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**FILE COPY**

**FAYETTE COUNTY LEGISLATIVE BODY**

**MAY 26, 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 26<sup>th</sup> day of May, 2009. Present and presiding was Chairman Rhea Taylor. Also present were the following: Sue W. Culver, 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, Willie 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. David Owen, 425 Woodsedge Drive. Eads, addressed the Board to inquire about re-paving Canadaville Loop. He stated that there is a bridge that needs work on the road, also.

Dale Whitfield addressed the Board regarding the adoption of the building code, referring specifically to Chapter 31 which addresses swimming pool enclosures. He stated that up to now the requirements for pool enclosures has not been enforced. He was under the impression that the county was operating under the 2003 International building code, but was told that it had never been adopted. The county was operating under the 1999 Building Code, but the 2006 Building Code is up for adoption tonight.

Commissioner Wilson moved that the minutes for April 28, 2009, be approved. Commissioner Brewer seconded the motion and it passed unanimously.

Commissioner Dowdle moved that the following notaries be approved: Charles D. Brewer, Sr; Deborah F. Craft; William B. Houston; and Rodney Tatum. Motion was seconded by Commissioner Cook and passed unanimously by the Board.

The next item on the agenda was the election of a School Board Member for District One to replace Ricky Hoskins, whose resignation was accepted last month. Commissioner Burnette nominated Bob Doll. Commissioner Brewer nominated Michael Hailey. Commissioner Oglesby nominated Nancy Johnson. Commissioner Wilson nominated James Cypress. Commissioner Logan moved that the nominations cease. The motion was seconded by Commissioner Karcher, and passed unanimously.

A roll call vote was taken, with the following result:

Voting for James Cypress: Commissioners Kelley and Wilson.(2)

Voting for Michael Hailey: Commissioner Brewer(1)

Voting for Nancy Johnson: Commissioners Cook, Cox, Dowdle, Dowdy, Gant, German, Harris, Karcher, Lillard, and Oglesby(10)

Voting for Bob Doll: Commissioners Ed Allen, Joann Allen, Anderson, Burnette, Logan, and McCloud.(6)

Commissioner Kelley changed his vote to Nancy Johnson, as did Commissioners Wilson, Burnette, and McCloud, leaving Mrs. Johnson with a total of 14 votes to win the appointment to the School Board, District One, until August, 2010, at which time she will have to seek election to the seat.

Financial reports for the Board of Education, the Public Works Department, and the County's summary financial statement were included in Commissioners packets that were sent out.

Chairman Taylor reported for the Mayor's office. He stated that the Farmer's Market building is complete, and open for business, and is located in front of the Alternative school. He stated that business will probably pick up there by early June, but right now it's between seasons.

The sale of the Industrial Park property has been closed, and the gentleman is moving out there, and we have received payment.

The County has taken possession of Arlington Lagoon. The County has an agreement with Oakland. The state has been involved in cleaning up the area and this process is almost complete. He stated that he will bring a resolution regarding fees and codes for that area at next month's meeting.

There were no reports for the Sheriff's Department, the Board of Education, Juvenile Court, or the Board of Public Works. Commissioner Anderson asked Jim Smith of the Public Works Department if Canadaville Loop is on the list to be re-paved. Mr. Smith stated that Canadaville Loop is a viable candidate for Adequate Facilities Tax, when those funds become available. Commissioner Gant asked where the road was on the priority list. Mr. Smith said that the road is either a three or four on the list, and that the department is making progress. There are other roads that are as bad, but progress is being made. He stated that the Board would certainly consider this road as a viable candidate for these funds.

Commissioner Anderson asked if the figures he had requested from the Circuit and General Sessions Court Clerk were available. Chairman Taylor stated that the figures had been turned in to him, but he did not have copies. Mrs. Doyle was present at the meeting and distributed copies of the report, which showed revenues were down \$354,843.29 from 2005 to 2008.

There was no report for the Trustee's Office or Planning and Development.

Commissioner Wilson reported for the Development Committee. The Committee discussed repaving Burrowtown Road at the request of the City of Gallaway. Gallaway will reimburse the Public Works Department for the cost of the work. Motion was made by Commissioner Gant, seconded by Commissioner Karcher, and passed unanimously by the Board.

Commissioner Wilson stated that the AT&T easement to be granted near the Somerville Library for installation of a pad for their equipment was discussed. The pad will be 20 x 20 and will allow enhanced internet capability. The matter was approved and forwarded to Budget for approval by the full Commission.

Commissioner Wilson moved that the "Resolution to adopt and enforce the 2006 International Building Code and repeal the 1999 Standard Building Code" be adopted. Commissioner Gant seconded the motion, which was passed unanimously by the Board. Commissioner Ed Allen asked about the pool enclosures, would pools that were built prior to the adoption of this resolution be required to have these enclosures also. Commissioner Logan stated that the code had always required pool enclosures. Chairman Taylor stated that he could get a report from Planning and Development on pools being built on a regular basis. He also stated that he would find out if those pools already built would have to be enclosed to avoid county liability.

**A RESOLUTION TO ADOPT AND ENFORCE THE 2006 INTERNATIONAL BUILDING CODE AND REPEAL THE 1999 STANDARD CODE.**

WHEREAS, pursuant to Fayette County Resolution of May 23, 2000, Fayette County has adopted and enforced the 1999 Standard building Code; and

WHEREAS, it is the desire of Fayette County to adopt in all respects, the various codes of the 2006 International building Codes as relating to building, gas, mechanical, plumbing, and other codes as required; and

WHEREAS, Fayette County is required to update and revise its Building Code every six years; and

WHEREAS, the proposed Code has been filed with the County Clerk's office for ninety (90) days, as required by TCA 5-20-102; and

WHEREAS, the adoption of these codes is done to facilitate property inspection activities by Fayette County relating to construction of buildings within said unincorporated Fayette County, TN, relating to public safety, health and general welfare.

