

FAYETTE COUNTY LEGISLATIVE BODY

APRIL 23, 2019

**BE IT REMEMBERED** that the Fayette County Legislative Body met in regular session on the 23<sup>rd</sup> day of April, 2019 at the Bill G. Kelley Criminal Justice Complex in Somerville, Tennessee. Present and presiding was Mayor Rhea Taylor. Also, present were James R. “Bobby” Riles, Sheriff; Sue W. Culver, County Clerk, and the following County Commissioners:

Charles E. Dacus, Jr., Ben Farley, Willie German Jr., Tim Goodroe, Bill Kelley, Terry Leggett, David Lillard, Sylvester Logan, Jim Norton, Claude Oglesby, Kevin J. Powers, Dale Reaves, Steve Reeves, Elizabeth Rice, Ray Seals, Robert Sills, Bill Walker, Johnny Walker, and Larry Watkins.

A quorum was declared with all nineteen (19) Commissioners present.

The floor was opened to the public for comments on non-agenda items. With no one coming forth, the floor was closed.

John Pitner, Director of Planning and Development presented 4 resolutions for approval. The first resolution deals with Flood District Standards. The floor was opened for a public hearing on this resolution, but with no one coming forth to speak either “for” or “against” the matter, the floor was closed. Commissioner Robert Sills moved to approve the Resolution. Commissioner Powers provided a second to the motion, and the resolution passed unanimously.

## RESOLUTION

### A RESOLUTION RESPONSIVE TO THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION'S DEMAND THE FLOOD DAMAGE PREVENTION DISTRICT IN FAYETTE COUNTY'S ZONING RESOLUTION BE AMENDED TO ESTABLISH STANDARDS FOR DELIBERATING VARIANCE APPLICATIONS

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 Section 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 April 1, 2019, 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 April 23, 2019, 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 23rd DAY OF APRIL, 2019:

SECTION 1. That there be revised "Article III – Board of Appeals" by redesignating as Section "4.3.3" the current Section "4.3.2," which reads: "in issuing a variance, the Board of Appeals may impose such conditions regarding the siting, character and other features of the proposed lot or building as it may deem necessary in furtherance of the intents and purposes of this Resolution."

SECTION 2. That there be revised "Article III – Board of Appeals" by inserting the following new provision as Section "4.3.2": "Additionally, where the variance sought arises from the provisions of Article IX, Section A, of this Resolution:

(a) the Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of the Resolution, and: (1) the danger that materials may be swept onto other property to the injury of others; (2) the danger to life and property due to flooding or erosion; (3) the susceptibility of the proposed facility and its contents to flood damage; (4) the importance of the services provided by the proposed facility to the community; (5) the necessity of the facility to a waterfront location, in the case of a functionally dependent use; (6) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; (7) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area; (8) the safety of access to the property in times of flood for ordinary and emergency vehicles; (9) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and (10) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.

(b) a variance may be issued for the repair or rehabilitation of historic structures as defined herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of Article IX, Section A.

(c) a variance shall only be issued upon a showing of good and sufficient cause and a determination that to not issue the variance would result in exceptional hardship as well as a determination that to issue the

variance would not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud or victimization of the public, or conflict with existing local laws; and in no case shall a variance be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(d) any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25.00 per \$100.00 coverage), and that such construction below the Base Flood Elevation increases risks to life and property."

SECTION 3. That this Resolution shall become effective the day following its adoption, THE PUBLIC WELFARE REQUIRING IT.

Mr. Pitner then introduced a resolution regarding the "unlawful filling of a floodway".

The floor was opened for a public hearing on the matter. With no one coming forth to speak “for” or “against” the resolution the public hearing was closed. Commissioner Farley moved to approve the Resolution, and Commissioner Norton provided a second. The motion passed unanimously.

## RESOLUTION

### A RESOLUTION TO BETTER DETER THE UNLAWFUL FILLING OF A FLOODWAY

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 Section 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 April 1, 2019, 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 April 23, 2019, 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 23rd DAY OF APRIL, 2019:

SECTION 1. That there be revised "Article IX – Overlay Districts" by redesignating as Section "A.6.3(c)" the current Section "A.6.3(b)," which reads: "new construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of Section A.6.1 and A.6.2."

SECTION 2. That there be revised "Article IX – Overlay Districts" by inserting the following new provision as Section "A.6.3(b)": "in addition to the measures authorized by Article II, Section 2.2, of this Resolution, enforcement of Section A.6.3(a), preceding, may include the withholding and/or revocation of approvals and/or permits to the subject land and/or to any adjacent land(s) intended to be advantaged by the prohibited activity, as well as performance of such corrective action as required by the Fayette County Regional Planning Commission, including specified engineering evaluations and studies at no cost to Fayette County along with complete reversal of the prohibited activity and full restoration of conditions as they existed previous to the work."

SECTION 3. That this Resolution shall become effective the day following its adoption, THE PUBLIC WELFARE REQUIRING IT.

The next resolution introduced by Mr. Pitner is an update to Wastewater Regulations. The floor was opened for a public hearing. With no one coming forth to speak either "for" or

“against” the matter, the floor was closed. Commissioner Norton moved to approve the Resolution, and Commissioner Farley provided a second. The motion passed unanimously.

