



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

June 26, 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 Rabbi Shai Finkelstein, Senior Rabbi
Baron Hirsch Congregation

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

LILLARD
ADOPTED June 12, 2006

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

Resolutions of Memorial, Sympathy and Commendation

AVERY
ADOPTED 1. Resolution of commendation honoring Richard W.
Wainright as an exemplary citizen of Shelby County.

Ordinances

FORD
(REMOVED
TO REGULAR
AGENDA)
APPROVED 2. ORDINANCE – SECOND READING- Ordinance fixing tax
rate for Shelby County for the Year 2006.

**LOEFFEL
APPROVED**

- 3. ORDINANCE – SECOND READING – An Ordinance to adopt Supplement No. 29 to the Code of Shelby County, Tennessee.**

Zoning and Subdivisions

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

- 4. Resolution approving expenditure of funds in the amount of \$144,555.72 to purchase copy and bond papers for various departments of Shelby County Government.**

**KIRK
ADOPTED**

- 5. Resolution approving expenditure of funds in the amount of \$309,518.42 to purchase toner cartridges for printers and fax machines for various departments of Shelby County Government.**

**KIRK
ADOPTED**

- 6. Resolution approving expenditure of funds in the amount of \$350,000.00 to Office Max Workspace to purchase general office furniture for various departments of Shelby County Government.**

**KIRK
ADOPTED**

- 7. Resolution approving expenditure of funds in the amount of \$172,139.25 to various vendors to purchase linens and blankets for departments of Shelby County Government.**

**KIRK
ADOPTED**

- 8. Resolution approving expenditure of funds in the amount of \$189,924.50 to Consolidated Poultry to purchase eggs, fresh and frozen for departments of Shelby County Government.**

**KIRK
ADOPTED**

- 9. Resolution approving expenditure of funds with Kimble Management Cleaning Services for janitorial services at various locations for Shelby County Government, appropriating said funds from the various line items in the FY 2006/2007 O&M budget in an amount not to exceed \$79,440.79.**

**KIRK
ADOPTED**

- 10. Resolution to approve an amendment between Shelby County Government and Casto Information Management Systems, Inc., (CIMS) for maintenance and support of hardware and software for the county's document management system in the total amount of \$123,850.20 from FY 2006/2007 Operations and Maintenance Budget, Account No. 010-201804-6780.**

**LILLARD
ADOPTED**

- 11. Resolution authorizing the mayor to enter into a contract with White Contracting, Inc., for the proposed improvements for Horton Subdivision, appropriating funds in the amount of \$1,050,168.90 and appropriating**

\$105,016.89 for extra work allowance from the FY 2005/2006 Budget for CIP Project No. 100102, Drainage Improvements, and amending the FY 2005/2006 Budget and authorizing the mayor to enter into an agreement with the City of Bartlett to fund water system improvements.

**LILLARD
ADOPTED**

- 12. Resolution approving the expenditure of funds by Shelby County Government to Fullen Dock and Warehouse for limestone products in the approximate amount of \$180,585.00 from July 1, 2006 through June 30, 2007.**

**LILLARD
ADOPTED**

- 13. Resolution authorizing the mayor to enter into a contract with White Contracting, Inc., for the Nonconnah Greenbelt, Phase 1 in the amount of \$1,437,281.41 and appropriating \$143,728.14 for extra work allowance from the FY 2005/2006 Budget for CIP Project No. 101125, Nonconnah Greenbelt.**

**AVERY
(REMOVED
TO REGULAR
AGENDA)
ADOPTED**

- 14. Resolution to approve a contract with Correct Care Solutions, LLC, to provide for delivery of health care for inmates in the Shelby County Jails and the Shelby County Correctional Center for the period July 1, 2006 – June 30, 2007, in the amount of \$13,199,117.12.**

**THOMPSON
ADOPTED**

- 15. Resolution appropriating funds to purchase a Firearms Training Simulator System by Shelby County Government from Fats Virtual Training Solutions Company in the amount of \$84,200.00 for the Sheriff's Office.**

**THOMPSON
ADOPTED**

- 16. Resolution appropriating funds to purchase a Driver Training Simulator System by Shelby County Government from MPRI, Inc., in the amount of \$132,260.00 for the Sheriff's Office.**

**THOMPSON
ADOPTED**

- 17. Resolution approving expenditure of funds from FY 2005/2006 Operating Budget to purchase a washer and five dryers for Shelby County Sheriff's Jail in the amount of \$89,230.00 from Central Laundry Equipment, Inc.**

**THOMPSON
(REMOVED
TO REGULAR
AGENDA)
ADOPTED**

- 18. Resolution amending Resolution No. 23 adopted March 10, 2003, entitled "A Resolution establishing a Needs Assessment Committee with respect to education" by clarifying representation, powers, and authorizing staff support.**

**MALONE
ADOPTED**

- 19. Resolution approving the purchase of automobile liability and physical damage insurance for Shelby County Head Start from Lipscomb & Pitts Insurance, LLC, through Philadelphia Insurance Company for a premium of \$78,145.00 for a term of one year from July**

1, 2006 to July 1, 2007, with an option to renew for three additional one year terms.

**MALONE
ADOPTED**

20. Resolution approving expenditure of funds by Shelby County Government to Hatch Technology & Toys for the purchase of educational supplies in the amount of \$107,178.00.

**FLINN
ADOPTED**

21. Resolution rescinding previously approved resolution approving Homestead Program transfer of property and reassigning property to the Real Estate Office for sale.