NOW THEREFORE BE IT RESOLVED BY THE FAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE FOLLOWING IS HEREBY ADOPTED:

SECTION 1: That the following codes are hereby adopted by reference as though they were copied herein fully:

- A. 2006 International Building Code (IBC)
- B. 2006 International Residential Code (IRC)
- C. 2006 International Building – Mechanical Code (IMC)
- D. 2006 International Building – Fuel Gas Code (IFGC)
- E. 2006 International Building – Plumbing Code (IPG)

SECTION 2: That matters in said codes relating to existing Ordinances and Codes of unincorporated Fayette County shall:

- A. Prevail and that the Ordinances entitled Standard Building Code 1999 Edition is hereby repealed and, to the extent any existing Ordinances to the contrary, are hereby repealed in that respect only.
- B. Be updated with each newly published edition of said Code or within a time period of six (6) years.

SECTION 3: That a minimum of three (3) copies of said code which is incorporated by reference shall be filed by one (1) copy in the office of the County Clerk, one (1) copy in the Mayor's Office and one (1) copy in the Office of Planning and Development – Building Department, and there kept for public use, inspection and examination.

SECTION 4: That the following amendment adopted by the Fayette County Commissioners on March 26, 1996 shall remain in effect:

- A) Framing member spacing in one and two family dwellings
  - i) Members shall be placed on no more than sixteen (16) inches on center.  
Exception:
    - 1) Rafters may be placed twenty-four (24) inches on center provided that:
      - (a) Roof sheathing is no less than 5/8 inch plywood with approved clips of 3/4 inch nominal thickness boards
      - (b) Rafters not nailed directly to ceiling joists must be installed at the top plate with approved metal fastening straps
    - 2) Lumber Grade
      - (c) Utility grade will not be allowed for wall construction
      - (d) Roof decking of 3/8 inch thickness will not be allowed

SECTION 5: BE IT FURTHER RESOLVED that this Resolution shall become effective and be in force from and after its passage, THE PUBLIC WELFARE REQUIRING IT.

Commissioner Wilson stated that the Committee had reviewed the budgets of the Beer Board, Development, Building, Other General Administration, Agriculture Extension, Soil Conservation, Industrial Development, Airport, and Miscellaneous Departments and forwarded them to the Budget Committee. The Committee is still waiting on the Public Works Budget.

The Committee also reviewed a budget amendment for the Public Works Department and forwarded it to Budget with a recommendation for approval.

Commissioner German reported for the Health and Welfare Committee. The Committee reviewed budgets for several departments, all of which have been passed on to Budget, except the Ambulance Service and non-profits. These budgets will be discussed further in the June meeting.

The Committee discussed methods of placing information on a website about animals received by Animal Control. It was determined that the Mayor and the Sheriff would include information on their websites, and it would also be entered on "Pet Finder".

Commissioner Burnette stated that the Personnel Committee did not meet.

Commissioner Dowdy reported for the Criminal Justice/Public Safety Committee, and stated that they are in the process of reviewing budgets.

Commissioner Oglesby stated that the Education Committee did not meet.

Commissioner Harris reported for the Budget Committee. He moved that the easement for AT & T be approved. Motion was seconded by Commissioner McCloud and passed unanimously.

Commissioner Harris moved that the following budget amendment to the County General Fund be approved. Motion was seconded by Commissioner Burnette, and approved unanimously.

## 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 26<sup>th</sup> day of May, 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 May, 2009

<u>Adjustment to Revenue Accounts:</u>	INCREASE	DECREASE
43990 Other Charges for Services		\$13,000.00
46290 Other Public Safety Grants		<u>\$15,900.00</u>
<b>TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS</b>		<b>\$28,900.00</b>
<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>51100 County Commission</u>		
425 Gasoline		\$ 400.00
435 Office Supplies	<u>\$ 400.00</u>	<u>          </u>
<b>Subtotal-51100</b>	<b>\$ 400.00</b>	<b>\$ 400.00</b>
<u>51300 County Mayor</u>		
307 Communication	\$ 200.00	
332 Legal Notices	600.00	
337 Maint & Repair-Office Equipment		\$ 200.00
355 Travel	200.00	
399 Other Contracted Services	<u>          </u>	<u>800.00</u>
<b>Subtotal-51300</b>	<b>\$ 1,000.00</b>	<b>\$ 1,000.00</b>
<u>51800 County Buildings</u>		
446 Small Tools		\$ 20.00
451 Uniforms	<u>\$ 20.00</u>	<u>          </u>
<b>Subtotal-51800</b>	<b>\$ 20.00</b>	<b>\$ 20.00</b>

<u>52100 Accounting and Budgeting</u>		
301	Accounting Services	\$ 500.00
337	Maint & Repair-Office Equipment	\$ 100.00
355	Travel	\$ 250.00
435	Office Supplies	<u>350.00</u>
	<b>Subtotal-52100</b>	<b>\$ 600.00      \$ 600.00</b>
<u>52300 Property Assessor's Office</u>		
317	Data Processing Services	\$ 3,871.24
334	Maintenance Agreements	\$ 3,000.00
355	Travel	<u>871.24</u>
	<b>Subtotal-52300</b>	<b>\$ 3,871.24      \$ 3,871.24</b>
<u>53500 Juvenile Court</u>		
196	In Service Training	\$ 500.00
309	Contracts with Gov. Agencies	1,330.00
337	Maint & Repair-Office Equipment	\$ 250.00
354	Transportation-Other Than Students	650.00
399	Other Contracted Services	1,080.00
432	Library Books/Media	100.00
435	Office Supplies	<u>250.00</u>
	<b>Subtotal-53500</b>	<b>\$ 2,080.00      \$ 2,080.00</b>
<u>54110 Sheriff's Department</u>		
140	Salary Supplements	\$ 2,400.00
187	Overtime Pay	15,900.00
196	In Service Training	\$ 2,400.00
307	Communication	4,000.00
337	Main & Repair-Office Equipment	10,000.00
338	Main & Repair-Vehicles	7,000.00
349	Printing, Stationery & Forms	2,000.00
355	Travel	2,000.00
425	Gasoline	3,000.00
435	Office Supplies	11,000.00
451	Uniforms	21,000.00
452	Utilities	14,003.00
707	Building Improvements	5,000.00
708	Communication Equipment	3,000.00
709	Data Processing Equipment	4,000.00
718	Motor Vehicles	<u>3,003.00</u>
	<b>Subtotal-54110</b>	<b>\$69,303.00      \$40,403.00</b>