10.3.1.6

## RESOLUTION

### A RESOLUTION TO CORRECT A SECTION NUMBERING ERROR IN THE FAYETTE COUNTY ZONING RESOLUTION, TO CLARIFY WASTEWATER SYSTEM PROCEDURES BY THE BUILDING COMMISSIONER RELATIVE TO TDEC SPECIFICATIONS IN THE ISSUANCE OF BUILDING PERMITS, AND TO PROHIBIT NEW OCCURRENCES OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS SHARED BY MULTIPLE DWELLINGS

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 Section 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 April 1, 2019, 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 April 23, 2019, 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 23rd DAY OF APRIL, 2019:

SECTION 1. That there be revised "Article V – General Provisions" in Section 16, "Provisions Governing On-Site Subsurface Sewage Disposal Systems," by redesignating as Section "16.1" the current Section "15.1."

SECTION 2. That there be revised "Article V – General Provisions" in the section here redesignated from 15.1 to 16.1, which reads: "all buildings, if necessary, shall have on the same lot on which they are situated an adequate site for the installation of an on-site subsurface sewage disposal system and reserve area as required and designed by the Tennessee Department of Environment and Conservation, Division of Groundwater Protection. Prior to the issuance of any building permit, all building plans shall be reviewed for conformance with the restrictions issued by the Division of Groundwater Protection as noted either on the recorded plat of the subdivision or on the application for septic system approval and subsequent permit."

To read: "wherever there is not public sanitary sewer, a dwelling shall have on the same lot on which it is situated an on-site subsurface sewage disposal system and reserve area as required and designed by the Tennessee Department of Environment and Conservation, Division of Water Resources . . . prior to the issuance of any building permit for a dwelling, the building's plans shall be reviewed for conformity with any bedroom restrictions of the Division of Water Resources specified on a recorded subdivision plat or on a subsurface sewage disposal system construction permit."

SECTION 3. That there be revised "Article V – General Provisions" by deleting Section 15.2, which reads: "for the purposes of this section, a "bedroom" shall be defined according to the definition found in "Article VIII – Definitions" of this Resolution."

SECTION 4. That there be revised "Article V – General Provisions" by deleting Section 15.3, which reads: "a certificate of occupancy may be denied to any building if upon final inspection it is determined

that the provisions of this section have not been met.”

SECTION 5. That there be revised “Article V – General Provisions” by adding the following Section 16.2: “except where one (1) lawful dwelling on an existing shared wastewater disposal system duly permitted by the Tennessee Department of Environment and Conservation Division of Water Resources is replacing a previous lawful dwelling on the same system, only one (1) subsurface sewage disposal system with its own reserve area shall be installed for any dwelling.”

SECTION 6. That this Resolution shall become effective the day following its adoption, THE PUBLIC WELFARE REQUIRING IT.

**(Please publish one time in the March 27, 2019, issue)**

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Mr. Pitner introduced a resolution dealing with Solar Facilities and Residential Site Access. The floor was opened for a public hearing. With no one coming forth to speak either

“for” or “against” the matter, the floor was closed. Commissioner Steve Reeves moved to approved the resolution, and Commissioner Bill Walker provided a second. The motion passed unanimously.



## RESOLUTION

A RESOLUTION TO AMEND THE REVIEW OF SITE ACCESS OUTSIDE LOW DENSITY RESIDENTIAL DISTRICTS, TO CLARIFY THAT SOLAR PHOTOVOLTAIC FACILITIES ARE A USE PERMITTED IN ALL DISTRICTS, AND TO INCREASE THE REVIEW FEES ON SUCH FACILITIES

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 Section 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 April 1, 2019, 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 April 23, 2019, 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 23rd DAY OF APRIL, 2019:

SECTION 1. That there be revised "Article V – General Provisions" by redesignating as Section "9.8" the current Section "9.7," which reads that "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 notwithstanding any setback provision of this Resolution no building shall be erected or placed within any road construction or slope easement specified on a recorded plat, nor shall any building encroach nearer than the setback specified on a recorded plat to a side lot line adjoining a frontage strip to neighboring property."

SECTION 2. That there be revised "Article V – General Provisions" by adding the following new Section "9.7": "No amendment changing any district except to R-1, R-2, R-3, or RPED shall be adopted without adequate opportunity having been given the Superintendent of Fayette County Public Works, or the appropriate TDOT official when a principal access is or will be to a state or federal highway, to advise whether a significant traffic hazard may result from such district change at the subject location."

SECTION 3. That there be revised "Article VII – Provisions For Land Use Districts" by deleting Section 4.3.9, which reads: "Access Control – Prior to the adoption of an amendment creating a B-3 District, a design of the proposed vehicular access to the district meeting the requirements of Article V of this Resolution shall be reviewed and approved in writing by the Director of Public Works and the appropriate official when the access is to a state or federal highway."

SECTION 4. That there be revised "Article VII – Provisions For Land Use Districts" in Section 1.1, which recites "forestry and agriculture, churches, excluding cemeteries, private nonprofit schools, public and semipublic uses, and wireless communication facilities (WCF) as permitted under Section 12 of Article V" as the uses permitted in all districts to add "solar photovoltaic facilities as permitted under Section 13 of Article V."

