

**LEGISLATIVE DIGEST  
OF THE  
RUTHERFORD COUNTY  
BOARD OF COMMISSIONERS**

**THURSDAY, AUGUST 14, 2003**

- A. Madam Chairman Nancy Allen called the regular session of the Rutherford County Board of Commissioners to order on Thursday, August 14, 2003 at 6:00 p.m. in the Courtroom located on the second floor of the Rutherford County Courthouse in Murfreesboro, Tennessee.
- B. Commission Court Chaplain, Trey Gooch led the Invocation.
- C. Michael DeLisle led the Pledge of Allegiance to the Flag of the United States of America.
- D. Twenty-one Rutherford County Board of Commissioners were present for the Legislative Meeting.
- E. The June 26, 2003 Legislative Meeting Minutes were adopted as typed.
- F. RESOLUTION OF SYMPATHY
  - 1. The Resolution of sympathy in memory of Sam Ridley was adopted.
  - 2. The Resolution of sympathy in memory of Collier R. Woods, Sr. was adopted.
  - 3. The Resolution of sympathy in memory of Ruth "Peggy" White Ridley was adopted.
  - 4. The Resolution of sympathy in memory of Joe Edward "Joey" Warrick was adopted.
- G. RESOLUTION OF RECOGNITION
  - 1. The Resolution of recognition in honor of Brittany Adkins was adopted.
- H. RESOLUTION OF APPRECIATION
  - 1. The Resolution of appreciation in honor of James Bratton was adopted.
- I. PUBLIC COMMENTS
  - 1. No Report.

J. ELECTIONS & CONFIRMATIONS

1. The Notary Public-at-Large Applications, as presented by the Office of the Rutherford County Clerk, were approved.
2. The County Attorney vacancy was announced.
3. Two vacancies and one alternate vacancy on the Codes Enforcement Adjustments & Appeals Board were announced.
4. A vacancy on the Public Building Authority was announced.
5. The appointment of David Simmons, Sr. to the Board of Zoning Appeals was confirmed.
6. The appointment of Ernest Longworth, Brandi Dover and Lisa Wagner as Judicial Commissioners were confirmed.
7. The appointment of Mayo Taylor, Ralph Fullerton, Aaron Wade and Betty Lester to the Rutherford County Regional Planning Commission were confirmed.
8. The appointment of Larry Brandon to the Citizen's Stormwater Advisory Committee was confirmed.
9. The Board tentatively appointed Nancy R. Allen to serve as Commission Chairman.
10. The following Commissioners were appointed to serve on the Steering, Legislative & Governmental Committee: Jeff Phillips (chairman), Doug Shafer (vice-chairman), Richard Sage, Mike Sparks, Steve Sandlin, Robert Peay and John Rodgers.

I. UNFINISHED BUSINESS

1. No Report.

J. PUBLIC HEARINGS-6:30 P.M.

1. Four people spoke for and no one spoke against at the Public Hearing held with regard to the request from Mary Ann Bennett. The request to rezone property located at 10398 Paw Paw Springs Road from Residential-15 to allow general automotive and boat repair shop was approved, changing the maximum number of vehicles and/or boats to ten (10), along with other conditions as recommended by the Rutherford County Planning Commission.
2. No one spoke for or against at the Public Hearing held with regard to the request from Tom Carr and Sheila Walker. The request to rezone property located at 3903 Woodbury Pike from Residential-15 to allow a retail and wholesale nursery and the retail and wholesale sales of lawn and garden supplies was approved along with conditions as recommended by the Rutherford County Planning Commission.

3. No one spoke for or against at the Public Hearing held with regard to the request from IMI Tennessee, Inc. The request to rezone property located at 5042 Old Nashville Highway from Residential-15 to Industrial to allow a ready mixed concrete facility was approved along with conditions as recommended by the Rutherford County Planning Commission.
4. No one spoke for or against at the Public Hearing held with regard to the request from John VanDervort. The request to rezone property located at 1120 Murray Kittrell Road from Residential-15 to allow the storage of construction equipment and a construction office was approved along with conditions as recommended by the Rutherford County Planning Commission.
5. One person spoke for and no one spoke against at the Public Hearing held with regard to the request from John and Melinda Brunner. The request to rezone property located at 4648 Old Highway 96 from Residential-15 to agricultural services to allow a veterinary clinic and a single family dwelling was approved, with the exception of removing the conditions regarding parking requirements, along with other conditions as recommended by the Rutherford County Planning Commission.
6. No one spoke for and four people spoke against at the Public Hearing held with regard to the request from Kathy Westbrooks. The request to rezone property located at 127 Cottonwood Drive from Residential-15 to allow a daycare and preschool for up to twelve (12) children was denied as recommended by the Rutherford County Planning Commission.