<u>54210 Jail</u>		
103 Assistant(s)	\$ 6,000.00	
131 Medical Personnel		\$29,000.00
148 Dispatchers/Radio Operators	7,000.00	
187 Overtime Pay	16,000.00	
312 Contracts with Private Agencies		22,500.00
335 Main & Repair-Buildings	21,000.00	
349 Printing, Stationery & Forms		1,500.00
410 Custodial Supplies	4,000.00	
425 Gasoline	2,500.00	
435 Office Supplies	1,500.00	
441 Prisoners Clothing	4,000.00	
451 Uniforms		4,000.00
499 Other Supplies & Materials	2,000.00	
707 Building Improvements		2,000.00
708 Communication Equipment		3,000.00
711 Furniture & Fixtures	500.00	
790 Other Equipment		<u>2,500.00</u>
<b>Subtotal-54210</b>	<b>\$64,500.00</b>	<b>\$64,500.00</b>
<u>54410 Civil Defense</u>		
307 Communication	\$ 800.00	
338 Maint & Repair-Vehicles	400.00	
348 Postal Charges	40.00	
349 Printing, Stationery & Forms		\$ 40.00
412 Diesel Fuel		700.00
425 Gasoline	700.00	
452 Utilities		2,500.00
790 Other Equipment	<u>1,300.00</u>	
<b>Subtotal-54410</b>	<b>\$ 3,240.00</b>	<b>\$ 3,240.00</b>
<u>55120 Rabies and Animal Control</u>		
307 Communication	\$ 440.00	
335 Main & Repair-Buildings	300.00	
338 Main & Repair-Vehicles		\$ 3,800.00
355 Travel		300.00
357 Veterinary Services		440.00
499 Other Supplies & Materials	<u>3,800.00</u>	
<b>Subtotal-55120</b>	<b>\$ 4,540.00</b>	<b>\$ 4,540.00</b>

TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS	\$149,554.24	\$120,654.24
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Prior Estimated Expenditures	\$13,133,171.00
Total Estimated Expenditures this Amendment	\$13,133,171.00
Projected Fund Balance before Amendment	\$ 2,378,840.00
Change in Fund Balance this Amendment	00.00
Estimated Ending Fund Balance as of June 30, 2009	\$ 2,378,840.00

Commissioner Harris also moved that the following amendments to the School Board Budget be approved. The motion was seconded by Commissioner Oglesby and passed unanimously.

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

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers		\$27,683.55
71100 117	Career Ladder		\$1,200.00
71100 127	Career Ladder Extended Contract		\$136.00
71100 207	Health Insurance	\$1,084.00	
	TOTAL:	\$1,084.00	\$29,019.55

71200	SPECIAL EDUCATION PROGRAM		
71200 117	Career Ladder	\$1,200.00	
71200 311	Contracts w/Private Agencies		\$8,000.00
71200 429	Instructional Supplies and Materials	\$6,000.00	
	TOTAL:	\$7,200.00	\$8,000.00

71300 VOCATIONAL EDUCATION PROGRAM			
71300 207	Health Insurance	\$3,794.00	
71300 116 ISY	Teachers		\$27,000.00
71300 201 ISY	Social Security		\$1,675.00
71300 204 ISY	State Retirement		\$2,012.00
71300 212 ISY	Medicare		\$391.00
71300 299 ISY	Other Fringe Benefits		\$105.00
71300 730 ISY	Vocational Instruction Equipment		\$4,074.00
71300 116 SY1	Teachers	\$16,875.00	
71300 201 SY1	Social Security	\$1,046.00	
71300 204 SY1	State Retirement	\$1,514.00	
71300 212 SY1	Medicare	\$245.00	
71300 299 SY1	Other Fringe Benefits	\$66.00	
	TOTAL:	\$23,540.00	\$35,257.00

71600 ADULT EDUCATION PROGRAM			
71600 201 AE	Social Security		\$200.00
71600 204 AE	State Retirement	\$200.00	
71600 429 AE	Instructional Supplies and Materials		\$650.00
	TOTAL:	\$200.00	\$850.00

72000 SUPPORT SERVICES			
72120 HEALTH SERVICES			
72120 198 CSH	Substitute Teachers	\$120.00	
72120 307 CSH	Communication		\$998.00
72120 355 CSH	Travel	\$878.00	
	TOTAL:	\$998.00	\$998.00

72130 OTHER STUDENT SUPPORT			
72130 135	Assessment Personnel	\$805.55	
	TOTAL:	\$805.55	\$0.00

72210 REGULAR INSTRUCTION PROGRAM			
72210 127	Career Ladder Extended Contract	\$136.00	
72210 355	Travel	\$2,000.00	
	TOTAL:	\$2,136.00	\$0.00

72220 SPECIAL EDUCATION PROGRAM			
72220 307	Communication	\$2,000.00	
	TOTAL:	\$2,000.00	\$0.00

ADULT EDUCATION PROGRAM			
72260			
72260 189 AE	Other Salaries and Wages	\$600.00	
72260 201 AE	Social Security	\$100.00	
72260 204 AE	State Retirement		\$600.00
72260 207 AE	Health Insurance	\$300.00	
72260 524 AE	InService/Staff Development		\$100.00
72260 599 AE	Other Charges	\$350.00	
72260 105 WICC	Supervisor/Director	\$750.00	
72260 189 WICC	Other Salaries and Wages	\$6,100.00	
72260 204 WICC	State Retirement	\$2,000.00	
72260 207 WICC	Health Insurance	\$5,600.00	
72260 355 WICC	Travel		\$1,000.00
72260 399 WICC	Other Contracted Services	\$10,300.00	
72260 499 WICC	Other Supplies and Materials		\$12,400.00
72260 599 WICC	Other Charges		\$1,950.00
72260 722 WICC	Regular Instruction Equipment		\$9,400.00
	TOTAL:	\$26,100.00	\$25,450.00