SECTION 5. That there be revised "Appendix A – Schedule of Fees" in Section 6, "Appeals," which reads: "an application to the Board of Zoning Appeals shall be levied a fee of \$300.00, of which \$200.00

shall be refunded if the application is withdrawn prior to publication of the required public notice, provided that when an application for administrative review is favorably decided by the board the entire fee shall be refunded."

To read: "an application to the Board of Zoning Appeals shall be levied a fee of \$300.00, of which \$200.00 shall be refunded if the application is withdrawn prior to publication of the required public notice, provided that when an application for administrative review is favorably decided by the board the entire fee shall be refunded; in addition to this levy there shall be a fee of \$3,000.00 for the 'facility location review' and a further \$3,000.00 fee for the 'facility design review' required of solar photovoltaic facilities, which fees shall be in lieu of a site plan review fee and which in the case of either fee shall be refundable to an extent determined by the Board of Appeals at the request of the payer after a hearing to determine what public expense to the date of withdrawal shall have resulted from the application."

SECTION 3. That this Resolution shall become effective May 31, 2019, THE PUBLIC WELFARE REQUIRING IT.

Commissioner Bill Walker moved to approve the minutes from March 26, 2019. The motion was seconded by Commissioner Watkins and passed unanimously.

Commissioner Powers moved to approve the following as Notaries Public: Jarrett N. Burrows, Christi Cannon, Pam D. Clifft, Hattie Durham, Rebecca J. Green, Valerie Hayes, Lisa Hewett, Hailey Pugh, Carolyn G. Rhea, Shirley M. Sheibe, Lynn B. Sparks, Glenda A. Ward, Cindy Weathersbee, Lisa M. Weeams, Pamela R. Wilson, and Angela Wynn. The motion was seconded by Commissioner Ray Seals and passed unanimously.

Chairman Taylor reminded Commissioners of financial reports sent out in their packets and that any questions should be addressed with the appropriate official.

Chairman Taylor reported for the County Mayor's office, stating that the Jail Study is in draft form and that CTAS will meet with Commissioners on June 17, 2019 at 5:30 PM and give a presentation. He stated that the jail population is at a legal limit right now.

Also, TDOT has released a three-year plan, and if funding is available work on the Somerville by-pass should began in the spring of 2020. Work is set to begin on the West side of town first. There are still a couple of properties being dealt with on the east side but they should definitely be settled by the time work is scheduled to begin.

The Animal Shelter study is in and an official copy will be available at the next meeting of the Health and Welfare Committee.

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

Commissioner Farley reported for the Development Committee which met on April 8, 2019. Commissioner Farley moved to approve the ADA Grievance Procedure Resolution which was discussed in the committee meeting. The motion was seconded by Commissioner Robert Sills and passed unanimously as follows:

## GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

### RESOLUTION

**WHEREAS**, the American With Disabilities Act (ADA) was first adopted in 1990 to require covered employers to provide reasonable accommodations to employees with disabilities, and imposes accessibility requirements on public accommodations, and

**WHEREAS**, the ADA was amended in 2008 to address new activities and to review adopted regulations; and

**WHEREAS**, Fayette County, Tennessee Government was sued in 1998 in United States District Court, Middle District of Tennessee, in *George Lane and Beverly Jones v. Fayette County, et al.* concerning ADA violations, and

**WHEREAS**, Fayette County settled the lawsuit in 2004 by making improvements and accommodations to satisfy the ADA, part of which was the Bill G. Kelley Justice Complex, and

**WHEREAS**, the ADA now requires that each governmental unit perform self-evaluations to address existing issues, and to mitigate those issues where feasible and reasonable; and

**WHEREAS**, the ADA requires Fayette County Government to appoint an ADA Coordinator that helps to coordinate the assembling of information and to oversee grievances concerning Fayette County's implementation of the ADA;

**NOW, THEREFORE, BE IT RESOLVED BY THE FAYETTE COUNTY COMMISSION** that we adopt the following Grievance Procedures for the American with Disabilities Act for Fayette County:

#### **Fayette County, Tennessee Government Grievance Procedure under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Fayette County, Tennessee Government (Fayette County). The Fayette County Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the designated ADA Coordinator for Fayette County.

Within 15 calendar days after receipt of the complaint, Hunter Winfrey or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Fayette County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the County Mayor or his designee.

Within 15 calendar days after receipt of the appeal, the County Mayor or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Mayor or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his designee, appeals to the County Mayor or his designee, and responses from these two offices will be retained by Fayette County for at least three years.

