

FILE COPY

FAYETTE COUNTY LEGISLATIVE BODY

JANUARY 26, 2010

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 26th day of January, 2010. Present and presiding was Chairman Rhea Taylor. Also present were the following: Sue W. Culver, County Clerk; James R. "Bobby" Riles, Sheriff; and the following County Commissioners: Ed Allen, Joann Allen, Steve Anderson, Charles Brewer; Larry Cook, Odis Cox, Lee "Sissy" Dowdle, John Dowdy, Ron Gant, Ronald Harris, Tom Karcher, Bill Kelley, David Lillard, George McCloud, Claude Oglesby, and Myles Wilson.

Commissioner Willie German, Jr., was absent. A quorum was met with 18 commissioners present.

Chairman Taylor then called a brief attorney-client meeting with the County Attorney, after which the meeting reconvened with Commissioner Anderson making a motion with respect to the Bell Construction litigation, that the County not proceed with an appeal per the arbitrator's ruling under order of Judge McCraw. Commissioner Oglesby seconded the motion, which passed unanimously.

The floor was opened to the public for comments on non-agenda items. No one came forth and the public hearing was closed.

Commissioner Wilson moved that the minutes from the November 24, 2009 meeting be approved. The motion was seconded by Commissioner Dowdy and passed unanimously.

Planning Director John Pitner presented a request from Ledford Engineering and Security Signals, Inc. to rezone 3 parcels of land(totaling 5.78 acres) located on Highway 64 in Civil District 8, from R-1 (Rural Residential) to I-H(Heavy Industrial). The request was prompted by the 2008 FEMA reduction of the Treadville Creek floodplain in the area.

The floor was opened for a public hearing in the matter. With no one coming forward either "for" or "against" the rezoning, the public hearing was closed.

Motion was then made by Commissioner Cook, seconded by Commissioner Burnett, to allow the rezoning. The motion passed unanimously by the Board.

A RESOLUTION TO AMEND THE FAYETTE COUNTY ZONING MAP TO REZONE FROM R-1 RURAL RESIDENTIAL TO I-H HEAVY INDUSTRIAL A CERTAIN TRACT OF LAND LOCATED SOUTH OF U.S. HIGHWAY 64 IN CIVIL DISTRICT NUMBER 8

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

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-105 the Fayette County Board of Commissioners is empowered to amend the number, shape, boundary, area or any regulation of or within any district or districts or any other provision of the zoning resolution following submission of the amendment to the regional planning commission for its approval, disapproval or suggestions and following a public hearing at least fifteen (15) days notice of the time and place of which is given by one (1) publication in a newspaper of general circulation in the county; and

WHEREAS, pursuant to Article IV of the Fayette County Zoning Resolution a public hearing was held on the proposed Amendment by the Fayette County Regional Planning Commission on January 4, 2010, the time and place of which was published with at least five (5) days advance notice in the Fayette Falcon newspaper of general circulation in Fayette County, and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-105 and Article IV of the Fayette County Zoning Resolution a public hearing was held on the proposed Amendment by the Fayette County Board of Commissioners on January 26, 2010, the time and place of which was published with at least fifteen (15) days advance notice in the Fayette Falcon newspaper of general circulation in Fayette County;

NOW, THEREFORE, BE IT RESOLVED BY THE FAYETTE COUNTY BOARD OF COMMISSIONERS, IN REGULAR SESSION ASSEMBLED THIS 26TH DAY OF JANUARY, 2010:

SECTION 1. That the following described three (3) tracts of land totaling 5.78 acres owned by Security Signals, Inc., (Deed Book 344, Page 510) south of U.S. Highway 64 identified as part of Parcel 32.00 on Tax Map 88 be rezoned from R-1 RURAL RESIDENTIAL TO I-H HEAVY INDUSTRIAL:

Parcel "A"

