

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

THURSDAY, SEPTEMBER 11, 2003

- A. Madam Chairman Nancy Allen called the regular session of the Rutherford County Board of Commissioners to order on Thursday, September 11, 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. Commissioner Mike Sparks 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 August 14, 2003 Legislative Meeting Minutes were adopted as typed.
- F. RESOLUTION OF SYMPATHY
 - 1. The Resolution of sympathy in memory of Woody Robinson was adopted.
 - 2. The Resolution of sympathy in memory of James D. "J. D." Woodson was adopted.
- G. RESOLUTION OF APPRECIATION
 - 1. The Resolution of appreciation in honor of Pat Lee was adopted.
- H. PUBLIC COMMENTS
 - 1. No Report.
- I. ELECTIONS & CONFIRMATIONS
 - 1. The Notary Public-at-Large Applications, as presented by the Office of the Rutherford County Clerk, were approved.
 - 2. The appointment of Jim Cope to serve as the Rutherford County Attorney was confirmed.

3. The appointment of Carl Allen and Kenneth Bumpas to serve and the appointment of Carl Peas to serve as alternate on the Codes Enforcement Adjustments & Appeals Board were confirmed.
4. The appointment of Dow Smith to serve on the Public Building Authority was confirmed.
5. A vacancy on the Board of Zoning Appeals was announced.
6. Two vacancies on the Beer Board were announced.
7. The appointment of the following to serve on the 2003 – 2004 standing committees were confirmed:

BUDGET, FINANCE & INVESTMENT COMMITTEE

WILL JORDAN
 JOE FRANK JERNIGAN
 FAYE ELAM
 ANTHONY JOHNSON
 BOB BULLEN
 STEVE SANDLIN, vice-chairman
 JOYCE EALY, chairman

HEALTH & EDUCATION COMMITTEE

CAROL COOK
 TREY GOOCH
 ALLEN MCADOO
 JOHN RODGERS, vice-chairman
 DOUG SHAFER
 JEFF PHILLIPS
 BOB BULLEN, chairman

PROPERTY MANAGEMENT COMMITTEE

PAUL JOHNSON
 ANTHONY JOHNSON
 JACK BLACK
 MIKE SPARKS
 DWIGHT THRONEBERRY
 FAYE ELAM, chairman
 TINA JONES, vice-chairman

PUBLIC SAFETY COMMITTEE

JOE FRANK JERNIGAN
 RICK SAGE

ROBERT PEAY
ALLEN MCADOO
TREY GOOCH
WILL JORDAN, vice-chairman
GARY FARLEY, chairman

PUBLIC WORKS & PLANNING COMMITTEE

JOE FRANK JERNIGAN, vice-chairman
JOYCE EALY
GARY FARLEY
JACK BLACK
CAROL COOK
DWIGHT THRONEBERRY
TREY GOOCH, chairman

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

ROBERT PEAY
JOHN RODGERS
STEVE SANDLIN
RICK SAGE
MIKE SPARKS
DOUG SHAFER, VICE-CHAIRMAN
JEFF PHILLIPS, CHAIRMAN

PURCHASING COMMITTEE

JACK BLACK
CAROL COOK
BOB BULLEN
TINA JONES
ROBERT PEAY
PAUL JOHNSON
NANCY R. ALLEN, CHAIRMAN

8. The appointment of Steve Sandlin to serve as Chairman Pro-Tem was confirmed.
9. The appointment of Doug Shafer to serve as Commission Chaplain was confirmed.
10. The appointment of Nancy R. Allen to serve as Commission Chairman was confirmed.