**ALSO, THEREFORE, BE IT RESOLVED BY THE FAYETTE COUNTY COMMISSION** that Fayette County Government will conduct annual ADA reviews of existing facilities using the self-evaluation method, and will report the results to the Fayette County Commission; and

**ALSO, THEREFORE, BE IT RESOLVED BY THE FAYETTE COUNTY COMMISSION** that the Coordinator responsible for receiving the information concerning ADA and to over the grievance process for Fayette County Government will be:

Hunter Winfrey  
ADA Coordinator / EMA Director  
P.O. Box 820, 16885 Hwy 64  
Somerville, TN 38068

**ADOPTED this 23<sup>rd</sup> day of April 2019**

APPROVED: \_\_\_\_\_  
Rhea Taylor, Fayette County Mayor

ATTEST: \_\_\_\_\_  
Sue Culver, Fayette County Clerk

The Committee also discussed Building Fee Permit Adjustments recommended by the Planning Commission. Commissioner Farley moved to approve the recommendations and send

them back to the Planning Commission. The motion was seconded by Commissioner Powers and passed unanimously.

10.3.1.3

### Building Permit Fee Adjustment Proposals

April 2019

<u>Description</u>	<u>Current</u>	<u>Proposed</u>
Heated area	\$0.10/sq. ft.	\$0.20/sq. ft
Unheated area	\$0.05/sq. ft.	\$0.10/sq. ft.
Plumbing fixture	\$5.00/fixture	\$10.00/fixture
Re-inspections	\$50.00/reinspection	\$50.00/reinspection
Upgrade/Renewal	\$25.00/request	\$25.00/request
Single Wide Mobile Home fee	\$50.00	\$50.00
Double Wide Mobile Home fee	\$100.00	\$100.00
Triple Wide Mobile Home fee	\$150.00	\$150.00

Commissioner Steve Reeves reported for the Health and Welfare Committee which met on April 8, 2019, and reviewed the Ambulance Report with Director Glenn Miller. The Committee also discussed Litter Pick-up on the roads. The current Litter pickup supervisor is retiring and leaving the job. Sheriff Riles indicated that he could put a person to oversee jail trustees to pick up trash and use the grant that was funding the litter pickup to offset the County's costs as much as possible. The Mayor is reviewing the terms of the grant to be sure this is allowed. Also discussed was a solid waste budget amendment and an Ambulance Equipment budget amendment.

The Personnel Committee and Education Committee did not meet.

Commissioner Rice reported for the Criminal Justice and Public Safety Committee which met on April 9, 2019, and reviewed the Sheriff's Report. The CTAS jail report will be out by April 15, and addresses staffing and the Building. The Committee also asked that a study be done on the cost to provide recording County Commission and Committee meetings. After some discussion the Committee asked that a "request for proposals" leaving out the live streaming aspect be presented at committee.

Commissioner German reported for the Budget Committee which met on April 9, 2019.

Commissioner German moved to approve the following budget amendment to fund 101 moving funds around to cover year-end adjustments with no change to the Fund Balance. The motion was seconded by Commissioner Oglesby and passed unanimously.

## RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 23<sup>rd</sup> day of April, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the General Fund #101 Budget be amended in the following words and figures, to wit:

### COUNTY GENERAL FUND BUDGET AMENDMENT F/Y 18/19 April 2019

<u>Adjustment to Revenue Accounts:</u>	<u>INCREASE</u>	<u>DECREASE</u>
45530 Sale of Equipment	\$ 2,850.00	
49700 Insurance Recovery	\$ 5,000.00	
<b>TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS:</b>	<b>\$ 7,850.00</b>	
 <u>Adjustment to Expenditure Accounts:</u>	 <u>DECREASE</u>	 <u>INCREASE</u>
51500 Election Office		
193 Election Workers	\$ 2,750.00	
335 Maintenance & Repairs - Building		\$ 2,750.00
<b>Subtotal-53400</b>	<b>\$ 2,750.00</b>	<b>\$ 2,750.00</b>
52300 Property Assessor's Office		
106 Deputies		\$ 1,333.00
351 Rentals	\$ 333.00	
709 Data Processing Equipment	1,000.00	
<b>Subtotal-52300</b>	<b>\$ 1,333.00</b>	<b>\$ 1,333.00</b>
53100 Circuit Court		
196 In-Service Training	\$ 500.00	
337 Maintenance & Repairs – Office Equipment	600.00	
354 Transportation Other Than Students	500.00	
355 Travel	1,700.00	
711 Furniture & Fixtures		\$ 4,400.00
<b>Subtotal-53100</b>	<b>\$ 3,300.00</b>	<b>\$ 4,400.00</b>
53300 General Sessions Court		
337 Maintenance & Repairs – Office Equipment	\$ 500.00	
349 Printing, Stationary, & Forms	600.00	
<b>Subtotal-53300</b>	<b>\$ 1,100.00</b>	