Commencing at the Northeast corner of the Jean Gibson property and running North 84 degrees 04 minutes 43 seconds East a distance of 169.25 feet to a point; thence turning South 82 degrees 44 minutes 11 seconds East a distance of 330.49 feet to a point; thence turning North 85 degrees 33 minutes 30 seconds East a distance of 1150.27 feet to a point; thence turning North 88 degrees 46 minutes 12 seconds East a distance of 60.66 feet to a point; thence turning North 88 degrees 45 minutes 20 seconds East a distance of 209.90 feet to a point, said point being the Point of Beginning; Thence turning North 88 degrees 45 minutes 20 seconds East a distance of 60.06 feet to a point; thence turning South 20 degrees 17 minutes 01 seconds West a distance of 82.51 feet to a point; thence turning North 22 degrees 27 minutes 00 seconds West a distance of 82.33 feet to a point, said point being the Point of Beginning and containing 0.05 acres of land, more or less.

All bearings are relative.

Parcel "B"

Commencing at the Northeast corner of the Jean Gibson property and running North 84 degrees 04 minutes 43 seconds East a distance of 169.25 feet to a point; thence turning South 82 degrees 44 minutes 11 seconds East a distance of 330.49 feet to a point; thence turning North 85 degrees 33 minutes 30 seconds East a distance of 1150.27 feet to a point; thence turning North 88 degrees 46 minutes 12 seconds East a distance of 60.66 feet to a point; thence turning North 88 degrees 45 minutes 20 seconds East a distance of 209.90 feet to a point, thence turning North 88 degrees 45 minutes 20 seconds East a distance of 60.06 feet to a point; thence turning South 20 degrees 17 minutes 01 seconds West a distance of 82.51 feet to a point; thence turning South 22 degrees 27 minutes 00 seconds East a distance of 298.90 feet to a point; thence turning South 61 degrees 42 minutes 55 seconds West a distance of 208.51 feet to a point, said point being the Point of Beginning; Thence South 17 degrees 47 minutes 38 seconds East a distance of 158.68 feet to a point; thence turning South 75 degrees 42 minutes 31 seconds East a distance of 205.95 feet to a point; thence turning South 67 degrees 06 minutes 26 seconds West a distance of 201.06 feet to a point; thence turning South 02 degrees 45 minutes 15 seconds West a distance of 271.46 feet a distance of 271.46 feet to a point; thence turning North 73 degrees 18 minutes 39 seconds West a distance of 108.94 feet to a point; thence turning South 83 degrees 04 minutes 36 seconds West a distance of 54.41 feet to a point; thence turning North 00 degrees 24 minutes 27 seconds West a distance of 466.37 feet to a point; thence turning North 61 degrees 42 minutes 55 seconds East a distance of 127.06 feet to a point, said point being the Point of Beginning and containing 2.13 acres of land, more or less. All bearings are relative.

Parcel "C"