VOCATIONAL INSTRUCTION PROGRAM			
72230			
72230 189 ISY	Other Salaries and Wages		\$9,984.00
72230 201 ISY	Social Security		\$768.00
72230 204 ISY	State Retirement		\$960.00
72230 212 ISY	Medicare		\$192.00
72230 299 ISY	Other Fringe Benefits		\$576.00
72230 336 ISY	Maintenance and Repair Services	\$1,731.00	
72230 355 ISY	Travel	\$3,777.00	
72230 499 ISY	Other Supplies and Materials	\$100.00	
72230 599 ISY	Other Charges	\$57,663.00	
	TOTAL:	\$63,271.00	\$12,480.00

BOARD OF EDUCATION			
72310			
72310 510	Trustee Commission	\$20,000.00	
	TOTAL:	\$20,000.00	\$0.00

TRANSPORTATION			
72710			
72710 412 ISY	Diesel Fuel		\$35,280.00
72710 338	Maintenance & Repair Services - Vehicles	\$2,000.00	
72710 399	Other Contracted Services	\$2,000.00	
72710 412	Diesel		\$91,500.00
72710 425	Gasoline	\$5,000.00	
72710 453	Vehicle Parts	\$75,000.00	
72710 599	Other Charges	\$7,500.00	
	TOTAL:	\$91,500.00	\$126,780.00

	GRAND TOTAL:	\$238,834.55	\$238,834.55
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Total Increase/Decrease: \$ .00



72000	SUPPORT SERVICES	(186)		
72210	REGULAR INSTRUCTION PROGRAM			
72210 524	Inservice Staff Development			\$10,000.00
	TOTAL:		\$0.00	\$10,000.00
	GRAND TOTAL:		\$62,599.00	\$62,599.00

Total Increase/Decrease: \$0.00

Funds are needed in salaries and benefits for summer tutoring activities.

FAYETTE COUNTY BOARD OF EDUCATION  
FEDERAL PROJECTS FUND  
FUND 142  
SUBFUND 102 - READING FIRST  
MAY, 2009

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION PROGRAM		
71100 116	Teachers		\$1,692.00
71100 201	Social Security		\$2,688.15
71100 204	State Retirement		\$2,784.58
71100 212	Medicare		\$627.58
71100 429	Instructional Supplies and Materials	\$8,490.35	
71100 429 CT	Instructional Supplies and Materials	\$3,292.87	
71100 722 CT	Regular Instruction Equipment	\$12,474.32	
71100 116 JF	Teachers		\$2,000.00
71100 163 JF	Educational Assistants	\$2,000.00	
71100 722 JF	Regular Instruction Equipment	\$13,792.02	
71100 116 LM	Teachers		\$2,100.00
71100 163 LM	Educational Assistants	\$2,100.00	
71100 722 LM	Regular Instruction Equipment	\$15,387.44	
71100 116 NW	Teachers		\$3,500.00
71100 163 NW	Educational Assistants	\$3,500.00	
71100 722 NW	Regular Instruction Equipment	\$14,412.32	
71100 116 SM	Teachers		\$3,000.00
71100 163 SM	Educational Assistants	\$3,000.00	
71100 429 SM	Instructional Supplies and Materials	\$629.15	
71100 722 SM	Regular Instruction Equipment	\$8,792.02	
71100 116 SW	Teachers	\$2,320.00	
71100 429 SW	Instructional Supplies and Materials		\$2,320.00
71100 722 SW	Regular Instruction Equipment	\$11,647.52	
	TOTAL:	\$101,838.01	\$20,712.31

72000	SUPPORT SERVICES		
72210	REGULAR INSTRUCTION PROGRAM		
72210 189 CT	Other Salaries and Wages		\$100.00
72210 201 CT	Social Security		\$6.20
72210 204 CT	State Retirement		\$8.70
72210 212 CT	Medicare		\$1.44
72210 355 CT	Travel		\$12,474.32
72210 524 CT	Inservice Staff Development		\$3,292.87
72210 189 JF	Other Salaries and Wages		\$100.00
72210 201 JF	Social Security		\$6.20
72210 204 JF	State Retirement		\$8.70
72210 212 JF	Medicare		\$1.44

72210 355 JF	Travel		\$13,792.02
72210 189 LM	Other Salaries and Wages		\$100.00
72210 201 LM	Social Security		\$6.20
72210 204 LM	State Retirement		\$8.70
72210 212 LM	Medicare		\$1.44
72210 355 LM	Travel		\$13,792.02
72210 524 LM	Inservice Staff Development		\$1,595.42
72210 189 NW	Other Salaries and Wages		\$100.00
72210 201 NW	Social Security		\$6.20
72210 204 NW	State Retirement		\$8.70
72210 212 NW	Medicare		\$1.44
72210 355 NW	Travel		\$12,269.42
72210 524 NW	Inservice Staff Development		\$2,142.90
72210 189 SM	Other Salaries and Wages		\$100.00
72210 201 SM	Social Security		\$6.20
72210 204 SM	State Retirement		\$8.70
72210 212 SM	Medicare		\$1.44
72210 355 SM	Travel		\$8,792.02
72210 524 SM	Inservice Staff Development		\$629.15
72210 189 SW	Other Salaries and Wages		\$100.00
72210 201 SW	Social Security		\$6.20
72210 204 SW	State Retirement		\$8.70
72210 212 SW	Medicare		\$1.44
72210 355 SW	Travel		\$11,898.21
72210 524 SW	Inservice Staff Development	\$250.69	
	TOTAL:	\$250.69	\$81,376.39
	GRAND TOTAL:	\$102,086.70	\$102,086.70

Total Increase/Decrease: \$0.00

Funds are needed in salaries and benefits for summer tutoring activities and extend school.