<u>53400</u>	<u>Chancery Court</u>		
349	Printing, Stationary, & Forms	<u>\$ 131.00</u>	
719	Office Equipment		<u>\$ 131.00</u>
	<b>Subtotal-53400</b>	<b>\$ 131.00</b>	<b>\$ 131.00</b>
<u>53500</u>	<u>Juvenile Court</u>		
355	Travel		\$ 160.00
399	Other Contracted Services	\$ 1,500.00	
432	Library Books & Media		400.00
499	Other Supplies & Materials		940.00
	<b>Subtotal-53400</b>	<b>\$ 1,500.00</b>	<b>\$ 1,500.00</b>
<u>54310</u>	<u>Fire Department</u>		
307	Communications	\$ 5,000.00	
355	Travel		\$ 5,000.00
599	Other Charges		<u>7,850.00</u>
	<b>Subtotal-54310</b>	<b>\$ 5,000.00</b>	<b>\$ 12,850.00</b>
<u>55130</u>	<u>Ambulance</u>		
196	In-Service Training		\$ 2,390.00
205	Employee & Dependent Insurance	\$ 25,000.00	
302	Advertising	1,450.00	
335	Maintenance & Repairs -- Building		600.00
337	Maintenance & Repairs -- Office Equipment	600.00	
338	Maintenance & Repairs -- Vehicles		28,212.00
348	Postal Charges	940.00	
355	Travel	2,000.00	
451	Uniforms	500.00	
502	Building & Contents Insurance	712.00	
	<b>Subtotal-55130</b>	<b>\$ 31,202.00</b>	<b>\$ 31,202.00</b>
<u>56500</u>	<u>Library</u>		
307	Communication	\$ 1,441.80	
312	Contracts W/ Private Agencies		\$ 1,441.80
328	Janitorial Services		1,050.00
432	Library Books/Media		<u>650.00</u>
452	Utilities	<u>1,700.00</u>	
	<b>Subtotal-56500</b>	<b>\$ 3,141.80</b>	<b>\$ 3,141.80</b>

<u>58220</u>	<u>Airport</u>		
169	Part-Time Personnel		\$ 4,215.10
302	Advertising	\$ 105.10	
307	Communication		2,520.00
339	Matching Share		200.00
399	Other Contracted Services	4,635.00	
410	Custodial Supplies	500.00	
435	Office Supplies		55.00
446	Small Tools	300.00	
451	Uniforms	100.00	
452	Utilities		<u>650.00</u>
506	Liability Insurance	<u>2,000.00</u>	
	<b>Subtotal-58220</b>	<b>\$ 7,640.10</b>	<b>\$ 7,640.10</b>
	<b>TOTAL INCREASE/DECREASE TO</b>		
	<b>EXPENDITURE ACCOUNTS:</b>	<b>\$ 57,097.90</b>	<b>\$ 64,947.90</b>
	<b>Prior Estimated Expenditures</b>		<b>\$ 18,182,556.53</b>
	<b>Total Estimated Expenditures this Amendment</b>		<b>\$ 18,190,406.53</b>
	<b>Projected Fund Balance before Amendment</b>		<b>\$ 4,717,444.36</b>
	<b>Change in Fund Balance this Amendment</b>		<b>\$ 0.00</b>
	<b>Estimated Ending Fund Balance as of June 30, 2019</b>		<b>\$ 4,717,444.36</b>

Commissioner German moved to approve the following budget amendment to general fund #101 moving the accumulated funds for the Carl Perkin's Victim Assistance into a line item

for dispersal. The motion was seconded by Commissioner Farley and passed unanimously as follows:

10.3.6.3

**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 23<sup>rd</sup> day of April, 2018, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the General Fund #101 Budget be amended in the following words and figures, to wit:

**COUNTY GENERAL FUND  
BUDGET AMENDMENT  
F/Y 18/19  
April 2019**

<u>Adjustment to Revenue Accounts:</u>	<u>INCREASE</u>	<u>DECREASE</u>
42192 Victim's Assistance Assessment	\$ 1,715.00	
42392 <u>Victim's Assistance Assessment</u>	<u>4,986.00</u>	
<b>TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS:</b>	<b>\$ 6,701.00</b>	
<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
53930 <u>Victim's Assistance Program</u>		
312 Contracts w/ Private Agencies		<u>\$ 6,701.00</u>
<b>Subtotal-53930</b>		<b>\$ 6,701.00</b>
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>		<b>\$ 6,701.00</b>
Prior Estimated Expenditures		\$ 18,182,556.53
Total Estimated Expenditures this Amendment		\$ 18,189,257.53
Projected Fund Balance before Amendment		\$ 4,717,444.36
Change in Fund Balance this Amendment		\$ 0.00
Estimated Ending Fund Balance as of June 30, 2019		\$ 4,717,444.36

Commissioner German moved to move funds to put additional funds to grass cutting at the Airport and to help off set additional part-time employee needs. The motion was seconded by

Commissioner Logan and passed unanimously.

10.3.6.4

**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 23<sup>rd</sup> day of April, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the General Fund #101 Budget be amended in the following words and figures, to wit:

**COUNTY GENERAL FUND  
BUDGET AMENDMENT  
F/Y 18/19  
April 2019**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
<u>51310</u> Personnel Office		
106 Deputies	<u>\$ 10,000.00</u>	
Subtotal-51310	\$ 10,000.00	
<u>58220</u> Airport		
169 Part-Time Personnel		\$ 10,000.00
Subtotal-58220		\$ 10,000.00
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>	<b>\$ 10,000.00</b>	<b>\$ 10,000.00</b>
<b>Prior Estimated Expenditures</b>		<b>\$ 18,182,556.53</b>
<b>Total Estimated Expenditures this Amendment</b>		<b>\$ 18,182,556.53</b>
<b>Projected Fund Balance before Amendment</b>		<b>\$ 4,717,444.36</b>
<b>Change in Fund Balance this Amendment</b>		<b>\$ 0.00</b>
<b>Estimated Ending Fund Balance as of June 30, 2019</b>		<b>\$ 4,717,444.36</b>

Commissioner German moved to approve the following amendment to fund 116- moving funds to pay for additional trash hauling from the landfill to keep up with the increasing volume which will bring in additional revenue at year end. The motion was seconded by Commissioner

Steve Reeves and passed unanimously.