Commencing at the Northeast corner of the Jean Gibson property and running North 84 degrees 04 minutes 43 seconds East a distance of 169.25 feet to a point; thence turning South 82 degrees 44 minutes 11 seconds East a distance of 330.49 feet to a point; thence turning North 85 degrees 33 minutes 30 seconds East a distance of 1150.27 feet to a point; thence turning North 88 degrees 46 minutes 12 seconds East a distance of 60.66 feet to a point; thence turning North 88 degrees 45 minutes 20 seconds East a distance of 209.90 feet to a point, thence turning North 88 degrees 45 minutes 20 seconds East a distance of 60.06 feet to a point; thence turning South 20 degrees 17 minutes 01 seconds West a distance of 82.51 feet to a point; thence turning South 22 degrees 27 minutes 00 seconds East a distance of 298.90 feet to a point; thence turning South 61 degrees 42 minutes 55 seconds West a distance of 208.51 feet to a point; thence South 17 degrees 47 minutes 38 seconds East a distance of 158.68 feet to a point; thence turning South 75 degrees 42 minutes 31 seconds East a distance of 205.95 feet to a point; thence turning South 67 degrees 06 minutes 26 seconds West a distance of 201.06 feet to a point; thence turning South 02 degrees 45 minutes 15 seconds West a distance of 271.46 feet to a point; thence turning North 73 degrees 18 minutes 39 seconds West a distance of 108.94 feet to a point; thence turning South 83 degrees 04 minutes 36 seconds West a distance of 54.41 feet to a point; thence turning South 00 degrees 24 minutes 27 seconds East a distance of 61.66 feet to a point; thence turning South 69 degrees 08 minutes 11 seconds West a distance of 338.34 feet to a point; thence North 58 degrees 35 minutes 46 seconds West a distance of 117.96 feet to a point, said point being the Point of Beginning. Thence turning South 42 degrees 42 minutes 38 seconds West a distance of 70.82 feet to a point; thence turning South 69 degrees 47 minutes 14 seconds West a distance of 62.88 feet to a point; thence turning North 82 degrees 05 minutes 52 seconds West a distance of 75.25 feet to a point; thence turning South 45 degrees 33 minutes 50 seconds West a distance of 153.67 feet to a point; thence turning South 61 degrees 05 minutes 21 seconds West a distance of 179.75 feet to a point; thence turning South 84 degrees 04 minutes 45 seconds West a distance of 110.32 feet to a point; thence turning South 64 degrees 14 minutes 42 seconds West a distance of 66.66 feet to a point; thence turning North 53 degrees 59 minutes 24 seconds West a distance of 98.54 feet to a point; thence turning South 79 degrees 23 minutes 13 seconds West a distance of 67.40 feet to a point; thence turning North 70 degrees 33 minutes 05 seconds West a distance of 164.67 feet to a point; thence turning South 77 degrees 57 minutes 21 seconds West a distance of 29.74 feet to a point; thence turning North 00 degrees 02 minutes 48 seconds East a distance of 93.85 feet to a point; thence turning North 69 degrees 19 minutes 53 seconds East a distance of 262.20 feet to a point; thence turning South 83 degrees 10 minutes 15 seconds East a distance of 208.03 feet to a point; thence turning North 81 degrees 06 minutes 29 seconds East a distance of 456.28 feet to a point; thence turning South 58 degrees 35 minutes 46 seconds East a distance of 53.89 feet to a point, said point being the Point of Beginning and containing 3.60 acres of land, more or less. All bearings are relative.

BE IT FURTHER RESOLVED, that this Amendment shall become effective immediately upon its passage, THE PUBLIC WELFARE REQUIRING IT.

Mr. Pitner presented a request from Napoleon Dickerson to rezone a tract consisting of 8.63 acres from R-1 (rural residential) to SA-C (special activity-cemetery), located on Old Fifty Nine Drive at Basswood Drive. The request was presented with the recommendation of the Planning Commission. Mr. Pitner stated that the number of gravesites has not been established.

The floor was opened for a public hearing in the matter. With no one coming forward either "for" or "against", the public hearing was closed.

Motion was made by Commissioner Dowdle, seconded by Commissioner Wilson, to rezone the property, and the motion passed unanimously by the Board.

Mr. Pitner then presented a resolution to amend the Fayette County Zoning Resolution to require building code conformity for issuance of a certificate of occupancy and to enable the enforcement of subdivision access control provisions and to more fully elaborate site planning requirements in business districts and to establish a requirement of site planning in the special activity district for all uses.

The floor was opened for a public hearing in the matter. With no one coming forward either "for" or "against" the public hearing was closed.

Commissioner Anderson moved that the resolution be adopted. The motion was seconded by Commissioner Joann Allen, and approved unanimously as follows:

RESOLUTION

A RESOLUTION TO AMEND THE FAYETTE COUNTY ZONING RESOLUTION TO REQUIRE BUILDING CODE CONFORMITY FOR ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND TO ENABLE THE ENFORCEMENT OF SUBDIVISION ACCESS CONTROL PROVISIONS AND TO MORE FULLY ELABORATE SITE PLANNING REQUIREMENTS IN BUSINESS DISTRICTS AND TO ESTABLISH A REQUIREMENT OF SITE PLANNING IN THE SPECIAL ACTIVITY DISTRICT FOR ALL USES

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

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-105 the Fayette County Board of Commissioners is empowered to amend the number, shape, boundary, area, or any regulation of or within any district or districts or any other provision of the zoning resolution; and

