



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

November 19, 2007

*Commissioner David Lillard, Chairman*  
*Commissioner Deidre Malone, Chairman Pro Tempore*  
*Commissioner Joyce Avery*  
*Commissioner Henri E. Brooks*  
*Commissioner Wyatt Bunker*  
*Commissioner Mike Carpenter*  
*Commissioner Sidney Chism*

*Commissioner George Flinn*  
*Commissioner Joe Ford*  
*Commissioner J.W. Gibson II*  
*Commissioner James Harvey*  
*Commissioner Steve Mulroy*  
*Commissioner Mike Ritz*

4/25/2008 2:19 PM

1:30 P.M. COMMISSION CONVENES  
CALL TO ORDER Chairman David Lillard  
OPENING OF THE COMMISSION Deputy Sheriff Kimsey Lee Lovell, Jr.  
INVOCATION Dr. Noel Hutchinson, Pastor  
First Baptist Church Lauderdale  
PLEDGE OF ALLEGIANCE  
ROLL CALL

### Approval of Minutes of Previous Session

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

### Resolutions of Memorial, Sympathy and Commendation

### Ordinances

CARPENTER  
(DEFERRED  
TO 12/03/07)

1. **ORDINANCE – FIRST READING** – A Joint Ordinance (STA 07-001 CC) amending the Memphis and Shelby County Subdivision Regulations, adopted by the Shelby County Board of Commissioners and the Council of the City of Memphis on December 19, 1983, being ordinance and resolution No. 3352, so as to make certain changes therein by revising the requirements by providing high intensity soil maps prior to approval of preliminary plans for lots where public sewer is not available.

Sponsored by Commissioner Mike Ritz.

**CARPENTER  
APPROVED**

2. **ORDINANCE - SECOND READING** - An Ordinance to amend Ordinance No. 342 entitled “An Ordinance to amend the Shelby County Code of Ordinances, Chapter 20, Article III, Section 20-37, relative to compliance with Tennessee’s Financial Responsibility Law of 1977.”

Sponsored by Commissioner Wyatt Bunker.

**Zoning and Subdivisions**

**MULROY  
(A-D)**

3. Resolution approving various subdivision items, plats, extensions, etc. as recommended by the County Engineer.

**ADOPTED**

- a. Resolution to release the bond that secured the improvements to Fountain Brook P.D. Phase 1 (P.D. 04-370 CC)

**ADOPTED**

- b. Resolution to release the bond that secured the improvements to Fountain Brook P.D., Phase 2 (P.D. 04-370 CC)

**(DEFERRED  
TO 12/03/07)**

- c. Resolution to release the bond that secured the improvements to LaGrange Commons P.D. (P.D. 05-311 CC)

**ADOPTED**

- d. Resolution to approve the agreement to secure the improvements to Woodland Trails P.D., Phase 4, part of Parcel A and C (P.D. 97-356 CC) and to authorize the recording of the plat when bonding procedures have been fulfilled.

**Reports and/or Resolutions for Standing Committees**

**MALONE  
ADOPTED**

4. Resolution approving a contract in the amount of \$103,264.00 for the purchase of and Ansul Sapphire Fire detection and suppression system for the protection of the County’s telephone and phone switches located at 6470 Haley Road, 1075 Mullins Station, 201 Poplar, and 814 Jefferson Avenue. This item requires expenditure of county general funds in the amount of \$103,264.00.

Sponsored by Commissioner Deidre Malone.

**MALONE  
ADOPTED**

5. Resolution approving the amendment to the contract Tyler Technologies, Inc./CLT Division for creation of a Custom respond report to add necessary functionality to the Lasworld System in the amount of \$6,000.00 and appropriating said amount for FY 2007/2008 Operating Budget of the Shelby County Assessor. This item requires expenditure of county general funds in the amount of \$6,000.00.

Sponsored by Commissioner Joe Ford.

**MALONE  
(DEFERRED  
TO 12/03/07)**

6. Resolution receiving and filing a resolution adopted by the Shelby County Public Records Commission entitled "Resolution amending a resolution entitled 'Resolution for Public Records Commission adopted by the Public Records Commission on June 13, 1995, establishing a standardized copy fee'".

Sponsored by Commissioner Joe Ford.

**AVERY  
ADOPTED**

7. Resolution approving an amendment to the Operating Budget of the Tenndercare Outreach Program in the amount of \$123,000.00 and an amendment to the Position Control Budget, and this item requires the expenditure of pass through grant funds under the Tenndercare grant in the amount of \$123,000.00.

Sponsored by Commissioner Joyce Avery.

**AVERY  
ADOPTED**

8. Resolution amending the Division of Health Services and the Office of Planning and Development's FY 2007/2008 Operating Budget in the amount of \$1,150,000.00 to reflect the transition of the Congestion Mitigation Air Quality Program from Office of Planning and Development to the Health Department, and this item requires the expenditure of federal through state grant funds in the amount of \$1,150,000.00.

Sponsored by Commissioner Joyce Avery.

**AVERY  
ADOPTED**

9. Resolution requesting approval to amend the Operating Budget of the NACCHO Grant Program in the amount of \$5,000.00 carried forward from FY 2006/2007 Operating Budget, and this item requires the expenditure of federal grant funds under the NACCHO grant in the amount of \$5,000.00.