#### K. REPORTS BY STANDING COMMITTEES

##### 1. PURCHASING COMMITTEE

- a. The purchasing committee report as mailed out was adopted.

##### 2. BUDGET, FINANCE & INVESTMENT COMMITTEE

- a. A recommendation to amend the General Fund with regard to the following were adopted:
  1. Ambulance Service
  2. Drug Court
  3. Sheriff's Department
  4. Miscellaneous/Building Codes
- b. A resolution approving a Byrne Grant through the State of Tennessee was adopted.
- c. A resolution approving a contract with GSA to provide data processing services for the Juvenile Detention Center to allow them to inquire into the clerk's computer system regarding the history of juveniles who are incarcerated was adopted.

- d. A resolution approving a grant application with the Department of Military, Tennessee Emergency Management Agency for a supplemental planning grant to be used for the evaluation/enhancement of local emergency operations plans and terrorism incident annexes was adopted.
- e. A resolution approving a contract with Schlumberger Technologies, Inc. for inmate telephone service for the Correctional Work Center was adopted.
- f. A resolution approving a grant agreement with the Regional Transportation Authority to provide transit services between Nashville/Davidson County and Murfreesboro, Rutherford County, also known as the relax and ride program was adopted.
- g. A resolution authorizing the County Executive to apply for federal assistance through Federal Emergency Management Agency for federal financial assistance regarding storm damage was adopted.
- h. Two resolutions approving inducement agreements through the Industrial Development Board regarding the following were brought up:
  - 1. A resolution approving the financing by the Industrial Development Board for the purpose of financing the cost of acquiring, constructing and installing the project and the cost of financial arrangements with the Town of Smyrna to construct a multi-family housing facility for the Smyrna Housing Authority was adopted.
  - 2. A resolution approving the financing by the Industrial Development Board for the purpose of financing the cost of acquiring, constructing and installing the project and the cost of financial arrangements with Mid-South Bank (In Organization) to acquire certain real property with improvements was brought up. The rules were suspended to allow a representative from the Industrial Development Board and Mid-South Bank to address the Board. After discussion, the resolution was adopted.
- i. A resolution approving fund 125, adequate facilities/development tax fund was adopted.
- j. A resolution to amend the general service budget fund was adopted.
- k. A resolution to proceed with the Criminal Justice Center project located on the former health department site was adopted.
- l. A resolution approving the procedures in acquiring Maple Street property for the proposed Court center and an appropriation for due diligence and testing was adopted.
- m. Finance Director, Lisa Nolen made a presentation regarding the County budget.

### 3. HEALTH & EDUCATION COMMITTEE

- a. No report.

4. PROPERTY MANAGEMENT COMMITTEE

- a. A resolution approving the lease with the State of Tennessee for the Tennessee Vocational Training Center for the property located at 1132 Haley Road under certain conditions was adopted.
- b. A resolution approving the sale of surplus property was adopted.
- c. A resolution approving the demolition of the annex building of the old health department was adopted.
- d. A resolution requesting the County Executive offer for purchase the County's real property located on the Civic plaza was adopted.

5. PUBLIC SAFETY COMMITTEE

- a. A resolution establishing a fixed rate for housing State prisoners at the Rutherford County Correctional Work Center was adopted.

6. PUBLIC WORKS & PLANNING COMMITTEE

- a. A resolution to approve the following speed limits: 40 m.p.h. on Hoover Road, Christiana-Fosterville Road, Rocky Hill Road and East Gum Road; 30 m.p.h. on Epps Mill Road, Conhocken Court and Halls Hill Pike from the city limits to 3111 Halls Hill Pike. An amendment to reflect the road board's temporary speed limit of 20 m.p.h. on Conhocken Court during construction was adopted. The original motion as amended was adopted.
- b. A resolution authorizing submission of an application for a litter and trash collection grant for approximately \$108,757.00 from the Tennessee Department of Transportation and authorizing acceptance if awarded was adopted.
- c. The rules were suspended to bring up an item not on the agenda. A resolution that the sixty (60) day deadline for approval of the County's resolution in paragraph five (5) be rescinded so that the parties may continue to discuss the costs of the Florence Road project and determine how the parties shall participate in the project was adopted.

7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

- a. A resolution to ratify Private Chapter No. 61, House Bill No. 2125, regarding the 2003 Human Resources Law was adopted.

8. ANY OTHER BUSINESS

- a. Michael DeLisle, County Executive intern, presented each

- Commissioner with an information packet on revenue alternatives.
- b. Commissioner Mike Sparks reminded the Commissioners that the Smyrna Rotary Club was sponsoring a fund raiser on September 13, 2003 at the Smyrna Airport.

There being no further business, Madam Chairman, Nancy Allen adjourned the Rutherford County Board of Commissioners Legislative Meeting.

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Georgia Lynch, Rutherford County Clerk

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Jennifer Boyd, Legislative Secretary