WHEREAS, pursuant to Article IV of the Fayette County Zoning Resolution a public hearing was held on the proposed Amendment by the Fayette County Regional Planning Commission on January 4, 2010, the time and place of which was published with at least five (5) days advance notice in the Fayette Falcon newspaper of general circulation in Fayette County; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-105 and Article IV of the Fayette County Zoning Resolution a public hearing was held before the Fayette County Board of Commissioners on January 26, 2010, the time and place of which was published with at least fifteen (15) days advance notice in the Fayette Falcon newspaper of general circulation in Fayette County;

NOW, THEREFORE, BE IT RESOLVED BY THE FAYETTE COUNTY BOARD OF COMMISSIONERS, IN REGULAR SESSION ASSEMBLED THIS 26TH DAY OF JANUARY, 2010:

SECTION 1. That there be revised the first sentence of "Article II – Administration" in Section 1.3, "Certificate of Occupancy," which reads: "Upon adoption of a Certificate of Occupancy by the Fayette County Board of Commissioners, no building shall be used until the building commissioner shall have issued a certificate of occupancy stating that such building or part thereof and the proposed use thereof conform to the provisions of this Resolution" to read: "Upon adoption of a Certificate of Occupancy by the Fayette County Board of Commissioners, no building shall be used until the building commissioner shall have issued a certificate of occupancy stating that such building or part thereof and the proposed use thereof conform to the provisions of this Resolution and to the provisions of the Fayette County Building Code."

SECTION 2. That there be revised "Article V – General Provisions" to add the following Section 10.7 in "Access Control": "No access drive shall be installed or used in nonconformity with any access control provision of the Fayette County Regional Planning Commission as specified on a recorded subdivision plat."

and

SECTION 3. That there be revised the first paragraph of "Article VII – Provisions For Land Use Districts" in Section 4.4 (business uses), which reads: "No principal building shall be erected or placed in any commercial district until the Fayette County Regional Planning Commission shall have reviewed and approved a site plan submitted by the lot owner or his agent or assign. Such site plan shall detail lot geometry and elevations along with existing vegetation by type and general location; the use, location, profiles, height, and exterior appearance of the intended building(s); parking and sidewalks; access and signage; buffering and landscaping; grading and drainage; and all existing and planned utilities including

water supply and wastewater disposal, electricity, natural gas, and telephone" to read: "No building shall be erected or placed in any business district until the Fayette County Regional Planning Commission shall have reviewed and approved a site plan submitted by the lot owner or his agent or assign. Such site plan shall detail: lot geometry and elevations along with existing vegetation by type and general location; the use, size, location, profiles, height, and exterior appearance of intended building(s); fire protection and solid waste disposal; parking and loading/unloading areas; access and signage; buffering and landscaping; grading and drainage and erosion control; amenities such as recreation areas and illumination and pedestrian walkways; and all existing and planned utilities including water supply and wastewater disposal, electricity, natural gas, and telephone."

and

SECTION 4. That there be revised the first paragraph of "Article VII – Provisions For Land Use Districts" in Section 5.1.1 (special activity uses), which reads: "Permitted Uses: Cemeteries; Institutional establishments and mixed use developments, provided that a site plan to the specifications of Section 3.3.3 of this Article shall be approved by the Fayette County Regional Planning Commission prior to the issuance of any building permit; Nontoxic solid waste landfills not owned by Fayette County or its designate, provided that any such landfill shall be established and operated in conformity with the requirements of the state health department; Commercial outdoor recreational enterprises such as saddle club rings, race courses, shooting ranges, golf courses, campgrounds, and similar facilities; Agribusiness enterprises such as commercial plant nurseries and greenhouses, permanent livestock and produce markets, animal slaughterhouses and rendering plants, and similar facilities; Accessory buildings; Provided that any special activity district shall be limited to the specific use for which the district is established and provided that no offensive noise, odor, smoke, dirt, dust, runoff, heat, glare, or vibration shall be discernible at any district boundary" to read: "Permitted Uses: Cemeteries; Institutional establishments and mixed use developments; Nontoxic solid waste landfills not owned by Fayette County or its designate, provided that any such landfill shall be established and operated in conformity with the requirements of the state health department; Commercial outdoor recreational enterprises such as saddle club rings, race courses, shooting ranges, golf courses, campgrounds, and similar facilities; Agribusiness enterprises such as commercial plant nurseries and greenhouses, permanent livestock and produce markets, animal slaughterhouses and rendering plants, and similar facilities; Accessory buildings; Provided that any special activity district shall be limited to the specific use for which the district is established and provided that no offensive noise, odor, smoke, dirt, dust, runoff, rubbish, heat, glare, or vibration shall be discernible at any district boundary."