I. **UNFINISHED BUSINESS**

1. No Report.

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

1. No one spoke for or against at the Public Hearing held with regard to the request from Timoteo Hernandez. The request to rezone property located at 128 Brinkley Road from Residential-15 with a conditional use permit to allow a construction office was denied 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 Jeffrey B. King. The request to rezone property located at 8828 Hant Hollow Road from Residential-15 with a conditional use permit to allow the storage of cell phone tower lighting components was approved along with conditions as recommended by the Rutherford County Planning Commission.
3. One person spoke for and no one spoke against at the Public Hearing held with regard to the request from Barbara Duvall. The request to amend the conditional use permit for the property located at 1444 West Jefferson Pike to remove the mandatory dedication of the right-of-way to West Jefferson Pike was approved along with conditions as recommended by the Rutherford County Planning Commission and that upon sale or transfer of the property in question, this conditional use permit will become void.
4. No one spoke for or against at the Public Hearing held with regard to the request from Gregory K. Myers. The request to amend the conditional use permit for the property located at 9915 Old Nashville Highway from Residential-15 to finance-insurance-real estate with conditional use permit to allow a real estate office was denied as recommended by the Rutherford County Planning Commission.
5. No one spoke for or against at the Public Hearing held with regard to the request from John B. McDougal. The request to rezone the conditional use permit for the property located at 4038 Old Salem Road from Residential-15 to services to allow a photography studio was approved along with conditions as recommended by the Rutherford County Planning Commission.
6. No one spoke for or against at the Public Hearing held with regard to the request from Anna L. Short. The request to rezone property located at 7525 Lebanon Pike from Residential-15 with a conditional use permit to allow the retail sale of golf carts was approved along with conditions as recommended by the Rutherford County Planning Commission.
7. No one spoke for or against at the Public Hearing held with regard to the request from Joseph Morgan. The request to rezone property located at 585 Spike Trail from Residential-15 with a conditional use permit to allow

- a photography studio was approved along with conditions as recommended by the Rutherford County Planning Commission.
8. No one spoke for or against at the Public Hearing held with regard to the request from Alan Phillabaum. The request to rezone property located at 5544 Constantine Drive from Residential-15 with a conditional use permit to allow a cab company 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. Geographic Information Systems
 2. Drug Court
 3. Sheriff's Department
 4. Youth Services – Grant agreement with Tennessee Department of Children's Services
 5. Item withdrawn from agenda (District Attorney – Juvenile Accountability Incentive Block Grant)
- b. A resolution approving a grant application for the Geographic Information System was adopted.
- c. A resolution to amend the drug control fund was adopted.
- d. A resolution to amend the general purpose school fund regarding the funding for the Eagleville stadium was brought up. The rules were suspended to allow Walter White to address the Board. After discussion, the resolution was adopted.
- e. A request from the Rutherford County Board of Education relative to funding for the Walter Hill roof replacement was brought up. The rules were suspended to allow Mr. Campbell, Mr. Gill and Mr. McLaughlin to address the Board. A motion was made to send the request back to the Health and Education Committee. Upon vote, the motion was adopted. An amendment to the motion that the County Finance Director, Board of Education Finance Director and the Director of Schools meet to attempt to locate funds for the roof repair was adopted. The original motion as amended was adopted.
- f. A resolution approving the revenue anticipation note for the employee insurance fund was adopted.

- g. A resolution approving a grant agreement with the State of Tennessee Department of Environment and Conservation regarding the waste tire program was adopted.
- 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 for five years was adopted.
 - b. A resolution approving a gas line easement with Atmos Energy Corporation from Gresham Lane to Agri Park Drive was adopted.
- 5. PUBLIC SAFETY COMMITTEE
 - a. No Report.
- 6. PUBLIC WORKS & PLANNING COMMITTEE
 - a. No Report
- 7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE
 - a. No Report
- 8. ANY OTHER BUSINESS
 - a. Commissioner Dwight Throneberry invited everyone to attend Eagleville's first football game on September 19, 2003.
 - b. Commissioner Mike Sparks reminded the Commissioners that the Smyrna Rotary Club fish fry was Saturday, September 13, 2003 at 6:00 to benefit the American Red Cross and Smyrna Rescue Squad. Commissioner Sparks also thanked the sponsors for this event.
 - c. Commissioner Jeff Phillips brought up a recommendation from the Steering Committee that the search committee for the HR Director consist of the chairman and vice-chairman from the Steering Committee and the Budget Committee, the County Mayor, Nancy Allen, and the Finance Director, Lisa Nolen. The meeting will be held next week.

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

Georgia Lynch, Rutherford County Clerk

Jennifer Boyd, Legislative Secretary