

FAYETTE COUNTY LEGISLATIVE BODY

APRIL 28, 2020

**BE IT REMEMBERED** that the Fayette County Legislative Body met in regular session on April 28, 2020, at the Bill G. Kelley Criminal Justice Complex in Somerville, Tennessee. Present and presiding was County Mayor Rhea Taylor. Also present was Sue Culver, County Clerk and the following County Commissioners: Charles E. Dacus, Jr., Ben Farley, Willie German, Jr. Tim Goodroe, Terry Leggett, David Lilliard, Sylvester Logan, Jim Norton, Claude Oglesby, Tommy Perkins, Kevin J. Powers, Dale Reaves, Steve Reeves, Elizabeth Rice, Robert Sills, Bill Walker, Johnny Walker, and Larry Watkins.

A quorum was declared with 18 commissioners present. Commissioner Ray Seals was absent.

Due to the novel coronavirus pandemic the first item of business was the required motion to authorize the meeting by electronic means. Commissioner Steve Reeves made the motion that the Fayette County Commission, in accordance with Tennessee Governor Bill Lee's Executive Order 16, has determined that having this meeting by electronic means is necessary to protect the health, safety, and welfare of Fayette County Citizens in light of the COVID-19 outbreak; that the provisions of Tennessee Code Annotated (TCA), Section 8-44-108, which addresses Open Meetings guidelines, are in effect; and the meeting will be conducted in a manner consistent with Section 19 of the Tennessee Constitution, allowing monitoring by the press.

Notice was placed in a paper of general circulation for the county (Fayette Falcon on Wednesday, April 22, 2020) alerting the citizenry that the meeting will be held by electronic means.

The meeting will comply with the requirements of the Open Meetings Law.

All votes will be by roll call.

Any Member who is given the floor must identify themselves prior to speaking.

A recording of the meeting will be available within two business days on the County's Website.

The motion was seconded by Commissioner Powers and passed unanimously on roll call vote.

Commissioner Powers moved to approve the minutes from February 26, 2020. The motion was seconded by Commissioner Leggett and passed unanimously on roll call vote.

Commissioner Powers moved to approve the following as notaries public: Katrina Carr, Michelle Duncan, Ray J. Hill, Euzel W. Kee, Jr., Brennan Lott, Joyce K. Mason, Dorothy A. Payne, Stacy Shoaf, A. Stout, Major Coburn, Debra Mothershed-Black, Raketia Payne, Faye Scott, Kimberly Benson, Jessica M. Craig, Hollie N. Holland, and Myles Wilson. The motion was seconded by Commissioner Robert Sills and passed unanimously on a roll call vote.

The Chairman reported for the County Mayor's Office, stating that an AG opinion came out yesterday stating that the Governor's actions are basically an opinion from here on out, and that he is not at liberty to second-guess steps taken by local officials. The AG opinion stated that the State may be able to help with Courthouse hours or employees, but anything else would be an opinion. Memphis is looking to open up this weekend, the hospitals, the end of the month. He has reported that we are moving forward according to guidelines.

Commissioner Farley reported that the Development Committee did not meet.

Commissioner Steve Reeves reported that the Health and Welfare Committee did meet and voted to approve the budget amendment for Laryngoscopes which will come up in Budget.

Commissioner Lillard reported that the Personnel Committee met on April 27, 2020, and discussed the following Personnel Policy Amendment Resolution. Commissioner Lillard moved to approve the resolution which was seconded by Commissioner Powers. The Resolution passed

unanimously by roll call vote.

## Personnel Policy Amendment Resolution

**WHEREAS**, the Personnel Policy of Fayette County is adopted by the Fayette County Commission; and

**WHEREAS**, during an emergency, such the COVID-19 pandemic, actions need to be taken to continue with the process of government and services; and

**WHEREAS**, the employee's health and safety, as well as their financial well-being, are to be considered during such an emergency; and

**WHEREAS**, the County Mayor is responsible for issuing any local Emergency Declaration and for seeing that action is taken to mitigate and alleviate that emergency; and

**WHEREAS**, whereas during that emergency, actions with respect to the employees may need to be taken with relation to their work schedules and compensation.

**NOW, THEREFORE, BE IT RESOLVED** the Fayette County Commission does hereby resolve that the Fayette County Personnel Policy be amended as follows:

1. The titled "Inclement Weather Policy" be renamed the Inclement Weather and Hazardous Event Policy"
2. That the following "**Inclement Weather and Hazardous Event Policy**" be amended:  
"Every employee must make a personal judgment about safety in traveling to and from work during inclement weather. If the office is open during inclement weather and should you choose not to travel to work, the time will be charged to your vacation. Should vacation not be available for the individual employee, the time will be considered leave without pay. The County Mayor's office will determine when county offices are closed due to weather or other hazardous events."

**Be amended with the sentence added at the end of the policy:** "In the event the office is closed by the County Mayor, the employee will receive compensation without having to use any vacation or sick time."