and

SECTION 5. That there be revised "Article VII – Provisions For Land Use Districts" to add the following Section 5.1.4 (special activity uses): "No building shall be erected or placed nor any use initiated in any special activity district until the Fayette County Regional Planning Commission shall have reviewed and approved a site plan submitted by the lot owner or his agent or assign. Such site plan shall detail: lot geometry and elevations along with existing vegetation by type and general location; the use, size, location, profiles, height, and exterior appearance of intended building(s) along with the number of dwelling units in each building, if any; fire protection and solid waste disposal; parking and loading/unloading areas; access and signage; buffering and landscaping; grading and drainage and erosion control; amenities such as recreation areas and illumination and pedestrian walkways; and all existing and planned utilities including water supply and wastewater disposal, electricity, natural gas, and telephone.

"In reviewing the site plan the regional planning commission shall evaluate not only site engineering for proper integration and coordination of site facilities with existing and anticipated neighboring development to promote public health, safety, convenience, order, and efficiency, but also shall consider appropriate and reasonable measures to promote the general prosperity by preventing blight from any cause arising from the development, including materials of construction."

A complete copy of these proposed Amendments is available and may be obtained at the Fayette County Office of Planning and Development, 16265 U.S. Highway 64, Somerville, Tennessee 38068.

Commissioner Dowdy moved that the following be approved as notaries public: Melissa Arrowood, Marcus Devol Brown, Margaret S. Brownlee Tammy I. Crump, Abigail Davis Givhan, Ida Corinne Glover, April M. Grandberry, Annie M. Howard, Kimberlee D. Kee, Michelle D. King, Antoine Logan, Keith Logan, Beverly N. Johnson, Leslie A. Miller, Corletta Murrell, Lolly Pierson, Cynthia A. Rakowsky, Lee S. Saunders, Laina M. Skelton, Cassie Smith, and Katrina L. Waldman. Commissioner Cook seconded the motion, which passed unanimously.

Commissioner Logan moved that the personal notary bond presented for JoAnn Miles, which was signed by Bobby and Brenda Miles and Joyce Pepper as sureties, be accepted. The motion was seconded by Commissioner Dowdy, and passed unanimously by the Board.

Chairman Taylor presented the names of two nominees for appointment to the Fayette County Agricultural Committee. Nominees presented were Tom Karcher and Holly Rhea, both of whom are currently serving on the Committee, and both of whom have agreed to serve another term. Commissioner Burnett moved that they both be reappointed. Commissioner Brewer seconded the motion, which passed unanimously.

The floor was then opened for nominations for County Attorney. Commissioner Anderson nominated Richard Rosser. Commissioner Oglesby moved that the nominations cease, and that Mr. Rosser be elected by acclamation. The motion was seconded by Commissioner Brewer, and passed unanimously.

Chairman Taylor stated that financial reports for the Board of Education, for the months of November and December, the Board of Public Works for November and December, and the County Financial summary for November and December, as well as the Trustee's combined statement of cash receipts and distributions were included in the Commissioner's packets.

Chairman Taylor reminded Commissioners and other elected officials of the ethics filing required by January 31, 2010. He further stated that census forms would be sent out shortly after the mailing period of March 11-13, 2010. This census count will determine such things as political districts, so it is to the county's advantage that the count is accurate. This count is also a deciding factor in grants and school funding the county may receive.

The Chairman stated that Richard Rosser is working on a resolution in memory of the late John S. Wilder, Sr., the former Lieutenant Governor for the State of Tennessee.

Chairman Taylor stated that he will announce his recommendation for two members for the Zoning Appeals Board at next month's meeting.