FAYETTE COUNTY BOARD OF EDUCATION  
 FEDERAL PROJECTS FUND  
 FUND 142  
 DISCRETIONARY GRANT - NAP '103  
 MAY, 2009

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 198	Non-Certified Substitute Teachers		\$10,770.00
71200 201	Social Security		\$670.00
71200 212	Medicare		\$156.81
	TOTAL:	\$0.00	\$11,596.81
72000	SUPPORT SERVICES		
72220	SPECIAL EDUCATION PROGRAM		
72220 355	Travel		\$434.14
72220 399	Other Contracted Services	\$8,060.00	
72220 524	Inservice Staff Development	\$4,264.72	
72220 599	Other Charges		\$293.77
	TOTAL:	\$12,324.72	\$727.91
	GRAND TOTAL:	\$12,324.72	\$12,324.72

Total Increase/Decrease: \$0.00

Increase of Professional fees to cover three additional training days for FCS staff to the U of M Staff. Increase in Other NonPersonnel to cover cost for the Center for Research and Educational Policy for system-wide evaluation of the STRIVE program. Decrease on line items to cover the cost of increases above

Commissioner Harris moved that the following amendment to the Public Works Budget be approved. Motion was seconded by Commissioner McCloud 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. 2

### 2008-2009 HIGHWAY FUND 131

<u>REVENUES</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>AMENDED TOTAL</u>
46410 Bridge Program	\$365,236.00		\$ 365,236.00
46420 State Aid	304,147.00		424,147.00
NET TOTAL REVENUES:	\$669,383.00		\$ 5,006,298.00

<u>EXPENDITURES</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>AMENDED TOTAL</u>
<u>62000 Hwy. &amp; Br. Maint.</u>			
443 Road Signs	\$ 5,053.00		\$ 15,053.00
Net Change 62000:	\$ 5,053.00		\$ 1,362,929.00

<u>66000 Employee Benefits</u>			
210 Unemployment Comp		\$ (1,500.00)	\$ 500.00
322 Evaluation & Testing		(560.00)	1,440.00
Net Change 66000:		\$ (2,060.00)	\$ 605,425.00

<u>68000 Capital Outlay</u>			
714 Highway Equip.	\$121,000.00		\$ 308,640.00
791 Other Const.	195,468.00	(92,000.00)	\$ 1,053,119.00
Net Change 68000:	\$224,468.00		\$ 1,649,494.00

<u>EXPENDITURES</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>AMENDED TOTAL</u>
<u>80000 Debt Service</u>			
610 Principal	\$ 1,890.00		\$ 75,469.00
611 Interest	\$ 170.00		7,784.00
Net Change:	\$ 2,060.00		\$ 83,253.00
NET TOTAL EXPENDITURES:	\$229,521.00		\$ 4,631,122.00
EXCESS OF EST. REVENUES OVER (UNDER) EST. EXPENDITURES			\$ 375,176.00
ACTUAL B.F.B., JULY 1, 2008			\$ 1,038,580.00
ESTIMATED E.F.B., JUNE 30, 2009			\$ 1,413,756.00

Commissioner Harris moved that the Public Works Officials bonds be approved as presented for Robert E. McQueen, Wesley P. Parks, Jr., Jerry Russell Wicker, and Andrew S. Avery. Motion was seconded by Commissioner Wilson and passed unanimously as follows:

SURETY'S BOND NO. 14869383

STATE BOND FORM  
COB-7(82)

STATE OF TENNESSEE  
COUNTY OF Fayette  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Public Works Board Member

KNOW ALL MEN BY THESE PRESENTS:

That Robert E. McQueen  
of Somerville (City or Town), County  
of Fayette Tennessee, as Principal, and WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of Ten Thousand and 00/100  
Dollars (\$ 10 000 00 )  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly \_\_\_\_\_ elected  appointed to the office of Public Works Board  
Member  
of and for Fayette County ~~County~~ for the ( 2 ) year term beginning on the 1st day of  
September, 2008 and ending on the 1st day of September, 2010

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said Robert E. McQueen, Principal, shall:  
faithfully perform the duties of the office of Public Works Board Member of Fayette  
County during the term of office or his continuance therein; and



By over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his  
hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all  
records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from  
office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be  
null and void otherwise to remain in full force and effect.

WITNESS his hands and seals this 16th day of July, 2008

WITNESS - ATTEST:

PRINCIPAL:

Beverly Feathers

Robert E. McQueen

SURETY:

COUNTERSIGNED BY:

WESTERN SURETY COMPANY

Glendia A. Ward  
Tennessee Resident Agent

by: Paul T. Bruflat

Paul T. Bruflat, Senior Vice President  
(Attach evidence of authority to execute bond)

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE

COUNTY OF Fayette

Before me, a Notary Public, of the State and County aforesaid, personally appeared Robert E. McQueen  
with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing  
bond, and he acknowledged to me that he executed the same



WITNESS my hand and seal this 8th day of August, 2008

My Commission Expires: Sept. 4th 2011

Glendia A. Ward  
Notary Public

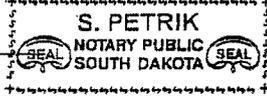
ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota

COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Paul T. Bruflat with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the name of the corporation by himself as such individual.

WITNESS my hand and seal this 16th day of July, 2008  
My Commission Expires: August 11, 2010

 S. Petrik  
Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee  
Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)

Bond and Sureties approved by KMFA Taylor, County Executive  
of FAYETTE County, on this 12th day of AUGUST, 2008

Signed: [Signature]  
County Executive

CERTIFICATION:

I, \_\_\_\_\_, County Clerk of \_\_\_\_\_ County,  
hereby certify that the foregoing bond was approved by the Legislative Body of said county, in open session on the \_\_\_\_\_  
day of \_\_\_\_\_, and entered upon the minutes thereof.

Signed: \_\_\_\_\_  
County Clerk

SECTION II. (Applicable only to Clerks of Chancery and Circuit Courts)

CERTIFICATION:

This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.

Signed: \_\_\_\_\_  
Judge of the \_\_\_\_\_ Chancery \_\_\_\_\_ Circuit Court of and for said County  
on this \_\_\_\_\_ day of \_\_\_\_\_.

SECTION III. (Applicable to all County Officials' Bonds)

INDORSEMENT:

Filed with the Comptroller of the Treasury, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_  
Comptroller of the Treasury

SECTION IV. (Applicable to all County Officials' Bonds)

FOR USE BY REGISTER OF DEEDS

WESTERN SURETY COMPANY  
101 South Phillips Ave.  
Sioux Falls, SD 57104  
605-336-0850

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One PUBLIC WORKS BOARD MEMBER COUNTY OF FAYETTE

bond with bond number 14869383

for ROBERT E. MCOQUEEN  
as Principal in the penalty amount not to exceed: \$10,000.00

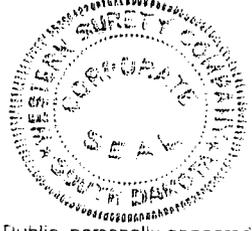
Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its  
Senior Vice President with the corporate seal affixed this 16th day of July,  
2008.