10.3.6.5

**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 23<sup>rd</sup> day of April, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the Solid Waste Fund #116 Budget be amended in the following words and figures, to wit:

**SOLID WASTE FUND  
BUDGET AMENDMENT  
F/Y 18/19  
April, 2019**

<u>Adjustment to Revenue Accounts:</u>	<u>INCREASE</u>	<u>DECREASE</u>
44110 Investment Income	\$ 33,800.00	
44120 Lease/Rentals	2,557.50	
49700 Insurance Recovery	<u>39,681.50</u>	
<b>TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS:</b>	<b>\$ 76,039.00</b>	
<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
55732 Convenience Centers		
314 Contracts w/ Public Carriers		\$ 88,800.00
<b>Subtotal-55732</b>		<b>\$ 88,800.00</b>
55754 Landfill Operation & Maintenance		
186 Longevity Pay	\$ 600.00	
302 Advertising	2,000.00	
307 Communication		\$ 290.00
309 Contracts w/ Government Agencies		24,570.00
322 Legal Notices, Recording, & Court Costs		158.00
335 Maintenance & Repair Services – Buildings		16,410.00
450 Tires & Tubes		7,000.00
452 Utilities		3,000.00
506 Liability Insurance		33.00
513 Workman’s Compensation Insurance	<u>8,200.00</u>	
724 Site Development		<u>1,900.00</u>
<b>Subtotal-55754</b>	<b>\$ 10,800.00</b>	<b>\$ 53,361.00</b>
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>	<b>\$ 10,800.00</b>	<b>\$ 142,161.00</b>
<b>Prior Estimated Expenditures</b>		<b>\$ 1,123,568.00</b>
<b>Total Estimated Expenditures this Amendment</b>		<b>\$ 1,254,929.00</b>
<b>Projected Fund Balance before Amendment</b>		<b>\$ 833,549.00</b>
<b>Change in Fund Balance this Amendment</b>		<b>(\$ 55,322.00)</b>
<b>Estimated Ending Fund Balance as of June 30, 2019</b>		<b>\$ 778,227.00</b>

Commissioner German moved to approve a budget amendment for fund 131 to make year end adjustments and move funds into road paving. The motion was seconded by Commissioner Oglesby and passed unanimously.



## FAYETTE COUNTY PUBLIC WORKS DEPARTMENT

115 YANCEY STREET  
P.O. BOX 579  
SOMERVILLE, TENNESSEE 38068

901-465-5222  
FAX 901-465-9105

HANK FRANCK, Chairman  
WESLEY PARKS, Secretary  
JIMMY JORDAN

RONNIE WILKINS  
BILL McCLURE, JR  
WAYNE DOWDY, Superintendent

PUBLIC WORKS FUND 131  
18/19 BUDGET AMENDMENT NO. 1

EXPENDITUES	INCREASE	DECREASE	AMENDED TOTAL
62000 HWY & BRIDGE MAINTENANCE			
141 Foremen	\$2,200.00		\$85,900.00
143 Equipment Operator	\$4,000.00		\$298,600.00
145 Light Equipment Operator	\$25,000.00		\$125,100.00
147 Truck Drivers		\$(16,000)	\$340,200.00
149 Labor		\$(87,400)	\$299,700.00
187 Overtime Pay	\$12,000.00		66,000.00
Net Change 62000:		\$(60,200)	\$1,933,681.00
63100 OPERATION & MAINT.			
412 Diesel	\$20,000.00		\$110,000.00
425 Gasoline	\$4,200.00		\$39,200.00
450 Tires & Tubes	\$5,000.00		\$40,000.00
499 Other Supplies & Materials	\$2,000.00		\$8,000.00
Net Change 63100:	\$31,200.00		\$509,300.00
65000 OTHER CHARGES			
452 Utilities	\$7,000.00		\$25,000.00
Net Change 65000:	\$7,000.00		\$205,000.00

68000 CAPITAL OUTLAY

705 Bridge Construction	\$20,000.00	\$155,000.00
714 Highway Equipment	\$2,000.00	\$437,000.00
Net Change 68000:	\$22,000.00	\$2,255,368.00
Excess of Est. Revenues Over (Under) Est. Expenditures		0.00
Est. Beginning Fund Balance July 2018		\$2,197,937.00
Est. Ending Fund Balance June 2019		\$1,900,104.00

Commissioner German moved to approve the following budget amendment to fund 171 to buy equipment for new ambulances. The motion was seconded by Commissioner Robert Sills

and passed unanimously.