3. Insert the following section "*Employee Work Hours and Compensation during an Emergency Declaration*" with the following policy: "The County Mayor, during a declared County Emergency Declaration, has the authority to form work schedules and pay employees their regular compensation within the established budget. Any variance will be reported to the County Commission at the next appropriate meeting."

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Board of Fayette County Commission held on the 28 day of April 2020.

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Rhea Taylor, Fayette County Mayor

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Sue Culver, County Clerk

Commissioner Dacus reported that the Education Committee did meet and discussed the maintenance of effort for the schools. The resolution was approved and forwarded to Budget.

Commissioner Rice reported that the Criminal Justice/Public Safety Committee did not meet.

Commissioner German reported for the Budget Committee. He moved to approve the County emergency purchase for Laryngoscopes in the amount of \$14,810, due to the Corona virus pandemic. The motion was seconded by Commissioner Steve Reeves and passed

unanimously on roll call vote.

**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 28<sup>th</sup> day of April, 2020, 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 19/20  
April 2020**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
55130    Ambulance		
413    Drugs & Medical Supplies		<u>\$ 14,810.02</u>
Subtotal-55130		\$ 14,810.02
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>		<b>\$ 14,810.02</b>
<b>Prior Estimated Expenditures</b>		<b>\$ 19,789,111.30</b>
<b>Total Estimated Expenditures this Amendment</b>		<b>\$ 19,803,921.32</b>
<b>Projected Fund Balance before Amendment</b>		<b>\$ 5,162,006.00</b>
<b>Change in Fund Balance this Amendment</b>		<b>(\$ 14,810.02)</b>
<b>Estimated Ending Fund Balance as of June 30, 2020</b>		<b>\$ 5,147,194.98</b>

Commissioner German moved to approve the following Fayette County Schools Public Schools Revenue Estimate Resolution. The motion was seconded by Commissioner Norton, and passed unanimously on roll call vote.

## **Fayette County Public Schools Revenue Estimate Resolution**

**WHEREAS**, the duties of the County Commission in relationship to Education are stated in Title 49 of Tennessee Code Annotated (TCA); and

**WHEREAS**, during the last session of the Tennessee legislature, those duties were amended in TCA 49-2-101(1)(D) to include a requirement to "make revenue estimates and determine the level of revenue necessary to establish a budget for the operation of county schools that is at least equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the basic education program (BEP) under Chapter 3, part 3 of Title 49"; and

**WHEREAS**, the amount of funding that is estimated to meet the local match and maintenance of effort for the Fiscal Year 2020-21 is \$9,813,459; and

**WHEREAS**, the process of reviewing expenditures and revenues for all departments has just started;

**NOW, THEREFORE, BE IT RESOLVED** the Fayette County Commission does hereby resolve that:

1. To comply with the duty of TCA 49-2-101(1)(D), the amount of estimated revenue needed to provide the required budget is \$9,813,459
2. The County Commission will provide the Fayette County School Board the appropriate placement of that revenue in the FY 2020-21 budget by June 15, 2020.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Board of Fayette County Commission held on the 28 day of April 2020.

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Rhea Taylor, Fayette County Mayor

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Sue Culver, County Clerk

The Chairman presented a letter from the Budget Director, Charles McNab, regarding purchases during the Coronavirus Disease 2019 Emergency Declaration for information as

follows:



## Fayette County Government

Rhea Taylor / County Mayor

DATE: April 8, 2020  
TO: County Commissioners  
RE: Purchases during the Coronavirus Disease 2019 Emergency Declaration

Since the first *Declaration of Emergency for Fayette County* by Mayor Taylor on March 23, 2020, there have been several purchases that were unusual and in direct response to the Coronavirus Disease 2019.

Many of the purchases made in response to the emergency are simply normal purchases but in larger quantities because of increased usage. Some examples would be the increased number of nitrile gloves and masks purchased for Ambulance, EMA, and Jail. The bulk purchase of several gallons of hand sanitizer to refill the bottles at county offices used by staff and the public during and after interactions. Filling fuel tanks used at various county offices for both equipment and emergency generators.

The County made an emergency purchase per T.C.A § 5-14-204(3)(A) of \$14,810.02 for 5 - McGrath MAC EMS Video Laryngoscopes, 5 -- Video Laryngoscope 3.6V batteries, & boxes of Laryngoscope Blades (2-Size 1, 2-Size 2, 5-Size 3, 5-Size X3, 5-Size 4) for use of the ambulance service from Stryker Medical. These devices significantly decrease the paramedics exposure rate by moving them from inches to several feet from a patient's mouth during intubation. So far, this is the only purchase that required deviation from our normal purchasing rules in that it exceeds the bid limitation without a specific exemption. This also exceeds the current budget amount available for drugs and medical supplies and will need to be covered by a budget amendment before the close of the fiscal year.

At some point in the future, the County will seek reimbursement for all applicable purchases in response to the Coronavirus Disease 2019 from the Federal Government.

Sincerely,

Charles McNab  
Fayette County Budget Director

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



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Rhea Taylor, County Mayor

ATTEST:

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Sue W. Culver, County Clerk