No reports were given for the Sheriff's Department, the Board of Education, Juvenile Court, The Board of Public Works, Trustee, or Planning and Development.

Commissioner Wilson reported for the Development Committee, and moved that the County Road list be accepted as presented. Commissioner Brewer seconded the motion, and it was approved unanimously by the Board.

The Development Committee, as reported by Commissioner Wilson, discussed the nominations for the Agricultural Committee which were approved earlier at this meeting, as well as the rezonings that took place earlier. New state rules regarding building codes were discussed and approved for recommendation, but Chairman Taylor asked the Commission to hold off on this vote for further information. The Zoning Appeals Board nominations were also discussed, but Chairman Taylor stated that he will hopefully have the nominees by the next meeting.

Commissioner Joann Allen reported for the Health and Welfare Committee in the absence of Commissioner German. She stated that the salary for the Director of Ambulance Services was discussed. Director Sam McKnight has asked for a salary increase of \$3000 per year. The Committee forwarded this to the Budget Committee with the recommendation that it be approved. The Committee also discussed animal tag fees for dogs and cats, and received a solid waste report from Charles Traylor, Director of Solid Waste, who also reported the possibility of a grant to expand the Convenience Center.

The Personnel Committee did not meet.

Commissioner Dowdy reported for the Criminal Justice and Public Safety Committee. The Committee heard from Commissioners Lillard and Logan regarding the costs and design of the proposed Sheriff's Shop. Commissioner Logan moved that the Mayor be authorized to negotiate a contract with Kevin Poe as construction Manager for the project, with a cap of \$3500. The motion was seconded by Commission Oglesby and passed unanimously by the Board.

Commissioner Oglesby reported that the Education Committee did not meet.

Commissioner Harris reported for the Budget Committee, moving that the budget amendment to the County General Fund be approved. The motion was seconded by Commissioner Burnett and passed unanimously as follows:

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 26th day of January, 2010, 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 09/10
January, 2010**

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>53100 Circuit Court</u>		
317 Data Processing Services		<u>\$ 2,552.58</u>
Subtotal-53100		\$ 2,552.58
<u>53300 General Sessions Court</u>		
317 Data Processing Services	<u>\$ 2,552.58</u>	
Subtotal-53300	\$ 2,552.58	
<u>54110 Sheriff's Department</u>		
168 Temporary Personnel		\$ 700.06
187 Overtime Pay	<u>\$ 700.06</u>	<u> </u>
Subtotal-54110	\$ 700.06	\$ 700.06
<u>54210 Jail</u>		
168 Temporary Personnel		\$ 115.92
187 Overtime Pay	<u>\$ 115.92</u>	<u> </u>
Subtotal-54210	\$ 115.92	\$ 115.92
<u>54310 Fire Prevention and Control</u>		
103 Asst. Fire Chief	\$ 525.30	
502 Building & Contents Insurance	7,736.00	
511 Vehicle & Equipment Insurance	<u> </u>	<u>\$ 2,606.00</u>
Subtotal-54310	\$ 8,261.30	\$ 2,606.00

Budget Amendment	-2-	January, 2010
<u>54410 Civil Defense</u>		
106 Deputy Director	\$ 5,000.00	
506 Liability Insurance		\$13,877.00
718 Motor Vehicles		<u>15,000.00</u>
Subtotal-54410	\$ 5,000.00	\$28,877.00
<u>54420 Rescue Squad</u>		
506 Liability Insurance	\$ 600.00	
718 Motor Vehicles	<u>15,000.00</u>	
Subtotal-54420	\$15,600.00	
<u>55110 Local Health Center</u>		
351 Rentals		\$ 1,000.00
355 Travel	<u>\$ 1,000.00</u>	
Subtotal-55110	\$ 1,000.00	\$ 1,000.00
<u>55130 Ambulance Service</u>		
103 Asst.-First Responder Director		\$ 525.30
502 Building & Contents Insurance	\$ 8,775.00	
511 Vehicle Insurance		<u>8,775.00</u>
Subtotal-55130	\$ 8,775.00	\$9,300.30
<u>55720 Sanitation Education</u>		
338 Maint/Repair of Vehicles	\$ 138.30	
351 Rentals		<u>\$ 138.30</u>
Subtotal-55720	\$ 138.30	\$ 138.30
<u>58400 Other Charges</u>		
506 Liability Insurance	<u>\$ 8,147.00</u>	
Subtotal-58400	\$ 8,147.00	
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:	\$50,290.16	\$45,290.16