10.3.6.7

**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 23<sup>rd</sup> day of April, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the General Fund #171 Budget be amended in the following words and figures, to wit:

**GENERAL CAPITAL PROJECTS FUND  
BUDGET AMENDMENT  
F/Y 18/19  
April 2019**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
55130 Ambulance Department		
718 Motor Vehicles		<u>\$ 25,000.00</u>
Subtotal-55130		\$ 25,000.00
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>		<b>\$ 25,000.00</b>
<b>Prior Estimated Expenditures</b>	\$	<b>769,138.58</b>
<b>Total Estimated Expenditures this Amendment</b>	\$	<b>794,138.58</b>
<b>Projected Fund Balance before Amendment</b>	\$	<b>117,164.19</b>
<b>Change in Fund Balance this Amendment</b>	(\$	<b>25,000.00)</b>
<b>Estimated Ending Fund Balance as of June 30, 2019</b>	\$	<b>92,164.19</b>

Commissioner German moved to approve the following TCRS Employer Actuarially Determined Contribution (ADC)rate. The motion was seconded by Commissioner Norton and passed unanimously.

**Tennessee Consolidated Retirement System**  
**Employer Actuarially Determined Contribution (ADC) Rate**

10.3.6.8

Department Code(s): 810.40 810.42 810.50 810.60 834.20  
**FAYETTE COUNTY COURTHOUSE EMP**

Applicable period for this employer rate	July 1, 2019 through June 30, 2020
Actuarial valuation date	June 30, 2018
Actuarial experience study date	June 30, 2016
Investment rate of return assumption	7.25%

**Key Elements of the Pension Plan (Employer Elections)**

Base plan formula	1.5% formula times years of service
Employee contribution rate	5% of salary
Vesting period	5 years
Retiree COLAs	Provided, CPI based, capped at 3%

**Employer ADC Rate**

<i>Rate Components:</i>	
Normal cost	3.82 %
Unfunded accrued liability amortization	(2.37)%
Administrative cost	<u>0.34 %</u>
<b>Total employer ADC rate</b>	<b>1.79 %</b>

**Actuarial Present Value of Benefits (PVB) Summary**

Actuarial value of assets	\$ 49,175,557
Expected employee contributions	5,303,037
Expected employer normal cost	4,029,947
Unfunded accrued liability	<u>(3,193,256)</u>
<b>Total PVB</b>	<b>\$ 55,315,285</b>

**Employees Covered by Benefit Terms**

Inactive employees or beneficiaries currently receiving benefits	309
<i>Annualized Retirement Benefit: \$2,157,984</i>	
Inactive employees entitled to but not yet receiving benefits	430
Active employees	<u>422</u>
<i>Annualized Salary: \$13,367,022</i>	
<b>Total</b>	<b>1,161</b>

**Amortization of Unfunded Accrued Liability**

Actuarial Valuation Date	Unfunded Accrued Liability (Negative Unfunded Accrued Liability)	Annual Amortization Amount	Amortization Period at June 30, 2018 (in years)
June 30, 2013	\$ 0	\$ 0	0.00
June 30, 2015*	(1,880,158)	(182,679)	17.00
June 30, 2016	(796,913)	(75,206)	18.00
June 30, 2017	(496,851)	(45,666)	19.00
June 30, 2018	<u>(19,334)</u>	<u>(1,735)</u>	20.00
<b>Total</b>	<b>\$ (3,193,256)</b>	<b>\$ (305,286)</b>	

\*Beginning June 30, 2015, valuations are performed annually.



Employer Contribution Rate Certification  
Tennessee Consolidated Retirement System (TCRS)  
Actuarial Valuation at June 30, 2018



Acknowledgement of employer rate effective July 1, 2019 through June 30, 2020

Department Code: 0081040  
Department Name: FAYETTE COUNTY COURTHOUSE EMP

- I hereby acknowledge and agree that I have reviewed the background information on rates provided to me and also located on the Treasury Website at: <https://publicreports.treasury.tn.gov>. I further acknowledge the upward trends concerning future employer contribution rates.

Please select one of the options below

- The Minimum Employer rate: 1.79%
- Optional: We choose to pay a higher contribution of: \_\_\_\_\_

Employer Signature \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

The first department code listed on the Employer Actuarially Determined Contribution (ADC) Rate sheet is your master code. The master code is responsible for determining the rate and submitting the completed employer contribution rate certification to TCRS. The rate selected will be applicable for **all** department codes listed on the Employer Actuarially Determined Contribution (ADC) Rate sheet. It is the master code's responsibility to notify these departments of the new rates.

Please return the completed rate certification no later than May 31, 2019 via one of the following methods:

By email: [TCRS.EmployerReporting@tn.gov](mailto:TCRS.EmployerReporting@tn.gov)

By mail: TCRS Employer Reporting  
502 Deaderick Street, 15<sup>th</sup> Fl.  
Nashville, TN 37243

TR4170

136 of 222

MDA0413

Commissioner German moved to approve the following salary increase request for a Conservation Services secretary whose salary is below the average salary for similar positions in

County employment. The motion was seconded by Commissioner Farley. After discussion it was determined that the position should be reclassified to Administrative Assistant and the raise given putting this employee in line with the other Administrative Assistants in the County. The motion passed on a majority vote with Commissioners Dacus and Johnny Walker abstaining.

