



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## A G E N D A

MAY 8, 2006

*Commissioner Tom Moss, Chairman  
Commissioner Joe Ford, Chairman Pro Tempore  
Commissioner Marilyn Loeffel  
Commissioner George Flinn  
Commissioner John Willingham  
Commissioner Walter Bailey, Jr.  
Commissioner Julian T. Bolton*

*Commissioner Deidre Malone  
Commissioner Michael Hooks  
Commissioner Cleo Kirk  
Commissioner Joyce Avery  
Commissioner David Lillard  
Commissioner Bruce Thompson*

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Deputy Sheriff Darren Williams

INVOCATION

Reverend Walter Greene  
Friendship Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

### Approval of Minutes of Previous Sessions

## C O N S E N T A G E N D A

### Resolutions of Memorial, Sympathy and Commendation

BOLTON  
(DEFERRED  
TO 05/22/06)

1. Memorial Resolution honoring Mr. John Cooper, husband of State Representative Barbara Cooper.

### Ordinances

### Zoning and Subdivisions

### Reports and/or Resolutions of Standing Committees

KIRK  
ADOPTED

2. Resolution to abandon 164,298.72 square feet (3.77 acres) of excess roadway right-of-way formerly donated for Appling Road, and to authorize the mayor to execute a Quit Claim Deed releasing said roadway right-of-way to the adjoining landowner, Teransky, LLC.

- KIRK  
ADOPTED**
3. Resolution to abandon 11,206 square feet (0.257 acres) of excess roadway right-of-way formerly donated for Wiseman Road, and to authorize the mayor to execute a Quit Claim Deed releasing said roadway right-of-way to the adjoining landowners, Ronald E. Savage and wife, Etta R. Savage, in consideration of the conveyance by Ronald E. Savage and wife, Etta R. Savage, to the County of Shelby of 443 square feet (0.010 acres) of new roadway right-of-way needed for the realignment of Wiseman Road.
- KIRK  
ADOPTED**
4. Resolution approving the sale of an unimproved strip of land located west of LaGrange Circle North along the north line of Whitten Heights Park to LaGrange Commons LLC, for \$5,500.00.
- LILLARD  
ADOPTED**
5. Resolution approving appropriation of funds in the amount not to exceed \$495,929.00 for the acquisition of Memphis Video Observation Security System (MVOSS) for the bridges, approval of the City of Memphis entering into contract with ESI Companies based on the RFP #06-008-09 and to amend the FY 2005/2006 Shelby County Operating Budget.
- LILLARD  
ADOPTED**
6. Resolution approving an agreement between Shelby County Government and Desoto County Emergency Management Agency of Mississippi for allowable training costs under the 2004 Urban Area Initiative Department of Homeland Security Grant in the amount of Five Hundred Seventy Nine Thousand Dollars (\$579,000.00).
- MALONE  
ADOPTED**
7. Resolution to approve Addendum No. 1 to a contract with Correctional Medical Services, Inc. to provide for delivery of health care for inmates in the Criminal Justice Center and Jail East for the period January 1, 2006 – June 30, 2006, in the amount of \$3,982,569.00 and to amend the FY 2005/2006 Operating Budget.
- THOMPSON  
ADOPTED**
8. Resolution approving contract between Shelby County Government, on behalf of Juvenile Court of Memphis and Shelby County, and the Agency for Youth and Family Development in the amount not to exceed \$230,684.00 to continue operations of twenty-six slots of hardware-secure correctional beds and to provide aftercare for delinquent male juveniles.
- THOMPSON  
ADOPTED**
9. Resolution to approve amendment to renew contract with Casto Information Management Systems, Inc., to appropriate funds from FY 2005/2006 CIP Project No. 101737, Criminal Court Clerk – Integrated Document Management System, in the amount of \$282,900.00 and to amend the FY 2006 CIP Budget.

**THOMPSON  
WITHDRAWN**

10. Resolution approving the payment of an additional \$25,000.00 from the Sheriff's Narcotics Seizure Fund if actual revenues exceed approved revenues in such fund by at least \$25,000.00, for a total of \$75,000.00 to the Shelby County Drug Court for drug and alcohol treatment, and if excess revenues received do not exceed \$25,000.00, the shortfall shall be paid from general reserves.

**KIRK  
ADOPTED**

**CONSENT AGENDA**

**R E G U L A R   A G E N D A**

**FLINN  
ADOPTED**

- 10A. Resolution extending a moratorium on the acceptance of applications for planned developments and subdivisions involving residential construction and applications for administrative site plan review of multiple family dwellings in unincorporated Shelby County for a period of three months.

