



**BOARD OF COUNTY COMMISSIONERS
SHELBY COUNTY, TENNESSEE**

A G E N D A

MAY 22, 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

**Elder Earlie Nickols, Jr.
Calvary Church of God in Christ**

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

**MALONE
ADOPTED**

**April 24, 2006
May 8, 2006**

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

Resolutions of Memorial, Sympathy and Commendation

Ordinances

Zoning and Subdivisions

Reports and/or Resolutions of Standing Committees

**HOOKS
ADOPTED**

- 1. Resolution honoring Mr. Robert 'Bobby' Terrell, retiring principal of Cummings Elementary School.**

- KIRK
ADOPTED** 2. **Resolution approving the sale of sixteen delinquent tax parcels from Tax Sale(s) 0003, 41, 50, 51, 53, 55, 94.4, 95.2, 96.2, 97.2, 98.2, and 99.1 pursuant to the provisions of the Tennessee Code Annotated 67-5-2507.**
- KIRK
ADOPTED** 3. **Resolution approving contract with Wagner General Contractors, Inc., for elevator modernization at 160 North Main, appropriating funds in the amount of \$1,147,500.00 from the FY 2005/2006 Budget for CIP Project Number 101710, Office Buildings.**
- KIRK
ADOPTED** 4. **Resolution to abandon 10,226 square feet (0.23 acres) of excess roadway right-of-way formerly donated for Raleigh LaGrange Road, and to authorize the mayor to execute a Quit Claim Deed releasing said roadway right-of-way to the adjoining landowner, LaGrange Commons, LLC.**
- KIRK
ADOPTED** 5. **Resolution to appropriate funds in the amount of \$105,000.00 for acquisition and closing costs of right-of-way for Hacks Cross at the intersection of Stateline Road from the FY 2005/2006 CIP Budget for Project Number 100125, Hacks Cross Road.**
- KIRK
ADOPTED** 6. **Resolution appropriating funds in the amount of \$325,000.00 for the additional services in the construction of improvements at Houston Levee Road (Canada Road) from U.S. 64 to I-40, and appropriating \$75,000.00 for extra work allowance from the FY 2005/2006 Budget for CIP Project Number 100129, Houston Levee Road.**
- AVERY
ADOPTED** 7. **Resolution to amend the Memphis and Shelby County Health Department FY 2005/2006 Operating Budget and to amend the FY 2005/2006 Position Control Budget for the Tuberculosis Outreach Program.**
- AVERY
ADOPTED** 8. **Resolution to amend the Memphis and Shelby County Health Department FY 2005/2006 Operating Budget to allow full expenditure of Memphis and Shelby County Health Services Breast and Cervical Cancer grant proceeds.**
- AVERY
ADOPTED** 9. **Resolution to approve a subcontract amendment between the Health Department and Memphis Health Center, Inc., to operate the Special Supplemental Food Program for Women, Infants and Children (WIC) for the period October 1, 2005 through September 30, 2006, in the amount of \$104,550.00.**

