid in full without renewal not later than June 30, 2010.

BE IT FURTHER RESOLVED, that this Resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2009.

Adopted this 23rd day of June, 2009.

Commissioner German moved that the County pay the bank note now due, not to exceed \$150,000, for the school loan from last fall out of debt service. Commissioner Logan seconded the motion, which passed upon the following roll call vote:

Voting "YES": Commissioners Anderson, Brewer, Burnette, Cook, Cox, Dowdle, Dowdy, Gant, German, Harris, Karcher, Kelley, Lillard, Logan, and Oglesby (15)

Voting "NO": Commissioners Ed Allen, Joann Allen, and McCloud (3)

"Passing" and not voting: Commissioner Wilson

Commissioner Joann Allen asked Mr. Pitner of Planning and Development to inform the Commission on a resolution Oakland is pursuing regarding territorial planning jurisdiction.

With no further business before the Board the meeting was adjourned.

Rhea Taylor, County Mayor

Sue W. Culver, County Clerk