**Elections, Appointments, and Confirmations**

**Ordinances**

**LOEFFEL  
(DEFERRED  
TO 05/22/06)**

11. **ORDINANCE – THIRD READING** – An Ordinance to amend Chapter 28 of the Code of Shelby County to for the disposal of tenant property discarded onto county right-of-ways, easements or other property owned or maintained by the county after an eviction.

**Zoning and Subdivisions**

**LOEFFEL  
(DEFERRED  
TO 05/22/06)**

12. **CASE NO. P.D. 05-375 CC**  
**APPLICANT:** Vince Smith  
**LOCATION:** North side of Old Brownsville Road;  
+206 feet east of Brunswick Road  
**REQUEST:** A residential planned development to create 31 single family detached lots (lot sizes range between 8340 sq. ft. and approx. 31,247 sq. ft.)

**Memphis and Shelby County Office of Planning and Development recommendation:  
APPROVAL WITH CONDITIONS**

**Memphis and Shelby County Land Use Control Board recommendation:  
APPROVAL WITH CONDITIONS**

**(Notice of public hearing published in the Daily News on Thursday, April 13, 2006.)**

Reports and/or Resolutions for Standing Committees

**KIRK  
ADOPTED**

13. Resolution authorizing the execution and delivery of a confirmation under that certain ISDA Master Agreement by and between Morgan Keegan Financial Products, Inc., and Shelby County, Tennessee dated as of June 23, 2005, relative to the county's General Obligation Variable Rate Demand Public Improvement and School Bonds, 2004 Series B; authorizing proper officials to do all other things deemed necessary or advisable in connection with the execution and delivery of said confirmation; and providing an effective date.

**BOLTON  
ADOPTED**

14. Resolution appropriating \$5,000,000.00 from FY 2006 CIP Project No. 101401, Regional Medical Center, to assist in the capital funding of the Regional Medical Center.

**THOMPSON  
ADOPTED**

15. Resolution approving and authorizing the Shelby County Mayor to execute an Intergovernmental Agreement between the City of Lakeland and County of Shelby, Tennessee, in connection with Division Fourteen, General Sessions Court, for enforcement of city ordinances involving environmental violations.

**BAILEY  
(DEFERRED  
TO 05/22/06)**

16. Resolution to (1) amend the CIP Budget for 2005/2006; (2) appropriate \$3,000,000.00 to Shelby County Schools for additions to and/or construction of permanent school facilities in the Southeast area of Shelby County to relieve critical overcrowding of Schools in that area; (3) amend the CIP budget and appropriating to Memphis City Schools an additional sum of \$7,511,562.00 for the critical capital needs of the Memphis City Schools; (4) provide the Capital funding required under this Resolution upon enactment from funding internally allocated within County Government for Year 3 under the Joint School Funding Agreement without raising the aggregate debt ceiling of County Government; and (5) establish an internal reserve fund within County Government which, over a three year period, will provide a pay as you go funding mechanism for the amount necessary to fund \$10,511,562.00 of the appropriation required under Year Three of the Joint School Funding Agreement.

**FORD  
ADOPTED**

17. Resolution abolishing the current Beer Board; authorizing the creation of a new Beer Board; authorizing the establishment of new rules and regulations, bylaws, and membership requirements; and requiring approval of the new rules and regulations, bylaws, and membership requirements.

**BOLTON  
(DEFERRED  
TO 05/22/06)**

18. Resolution to rescind Item #21 adopted by the Board of County Commissioners of Shelby County, Tennessee, on January 24, 2005, and requesting the Shelby County Legislative Delegation to withdraw their support in the Tennessee General Assembly of a legislative Bill entitled "An Act to Amend Tennessee Code Annotated, Title 67, Chapter 4, Part 5, Relative to a Tax on the Privilege of Recording Transfers of Realty".

**BOLTON  
ADOPTED**

19. Resolution by the Board of County Commissioners of Shelby County, Tennessee, expressing support for SA 1160, an amendment to Senate Bill No. 1580 and House Bill No. 0197, relative to the Shelby County Board of Equalization.

**Announcements/Statements**

20. Notification from county mayor of various appointments and reappointments to boards, commissions, and offices of Shelby County Government.
  - a. Resolution approving the county mayor's nomination of Marvin H. Palmer, Sr., for reappointment to the Memphis and Shelby County Land Use Control Board.

**Adjournment**

**FLINN  
ADOPTED**

21. Resolution of Adjournment to May 22, 2006, at 1:30 p.m.

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]