- AVERY
ADOPTED** 10. **Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$1,904,900.00 for HIV/AIDS/STD Prevention and Surveillance Services between January 1, 2006 and December 31, 2006.**
- AVERY
ADOPTED** 11. **Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$437,500.00 to operate the CSFP Program for the period October 1, 2005 through September 30, 2006, and to amend the FY 2005/2006 Operating Budget and to amend the FY 2005/2006 Position Control Budget.**
- THOMPSON
ADOPTED** 12. **Resolution appropriating funds to purchase 90 desktop computers from Pomeroy Computer Resources, Inc., in the amount of \$83,463.30 by Shelby County Government for the Sheriff's office.**
- THOMPSON
ADOPTED** 13. **Resolution appropriating funds to purchase replacement in-car video systems by Shelby County Government from L-3 Communications Mobile-Visions, Inc., in the amount of \$124,700.00 for the Sheriff's office.**
- THOMPSON
ADOPTED** 14. **Resolution appropriating funds to purchase 25 Rugged Notebook Computers from Howard Computers in the amount of \$100,000.00 by Shelby County Government for the Sheriff's office.**
- THOMPSON
ADOPTED** 15. **Resolution receiving and filing the report of the Judicial Commissioner program as required by Tennessee Code Annotated 40-1-111.**
- THOMPSON
ADOPTED** 16. **Resolution to authorize the office of the District Attorney General to accept \$213,382.00 in the FY 2006 Project Safe Neighborhoods Program from the Bureau of Justice Assistance, Office of Justice Programs, and to amend the FY 2005/2006 Shelby County Operating Budget and Position Control Budget.**
- KIRK
ADOPTED** 17. **Resolution amending the FY 2005/2006 Shelby County Operating Budget to allow expenditure of proceeds of the Child and Adult Care Food Program grant for the year ending September 30, 2006.**
- KIRK
ADOPTED** 18. **Resolution increasing the appropriation amount for Goodwill Homes Community Services, Inc. pursuant to its Head Start Delegate contract by \$2,000.00 for the grant year January 1, 2006 through December 31, 2006.**

- KIRK
ADOPTED
19. Resolution increasing the appropriation amount for Porter Leath Children’s Center to its Head Start Delegate contract by \$2,000.00 for the grant year January 1, 2006 through December 31, 2006.
- KIRK
ADOPTED
20. Resolution increasing the appropriation for Primary Preparatory, Inc., pursuant to its Head Start Delegate contract by \$2,000.00 for the grant year January 1, 2006 through December 31, 2006.
- KIRK
ADOPTED
21. Resolution increasing the appropriation amount for the YMCA of Memphis and the Mid-South pursuant to its Head Start Delegate contract by \$2,000.00 for the grant year January 1, 2006 through December 31, 2006.
- LOEFFEL
ADOPTED
22. Resolution authorizing the mayor to enter into an agreement with Wolf River Conservancy for joint funding (50/50%) of a contract with Alex Garvin and Associates for the preparation of a Shelby Farms Master Plan Request for Proposal, amending the FY 2005/2006 Budget and appropriating funds in the amount of \$37,825.00 for the county’s share from the FY 2005/2006 Budget for O&M Account No. 010-301301-6637, Shelby Farms Outside Contracts.
- FLINN
ADOPTED
23. Resolution approving the FY 2007 Budget of the Center City Commission.

THOMPSON
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

- FORD
ADOPTED
24. Resolution approving the county mayor’s nomination of Marvin H. Palmer, Sr. for reappointment to the Memphis and Shelby County *Land Use Control Board*

Ordinances

- LOEFFEL
(DEFERRED
TO 06/12/06)
25. ORDINANCE – THIRD READING – An Ordinance to amend Chapter 28 of the Code of Shelby County to provide 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
ADOPTED**

26. **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**

27. **Resolution to amend the FY 2006 Operating Budget to
provide \$75,000.00 for attorney fees from
Commissioners' Contingency.**

**KIRK
(DEFERRED
TO 06/12/06)**

28. **Resolution to amend the FY 2006 Operating Budget and
Capital Improvement Plan budget to provide
\$2,000,000.00 for CIP Pay-As-You-Go.**

**BAILEY
(DEFERRED
TO 06/12/06)**

29. **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.**

**BOLTON
(DEFERRED
TO 06/12/06)**

30. **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”.

Announcements/Statements

31. 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 *Joel Barnes* and *Dr. Karl Pensak* for appointment, and *John A. Bossier*, *Phillip G. Coop*, *Dr. Amado X. Freire* and *Carol B. Tsagarakis* for reappointment to the Memphis and Shelby County Air Pollution Control Board.

Adjournment

FORD
ADOPTED

32. Resolution of Adjournment to June 12, 2006, at 1:30 p.m.

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