ATTEST  
L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President



STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 16th day of July, 2008, before me, a Notary Public, personally appeared  
Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President  
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the  
voluntary act and deed of said Corporation.



D. Krell  
Notary Public

SURETY'S BOND NO. 15175141

STATE BOND FORM  
COB-7(82)

STATE OF TENNESSEE  
COUNTY OF FAYETTE  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Public Wks Bd Member

KNOW ALL MEN BY THESE PRESENTS:

That WESLEY P. PARKS, JR.  
of SOMERVILLE (City or Town), County  
of FAYETTE Tennessee, as Principal, and WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of \_\_\_\_\_  
Ten Thousand and 00/100 Dollars (\$ 10,000.00 )  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly \_\_\_\_\_ elected  appointed to the office of Public Wks Bd Member  
of and for FAYETTE County for the ( 2 ) year term beginning on the 1st day of  
September, 2008 and ending on the 1st day of September, 2010.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said WESLEY P. PARKS, JR., Principal, shall:

1. Faithfully perform the duties of the office of Public Wks Bd Member of FAYETTE County during his term of office or his continuance therein; and
2. Pay over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be null and void; otherwise to remain in full force and effect.

WITNESS my hand and seals this 23rd day of July, 2008

WITNESS - ATTEST:

Beverly Feathers

PRINCIPAL:

Wesley P. Parks, Jr.

SURETY:

COUNTERSIGNED BY:

Glenda A. Ward  
Tennessee Resident Agent

WESTERN SURETY COMPANY  
by: Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President  
(Attach evidence of authority to execute bond)

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE

COUNTY OF Fayette

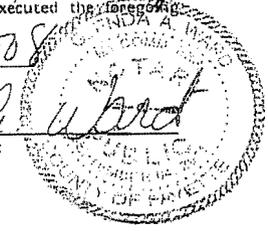
Before me, a Notary Public, of the State and County aforesaid, personally appeared Wesley P. Parks, Jr.  
with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing  
bond, and he acknowledged to me that he executed the same.

WITNESS my hand and seal this 29th day of July, 2008

My Commission Expires:

Sept. 4th 2011

Glenda A. Ward  
Notary Public



# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One TN Official Statutory Bond for County Public Officials

bond with bond number 15175141

for WESLEY P. PARKS, JR.

as Principal in the penalty amount not to exceed: \$ 10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 23rd day of July, 2008.

ATTEST

L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 23rd day of July, 2008, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

D. KRELL  
NOTARY PUBLIC  
SOUTH DAKOTA

My Commission Expires November 30, 2012

D. Krell  
Notary Public

ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota

COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Paul T. Bruflat with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the name of the corporation by himself as such individual.

WITNESS my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ My Commission Expires: August 11, 2010



*S. Petrik*  
Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee  
Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)

Bond and Sureties approved by Roger Ayler County Executive of FAYETTE County, on this 12<sup>TH</sup> day of AUGUST, 2008

Signed: *Roger Ayler*  
County Executive

CERTIFICATION:

I, \_\_\_\_\_, County Clerk of \_\_\_\_\_ County, hereby certify that the foregoing bond was approved by the Legislative Body of said county, in open session on the \_\_\_\_\_ day of \_\_\_\_\_, and entered upon the minutes thereof.

Signed: \_\_\_\_\_  
County Clerk

SECTION II. (Applicable only to Clerks of Chancery and Circuit Courts)

CERTIFICATION:

This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.

Signed: \_\_\_\_\_  
Judge of the \_\_\_\_\_ Chancery \_\_\_\_\_ Circuit Court of and for said County on this \_\_\_\_\_ day of \_\_\_\_\_

SECTION III. (Applicable to all County Officials' Bonds)

INDORSEMENT:

Filed with the Comptroller of the Treasury, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_  
Comptroller of the Treasury

SECTION IV. (Applicable to all County Officials' Bonds)

FOR USE BY REGISTER OF DEEDS

WESTERN SURETY COMPANY  
101 South Phillips Ave.  
Sioux Falls, SD 57104  
605-336-0850

SURETY'S BOND NO. 24165275

STATE BOND FORM  
COE-7(82)

STATE OF TENNESSEE  
COUNTY OF Fayette  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Public Works Board Member

KNOW ALL MEN BY THESE PRESENTS:

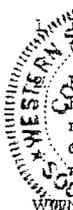
That Jerry Russell Wicker  
of Somerville (City or Town), County  
of Fayette Tennessee, as Principal, and WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of Ten Thousand and 00/100  
Dollars (\$ 10,000.00 )  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents. Public Works Board  
Member

WHEREAS, The said Principal was duly \_\_\_\_\_ elected  appointed to the office of \_\_\_\_\_  
of and for Fayette County for the ( 2 ) year term beginning on the 1st day of  
September, 2008 and ending on the 1st day of September, 2010

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said Jerry Russell Wicker, Principal, shall:  
Public Works Board Member  
faithfully perform the duties of the office of Public Works Board Member of Fayette  
County during his term of office or his continuance therein, and



pay over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his  
hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all  
records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from  
office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be  
null and void, otherwise to remain in full force and effect.

WITNESSE he, parties and seals this 16th day of July, 2008

WITNESS - ATTEST:

Bessely Feathers

PRINCIPAL:

Jerry Russell Wicker

SURETY:

WESTERN SURETY COMPANY

by: Paul T. Brufat

Paul T. Brufat, Senior Vice President  
(Attach evidence of authority to execute bond)

COUNTERSIGNED BY:

Glenda A. Ward  
Tennessee Resident Agent

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE

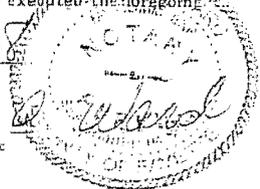
COUNTY OF Fayette

Before me, a Notary Public, of the State and County aforesaid, personally appeared Jerry Russell Wicker  
with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing  
bond, and he acknowledged to me that he executed the same

WITNESS my hand and seal this 7th day of August, 2008

My Commission Expires Sept. 4th, 2011

Glenda A. Ward  
Notary Public



ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota  
COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Paul T. Bruflat with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the name of the corporation by himself as such individual.