Budget Amendment	-3-	January, 2010
Prior Estimated Expenditures		\$13,251,624.18
Total Estimated Expenditures this Amendment		\$13,256,624.18
Projected Fund Balance before Amendment		\$ 1,928,666.82
Change in Fund Balance this Amendment		\$ 5,000.00
Estimated Ending Fund Balance as of June 30, 2010		\$ 1,923,666.82

Commissioner Harris moved that the County Solid Waste Fund Budget amendment be approved. Commissioner Wilson seconded the motion, which was approved unanimously as follows:

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 26th day of January, 2010, 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 09/10
January, 2010**

<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
<u>55754 Landfill Operation & Maintenance</u>		
399 Other Contracted Services	\$ 300.00	
599 Other Charges		<u>\$ 300.00</u>
Subtotal-55754	\$ 300.00	\$ 300.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:	\$ 300.00	\$ 300.00

Prior Estimated Expenditures	\$ 1,000,354.00
Total Estimated Expenditures this Amendment	\$ 1,000,354.00
Projected Fund Balance before Amendment	\$ 774,575.00
Change in Fund Balance this Amendment	\$ 00.00
Estimated Ending Fund Balance as of June 30, 2010	\$ 774,575.00

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

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

10. 24. ,

		INCREASE	DECREASE
71000	INSTRUCTION		
71100	REGULAR INSTRUCTION		
71100 722 ATT	Regular Instruction Equipment	\$10,650.00	
	TOTAL:	\$10,650.00	\$0.00
72000	SUPPORT SERVICES		
72510	FISCAL SERVICES		
72510 189	Other Salaries and Wages	\$481.00	
72510 201	Social Security	\$30.00	
72510 212	Medicare	\$7.00	
	TOTAL:	\$518.00	\$0.00
	GRAND TOTAL:	\$11,168.00	\$0.00

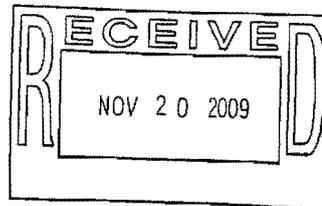
Total Increase: \$11,168.00

Reserve: 39000 Undesignated Fund Balance \$518.00
 Revenue: 44990 ATT Other Local Revenues \$10,650.00

Revenue: Prior Total Available Funds \$27,576,680.41
 Prior Year Adjustments (\$2,794.34)
 Total Increase This Amendment \$10,650.00
 Total Available Funds This Amendment \$27,584,536.07

Expenditure: Prior Total Estimated Expenditures \$26,658,945.00
 Total Increase This Amendment \$11,168.00
 Total Estimated Expenditures This Amend. \$26,670,113.00

Grant from ATT for software and computers
 Part-time help in business office

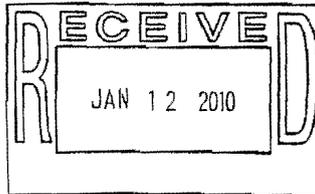


FAYETTE COUNTY BOARD OF EDUCATION
 GENERAL PURPOSE FUND
 FUND 141
 JANUARY, 2010

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 311	Contracts W/School Systems		\$45,000.00
71200 312	Contracts W/Private Agencies	\$37,000.00	
	TOTAL:	\$37,000.00	\$45,000.00
72000	SUPPORT SERVICES		
72220	SPECIAL EDUCATION PROGRAM		
72220 355	Travel	\$8,000.00	
	TOTAL:	\$8,000.00	\$0.00
	GRAND TOTAL:	\$45,000.00	\$45,000.00

Total Increase/Decrease: \$0.00

Contracts payment for private agencies, physical therapist, behavior specialist
 travel overspent