**FLINN
ADOPTED**

22. Resolution approving the transfer of title of one parcel of Homestead Program property pursuant to Tennessee Code Annotated, Section 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985, authorizing the implementation of the Shelby County Homestead Program.

**FORD
ADOPTED**

CONSENT AGENDA

R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

Ordinances

**LOEFFEL
(DEFERRED
TO 07/10/06)**

23. 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**

24. A Joint Resolution approving the appeal of Eagles Landing Apartments, LP, seeking to overturn the decision of the Memphis/Shelby County Land Use Control Board, which rejected the request of Eagles Landing Apartments, LP, to construct side building elevations for the Eagles Landing Apartments with a brick exterior three feet from the ground (P.D. 01-334 CC)

APPELLANT: Eagles Landing Apartments

LOCATION: South side of Shelby Drive; +152 feet east of Ridge Walk Lane

REQUEST: Modify Land Use Control Board Site Plan Approval Condition #6 approved on September 8, 2005, requiring side brick elevations to incorporate a minimum of 8 feet of brick exterior from the ground to 3 feet of brick exterior from the ground.

Memphis and Shelby County Office of Planning and Development recommendation:
REJECTION

Memphis and Shelby County Land Use Control Board recommendation:
REJECTION

(No notice of public hearing or notice letters to interested property owners required since there was no opposition at the Land Use Control Board.)

**LOEFFEL
ADOPTED**

25. CASE NO. P.D. 05-374 CC

APPLICANT: Thomas J. Page, Jr.

LOCATION: Northwest corner of Highway 51 North and Wortham Road

REQUEST: A planned development to amend the outline plan to delete +/- 0.73 acres from the residential area and add it to the commercial area.

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 Friday, June 16, 2006.)

**LOEFFEL
ADOPTED**

26. CASE NO. S.U.P. 06-204 CC

APPLICANT: Powertel Memphis (T-Mobile)

LOCATION: Northwest corner of Raleigh-Millington Road and South Amherst Road

REQUEST: Cellular Tower – (150 feet)

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

(No notice of public hearing or notice letters to interested property owners required since there was no opposition at the Land Use Control Board.)

**LOEFFEL
ADOPTED**

27. CASE NO. Z 06-108 CC

APPLICANT: Trustmark National Bank

LOCATION: Northwest corner of Macon Road and Houston Levee Road

REQUEST: Taking the property out of Agricultural (AG) Use District and including it in Planned Commercial (C-P) Use District

**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 Friday, June 16, 2006.)

**LOEFFEL
ADOPTED**

28. CASE NO. Z 06-109 CC

APPLICANT: Edward Grinder

LOCATION: South side of Macon Road; +475 feet west of Houston Levee Road

REQUEST: Taking property out of Agricultural (AG) Use and including it in Planned Commercial (C-P) Use District

**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 Friday, June 16, 2006.)

Reports and/or Resolutions for Standing Committees

**KIRK
(DEFERRED
TO 07/10/06)**

29. Resolution to transfer funds in the amount of \$700,000.00 from the budgeted but unused 2005-2006 CIP funds and expenditures of funds in an amount not to exceed \$700,000.00 for the investment in the new Towne Center at Soulsville from the FY 2005/2006 CIP Budget for Org/Account No. _____ in the amount of \$700,000.00 for the investment in New Towne Center at Soulsville USA, an \$11,000,000.00 mixed use lifestyle/center.

- KIRK
WITHDRAWN** 30. **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.**
- KIRK
ADOPTED** 31. **Resolution to authorize transfers from the General Fund to the extent the operating surplus for the year exceeds \$3,600,000.00 to pay off a note payable to the City of Memphis, Create a Fund for Job Creation, and provide for CIP Pay-As-You-Go and to amend the FY 2006 Budgets.**
- KIRK
AS AMENDED
ADOPTED** 32. **Resolution approving Shelby County Government's Operating Budget for FY 2007.**
- KIRK
ADOPTED** 33. **Resolution approving the Shelby County Debt Service Budget for FY 2007.**
- KIRK
ADOPTED** 34. **Resolution approving the Shelby County Capital Improvement Program for FY 2007 and the corresponding Five Year Capital Improvement Program for Fiscal Years 2007/2011 and appropriating \$60,000,000.00 to the schools, transfer to the Debt Service Fund and bond issuance and interest costs.**
- BAILEY
WITHDRAWN** 35. **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.**
- WILLINGHAM
(DEFERRED
TO 07/10/06)** 36. **Resolution directing the Shelby County Attorney's Office to review and investigate the allegations concerning the TDOT grant to the New Memphis and Shelby County Public Building Authority for the construction of the public garage as part of the FedEx Forum project.**

**MALONE
ADOPTED**

37. Resolution to approve the lease and agreement with Chuck Hutton Company to be used for the sole purpose of a Shelby County Head Start facility for a seven (7) year period beginning July 1, 2006 through June 30, 2013, in the amount of \$1,471,512.00.

**KIRK
ADOPTED**

38. Resolution approving the Shelby County Salary Policy for fiscal year 2006-2007.

Announcements/Statements

39. 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 Bo Bryan, Juanita E. Jones, Shira H. Shaw for appointment and Roscoe McVay for reappointment to the *Shelby County Agricultural Extension Committee*.
 - b. Resolution approving the county mayor's nomination of Cheryl W. Patterson, Beverly A. Perkins, and Jeremy A. Simpson for reappointment to the *Memphis and Shelby County Depot Redevelopment Corporation*.

Adjournment

**LILLARD
ADOPTED**

40. Resolution of Adjournment to July 10, 2006, at 1:30 p.m.

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