WITNESS my hand and seal this 16th day of July, 2008.  
My Commission Expires: August 11, 2010



S. Petrik  
Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee  
Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)  
Bond and Sureties approved by Russ Clayton, County Executive of Fayette County, on this 12<sup>th</sup> day of August, 2008.  
Signed: [Signature]  
County Executive

CERTIFICATION:  
I, Sue W. Culver, County Clerk of Fayette County, hereby certify that the foregoing bond was approved by the Legislative Body of said county in open session on the 26<sup>th</sup> day of May, 2008, and entered upon the minutes thereof.  
Signed: [Signature]  
County Clerk

SECTION II. (Applicable only to Clerks of Chancery and Circuit Courts)  
CERTIFICATION:  
This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.  
Signed: \_\_\_\_\_  
Judge of the \_\_\_\_\_ Chancery \_\_\_\_\_ Circuit Court of and for said County on this \_\_\_\_\_ day of \_\_\_\_\_.

SECTION III. (Applicable to all County Officials' Bonds)  
INDORSEMENT:  
Filed with the Comptroller of the Treasury, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_.  
Comptroller of the Treasury

SECTION IV. (Applicable to all County Officials' Bonds)  
FOR USE BY REGISTER OF DEEDS

WESTERN SURETY COMPANY  
101 South Phillips Ave.  
Sioux Falls, SD 57104  
605-336-0850

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint:

Paul T. Brufat of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One PUBLIC WORKS BOARD MEMBER COUNTY OF FAYETTE

bond with bond number 24165275

for JERRY RUSSELL WICKER

as Principal in the penalty amount not to exceed: \$10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its  
Senior Vice President with the corporate seal affixed this 16th day of July,  
2008.

ATTEST

L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

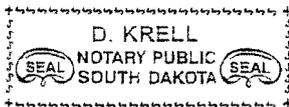
By Paul T. Brufat  
Paul T. Brufat, Senior Vice President



STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 16th day of July, 2008, before me, a Notary Public, personally appeared  
Paul T. Brufat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President  
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the  
voluntary act and deed of said Corporation.



D. Krell  
Notary Public

My Commission Expires November 30, 2012

Form F 1975-9-2006



SURETY'S BOND NO. 70467396

STATE BOND FORM  
COB-7(82)

STATE OF TENNESSEE  
COUNTY OF Fayette  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Public Works Board Member

KNOW ALL MEN BY THESE PRESENTS:

That Andrew S. Avery  
of Eads (City or Town), County  
of Shelby Tennessee, as Principal, and WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of Ten Thousand and 00/100  
Dollars (\$ 10,000.00)  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly \_\_\_\_\_ elected  appointed to the office of Public Works Board Member  
of and for Fayette County for the (1) year term beginning on the 1st day of  
September, 2008 and ending on the 1st day of September, 2009

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said Andrew S. Avery, Principal, shall:  
lawfully perform the duties of the office of Public Works Board Member of Fayette  
County during the term of office or his continuance therein; and

pay over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his  
hands during the term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all  
records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from  
office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be  
null and void otherwise to remain in full force and effect.

WITNESS my hand and seals this 16th day of July, 2008.

WITNESS - ATTEST:

Beverly Feathers

PRINCIPAL:

Andrew S. Avery

SURETY:

WESTERN SURETY COMPANY

by:

Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President  
(Attach evidence of authority to execute bond)

COUNTERSIGNED BY:

Glenda Q. Ward  
Tennessee Resident Agent

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE

COUNTY OF Fayette

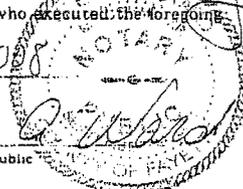
Before me, a Notary Public, of the State and County aforesaid, personally appeared Andrew S. Avery  
with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing  
bond, and he acknowledged to me that he executed the same.

WITNESS my hand and seal this 25th day of July, 2008

My Commission Expires:

Sept. 4th 2011

Glenda Q. Ward  
Notary Public



ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota

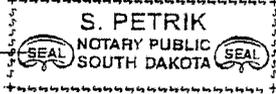
COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Paul T. Bruffat with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the name of the corporation by himself as such individual.

WITNESS my hand and seal this 16th day of July, 2008

My Commission Expires:

August 11, 2010



S. Petrik  
Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee  
Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)

Bond and Sureties approved by R. HICK CLERK, County Executive of FAVETTE County, on this 12th day of AUGUST, 2008

Signed:

[Signature]

County Executive

CERTIFICATION:

I, Sue W. Culver, County Clerk of Fayette County, hereby certify that the foregoing bond was approved by the Legislative Body of said county in open session on the 26th day of May, 2008, and entered upon the minutes thereof.

Signed:

Sue W. Culver

County Clerk

SECTION II. (Applicable only to Clerks of Chancery and Circuit Courts)

CERTIFICATION:

This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.

Signed:

Judge of the \_\_\_\_\_ Chancery \_\_\_\_\_ Circuit Court of and for said County on this \_\_\_\_\_ day of \_\_\_\_\_

SECTION III. (Applicable to all County Officials' Bonds)

INDORSEMENT:

Filed with the Comptroller of the Treasury, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_

Comptroller of the Treasury

SECTION IV. (Applicable to all County Officials' Bonds)

FOR USE BY REGISTER OF DEEDS

WESTERN SURETY COMPANY  
101 South Phillips Ave.  
Sioux Falls, SD 57104  
605-336-0850

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruffat of Sioux Falls  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One PUBLIC WORKS BOARD MEMBER COUNTY OF FAYETTE

bond with bond number 70467396

for ANDREW S. AVERY  
as Principal in the penalty amount not to exceed: \$10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 16th day of July, 2008

ATTEST  
L. Nelson  
L. Nelson, Assistant Secretary

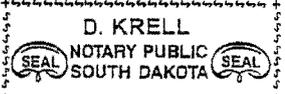
WESTERN SURETY COMPANY  
By Paul T. Bruffat  
Paul T. Bruffat, Senior Vice President



STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 16th day of July, 2008, before me, a Notary Public, personally appeared Paul T. Bruffat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



D. Krell  
Notary Public



SURETY'S BOND NO. 14619023

STATE BOND FORM  
COB-7(82)

STATE OF TENNESSEE  
COUNTY OF Fayette  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Public Works Board Member

KNOW ALL MEN BY THESE PRESENTS:

That Hank Franch  
of Somerville (City or Town), County  
of Fayette Tennessee, as Principal, and WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of Ten Thousand and 00/100  
Dollars (\$ 10,000.00 )  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly            elected X appointed to the office of Public Works Board  
Member  
of and for Fayette County for the ( 2 ) year term beginning on the 1st day of  
September 2008 and ending on the 1st day of September 2010

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said Hank Franch Principal, shall:

           faithfully perform the duties of the office of Public Works Board Member of Fayette  
           County during his term of office or his continuance therein; and  
he shall deliver to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his  
hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all  
records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from  
office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be  
null and void otherwise remain in full force and effect.

WITNESS my hands and seals this 16th day of July 2008

WITNESS — ATTEST:

Beverly Feathers

PRINCIPAL

Hank Franch

SURETY:

WESTERN SURETY COMPANY

by: Paul T. Brufat

Paul T. Brufat, Senior Vice President  
(Attach evidence of authority to execute bond)

COUNTERSIGNED BY:

Glenda A. Ward  
Tennessee Resident Agent

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE

COUNTY OF Fayette

Before me, a Notary Public, of the State and County aforesaid, personally appeared Hank Franch  
with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing  
bond, and he acknowledged to me that he executed the same.

WITNESS my hand and seal this 11th day of August 2008

My Commission Expires:

Sept. 4th 2011

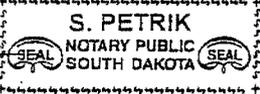
Glenda A. Ward  
Notary Public

ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota

COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Paul T. Bruflat with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the name of the corporation by himself as such individual.

WITNESS my hand and seal this 16th day of July, 2008  
My Commission Expires: August 11, 2010  
 S. Petrik  
Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee  
Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)  
Bond and Sureties approved by RUSA TAYLOR, County Executive  
of FAYETTE County, on this 12th day of AUGUST, 2008  
Signed: RUSA TAYLOR  
County Executive

CERTIFICATION:  
I, Sue W. Culver, County Clerk of Fayette County,  
hereby certify that the foregoing bond was approved by the Legislative Body of said county, in open session on the 26th  
day of July, 2008, and entered upon the minutes thereof.  
Signed: Sue W. Culver  
County Clerk

SECTION II. (Applicable only to Clerks of Chancery and Circuit Courts)  
CERTIFICATION:  
This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.  
Signed: \_\_\_\_\_  
Judge of the \_\_\_\_\_ Chancery \_\_\_\_\_ Circuit Court of and for said County on this \_\_\_\_\_ day of \_\_\_\_\_

SECTION III. (Applicable to all County Officials' Bonds)  
INDORSEMENT:  
Filed with the Comptroller of the Treasury, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_  
Comptroller of the Treasury

SECTION IV. (Applicable to all County Officials' Bonds)  
FOR USE BY REGISTER OF DEEDS

WESTERN SURETY COMPANY  
101 South Phillips Ave.  
Sioux Falls, SD 57104  
605-336-0850

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Brufal of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One PUBLIC WORKS BOARD MEMBER COUNTY OF FAYETTE  
bond with bond number 14619023  
for HANK FRANCK  
as Principal in the penalty amount not to exceed: \$10,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 16th day of July, 2008.

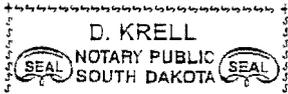
ATTEST  
L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Brufal  
Paul T. Brufal, Senior Vice President



STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 16th day of July, 2008, before me, a Notary Public, personally appeared Paul T. Brufal and L. Nelson who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



D. Krell  
Notary Public

My Commission Expires November 30, 2012

Form F1975-9-2006



Commissioner Harris brought up the Contract of Employment for the Property Assessor's Office for discussion. County Attorney Richard Rosser stated that he is re-drafting the contract to read that the individual will not be a county employee but a Contractor, and will not be subject to benefits by the county. Commissioner Logan moved that the matter be tabled until June. Commissioner Kelley seconded the motion which passed unanimously by the Board.

Commissioner Anderson moved that the Sheriff's department be allowed to convey to the city of Somerville a vehicle they are no longer using to be turned into a drug dog car. The vehicle has over 200,000 miles on it, and will be sold for \$500. Commissioner Wilson seconded the motion which passed unanimously.

Commissioner Gant moved that the Mayor and County Attorney be given permission to sign the contract the Sheriff received to house federal prisoners at the Justice Complex. This will pay \$48 per day per prisoner to the County. Motion was seconded by Commissioner German, and approved unanimously by the Board. Commissioner Lilliard stated that this action could bring in \$500,000 to \$800,000 in revenue next year.

Chairman Taylor stated that Speciality Alloys in Gallaway has gone bankrupt, and they owe the County and the City of Gallaway approximately two hundred thousand dollars in back taxes. This property is scheduled to be sold in June. Chairman Taylor asked for a motion authorizing the Trustee and the back-tax attorney to pull this property from that sale until environmental concerns regarding the property are resolved. Motion was made by Commissioner Wilson, seconded by Commissioner German, and approved unanimously.

Commissioner Joann Allen asked about the solar panel power generator at the mega-site. Chairman Taylor stated that he also had read the article in the paper, which stated that approximately 62 million dollars has been appropriated to buy a piece of property to build approximately 500 homes, the energy for which will be powered by the solar panel. He stated that if this goes as planned he will probably bring a resolution of endorsement to support that site over there, because of the effect it will have on the county.

Commissioner Ed Allen asked if the non-profit requests have been post-poned. Chairman Taylor stated that they have been post-poned indefinitely.

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

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Rhea Taylor, County Mayor

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Sue W. Culver, County Clerk