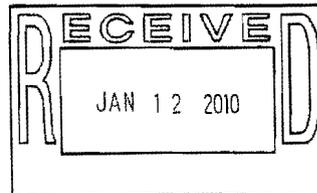
FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 411 - TITLE IV - SAFE AND DRUG FREE SCHOOLS
 JANUARY, 2010

		INCREASE	DECREASE
72000	SUPPORT SERVICES		
72130	OTHER STUDENT SUPPORT		
72130 189 PUB	Other Salaries and Wages		\$161.00
	TOTAL:	\$0.00	\$161.00

Total Decrease: \$161.00

Revenue:	47147 SAFE AND DRUG FREE SCHOOLS	(\$161.00)
Revenue:	Prior Total Available Funds	\$5,417,559.96
	Total Decrease This Amendment	<u>(\$161.00)</u>
	Total Available Funds This Amendment	\$5,417,398.96
Expenditures:	Prior Total Estimated Expenditures	\$5,417,559.96
	Total Decrease This Amendment	<u>(\$161.00)</u>
	Total Estimated Expenditures This Amendment	\$5,417,398.96

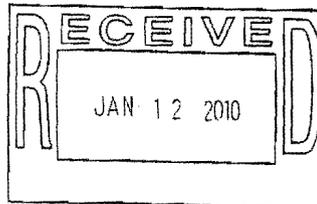
Final allocation from Federal Program was reduced by \$161.



FAYETTE COUNTY BOARD OF EDUCATION
 FEDERAL PROJECTS FUND
 FUND 142
 SUBFUND 90S - IDEA ARRA
 JANUARY, 2010

		INCREASE	DECREASE
71000	INSTRUCTION		
71200	SPECIAL EDUCATION PROGRAM		
71200 163	Educational Assistants	\$54,000.00	
71200 201	Social Security	\$3,348.00	
71200 204	State Retirement	\$4,596.00	
71200 212	Medicare	\$783.00	
71200 299	Other Fringe Benefits	\$2,528.00	
71200 599	Other Charges		\$25,000.00
71200 725	Special Education Equipment	\$25,405.70	
	TOTAL:	\$90,660.70	\$25,000.00
72000	SUPPORT SERVICES		
72220	SPECIAL EDUCATION PROGRAM		
72220 35E	Travel	\$34,000.00	
	TOTAL:	\$34,000.00	
72710	TRANSPORTATION		
72710 729	Transportation Equipment		\$99,660.70
	TOTAL:	\$0.00	\$99,660.70
	GRAND TOTAL:	\$124,660.70	\$124,660.70

Total Increase/Decrease: \$0.00



ARRA funds not needed for buses moved for assistant's salaries and benefits

Commissioner Harris stated that the Local Government Insurance Cooperative, which was a workers compensation insurance pool, for one or more of the policy years 1996-97, 1997-98, and 1999-2000, has approved a request for a contribution from the LOGIC members and adopted an assessment of the membership for those policy years, the first payment on which is due March 1, 2010. Fayette County's assessment is for \$84,760.29. After some discussion Chairman Taylor asked that the Board hold off any action regarding this payment until next month.

Commissioner Harris moved that the Fayette County Budget Calendar for the 2010-2011 Budget Process be approved. The motion was seconded by Commissioner Oglesby and passed unanimously by the Board as follows:

March 1	Budget Packets are delivered to Directors and Elected Officials
March 30	Budget Packets Due back to the County Mayor's Office
April 27	Budget Proposal presented to full County Commission (using estimated figures for Solid Waste, Public Works, and Board of Education)
May 3,4,10,11	County Commission Committee budget review -department heads and elected officials address committees
5:30 pm	May 3 - Safety May 4 - Health/Welfare May 10 - Development May 11 - Budget
June 22	Budget Committee Report to Commission -preliminary analysis and Q+A
July 13	Budget Committee -hears non-profit requests -assembles final presentation
July 27	Budget Committee presents budget to Commission
August 4	Public Notices are advertised
August 24	County Commission votes on budget and sets tax levy

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

RHEA TAYLOR, COUNTY MAYOR

ATTEST: Sue W. Culver, County Clerk