Commissioner German moved to approved the following budget amendment to fund the increased salary for the Conservation Services secretary. The motion was seconded by Commissioner Oglesby and passed on a majority vote, with Commissioners Dacus and Johnny Walker abstaining.

## 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 23<sup>rd</sup> day of April, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the General Fund #101 Budget be amended in the following words and figures, to wit:

### COUNTY GENERAL FUND BUDGET AMENDMENT F/Y 18/19 April 2019

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
57500 <u>Soil Conservation</u>		
161 Secretary(ies)		\$ 3,000.00
Subtotal-57500		\$ 3,000.00
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>		<b>\$ 3,000.00</b>
<b>Prior Estimated Expenditures</b>		<b>\$ 18,182,556.53</b>
<b>Total Estimated Expenditures this Amendment</b>		<b>\$ 18,185,556.53</b>
<b>Projected Fund Balance before Amendment</b>		<b>\$ 4,717,444.36</b>
<b>Change in Fund Balance this Amendment</b>		<b>(\$ 3,000.00)</b>
<b>Estimated Ending Fund Balance as of June 30, 2019</b>		<b>\$ 4,714,444.36</b>



Chairman Taylor introduced the first draft Budget packet for 2019-2020. He stated that the Budget as presented could not be funded on the projected revenue. He stated that there would probably have to be a property tax increase of fifteen to twenty cents.

Chairman Taylor set May 14, 2019 as the date for the Audit Committee to meet. He set the time as just prior to the Budget Committee meeting.

Commissioner Leggett moved to approve the following bond for the new Public Works Board member, Ronnie Dale Wilkins. The motion was seconded by Commissioner Robert Sills and passed unanimously.

Bond

SURETY'S BOND NO. 64579200 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 Ronnie Dale Wilkins of Eads (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 Wks Bd Member of and for Fayette County for the 2 year term beginning on the 26th day of March 2019 and ending on the 1st day of September 2020.

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

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

WITNESS our hands and seals this 27th day of March 2019.

WITNESS - ATTEST:
[Signature: D.B. Bowling]

PRINCIPAL:
[Signature: Ronnie Dale Wilkins]

SURETY: WESTERN SURETY COMPANY
by [Signature: Paul T. Bruflat]
Paul T. Bruflat, Vice President

COUNTERSIGNED BY:
NOT NEEDED
Tennessee Resident Agent

(Attach evidence of authority to execute bond)

ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF TENNESSEE
COUNTY OF Fayette

Before me, a Notary Public, of the State and County aforesaid, personally appeared to me known (or proved to me on the basis of satisfactory evidence) to be the individual described in the foregoing bond as Principal, and who, upon oath acknowledged that such individual executed the foregoing bond as such individual's free act and deed.

WITNESS my hand and seal this 27th day of March 2019.
My Commission Expires: June 26th 2021
[Signature: Glenda A. Ward]
Notary Public

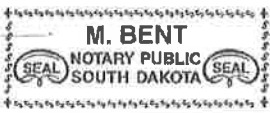


(over)

ACKNOWLEDGEMENT 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/herself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly license to do business in the State of Tennessee, and that he/she as such individual being authorized so to do, executed the foregoing bond on behalf of the Surety, by signing the name of the corporation by himself/herself as such individual.  
WITNESS my hand and seal this 27th day of March, 2019  
My Commission Expires: March 2, 2020



M. Bent  
Notary Public

APPROVAL AND CERTIFICATION

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

Bond and Sureties approved by Rhea Taylor, County Executive/Mayor of Fayette County, on this 24th day of April, 2019.  
Signed: Rhea Taylor  
County Executive/Mayor

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 23rd day of April, 2019, and entered upon the minutes thereof.  
Signed: Sue W. Culver  
County Clerk

SECTION II. (Applicable to all Clerks of all 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 \_\_\_\_\_ Court of and for said County on this \_\_\_\_\_ day of \_\_\_\_\_.

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

SECTION IV. (Applicable to all County Officials Bonds)

ENDORSEMENT:

Filed with the Office of the County Clerk, County of Fayette, this 29th day of March, 2019.  
Signed: Sue W. Culver  
County Clerk

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

WESTERN SURETY COMPANY  
101 S. Reid St., Ste. 300  
Sioux Falls, SD 57103-7046  
605-336-0850

CT-0467 (Rev 07-13)



# 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 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 Wks Bd Member County of Fayette

bond with bond number 64579200

for Ronnie Dale Wilkins

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 Vice President with the corporate seal affixed this 27th day of March, 2019.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

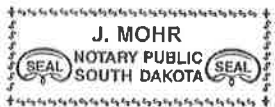
By

Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 27th day of March, 2019, 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 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.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to [www.cnasurety.com](http://www.cnasurety.com) > Owner/Obligee Services > Validate Bond Coverage.



**19002384**

4 PGS:AL-BOND	
EDGE BATCH: 98130	
<b>04/25/2019 - 08:40 AM</b>	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	22.00

STATE OF TENNESSEE, FAYETTE COUNTY  
**ED PATTAT**  
REGISTER OF DEEDS

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

---

Rhea Taylor County Mayor

ATTEST:

---

Sue Culver, County Clerk