Sponsored by Commissioner Joyce Avery.

**AVERY  
ADOPTED**

10. Resolution requesting approval to amend the Operating Budget of the Breast and Cervical Cancer Grant Program in the amount of \$4,554.00 carried forward from FY 2006/2007 Operating Budget, and this item requires the expenditure of state grant funds under the Breast and Cervical Cancer Grant in the amount of \$4,554.00.

Sponsored by Commissioner Joyce Avery.

**CHISM  
ADOPTED**

11. Resolution amending the FY 2007/2008 Operating Budget and authorizing the Shelby County Mayor to execute a grant agreement with the Workforce Investment Network to fund one-half of the salaries for the Shelby County Sheriff's Office Correction Deputies while in training in the amount of \$149,864.00. This item requires the expenditure of grant funds.

Sponsored by Commissioner Sidney Chism.

**CHISM  
WITHDRAWN**

12. Resolution approving the expenditure of funds by the Office of Preparedness FY 2007/2008 Operating Budget in the amount of \$128,900.00 to ESI Inc., for WebEOC, a crisis information management software solution, for the Emergency Management Agency (EMA) Emergency Operations Center (EOC) and this item requires the expenditure of pass through grant funds under the U.S. Department of Homeland Security Grant Programs in the amount of \$128,900.00.

Sponsored by Commissioner Sidney Chism.

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

13. Resolution in the amount of \$80,000.00 amending the contract between Memphis and Shelby County Division of Planning and Development and the City of Memphis relative to coordination and financial reimbursement of transportation planning activities in the Memphis Urban Area, and this item requires the expenditure of federal through state grant funds in the amount of \$80,000.00.

Sponsored by Commissioner Mike Ritz.

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

14. Resolution amending the Department of Regional Services FY 2007/2008 Operating Budget in the amount of \$478,487.00 to reflect the acceptance of transportation planning funds received from the Mississippi Department of Transportation for the Memphis Metropolitan Planning Organization, and this item requires the expenditure of federal through state grant funds in the amount of \$478,487.00.

Sponsored by Commissioner Mike Ritz.

**FLINN  
ADOPTED**

15. Resolution approving a contract budget amendment in the amount of \$3,856.00 with the Tennessee Department of Agriculture to allow maximum expenditure of funds from the Commodities Program Operating Budget and this item requires expenditure of Tennessee Department of Agriculture funds in the amount of \$3,856.00.

Sponsored by Commissioner George Flinn.

**FLINN  
(DEFERRED  
TO 12/03/07)**

16. Resolution requesting the Shelby County Administration and the Shelby County Attorney to prepare and present reports to the Shelby County Board of Commissioners relative to the Shelby County Administration's plans regarding Head Start.

Sponsored by Commissioner Mike Ritz.

**CARPENTER  
(DEFERRED  
TO 12/03/07)**

17. Resolution approving expenditure of funds in the amount of \$200,000.00 for Shelby County Government's share of the cost for a Master Plan for development of Shelby Farms Park and this item requires expenditure of County CIP funds in the amount of \$200,000.00.

Sponsored by Commissioner Mike Carpenter.

FORD  
(DEFERRED  
TO 12/03/07)

18. Resolution to amend a resolution entitled “RESOLUTION AMENDING PREVIOUSLY ADOPTED RESOLUTIONS RE-ESTABLISHING THE UNIFIED PERSONNEL POLICY COMMITTEE BY ADDING TWO ADDITIONAL MEMBERS.”

Sponsored by Commissioner Joe Ford.

FORD  
ADOPTED

CONSENT AGENDA

## **REGULAR AGENDA**

### Elections, Appointments, and Confirmations

#### Ordinances

BUNKER  
APPROVED  
AS AMENDED IN  
COMMITTEE  
(DEFERRED  
TO 12/03/07)

19. ORDINANCE – THIRD READING (AS AMENDED IN COMMITTEE) (ZTA 07-001 CC) amending Section 26 (Overlay District Regulations FP Flood Plain District) of the Joint Memphis and Shelby County Zoning Ordinance -- Regulations adopted by the Shelby County Board of Commissioners on October 6, 1980, and the Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended to adopt provisions of Model Flood Plan Management Ordinance.

Sponsored by Commissioner Wyatt Bunker.

MALONE  
APPROVED

20. ORDINANCE – SECOND READING – A Joint Ordinance of the Board of County Commissioners of Shelby County, Tennessee, and Council of the City of Memphis enacted pursuant to the Community Redevelopment Act of 1998; providing for the creation of a Redevelopment Trust Fund pursuant to Section 21 of the Act.

Ordinance sponsored by Commissioner Deidre Malone.

#### Zoning and Subdivisions

MULROY  
ADOPTED

21. CASE NO. P.D. 07-329 CC  
APPLICANT: Boyle Investment Company  
  
LOCATION: Southeast corner of Bazeberry Road and Forest Hill-Irene Road  
  
REQUEST: Planned development to allow four (4) single family homes with a minimum lot size of 4,000 square feet in area within the outline plan.

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, November 9, 2007)

**Reports and/or Resolutions for Standing Committees**

**BUNKER  
(DEFERRED  
TO 12/03/07)**

22. Resolution approving a contract in the amount of \$274,422.00 with Salton Companies, LLC, for the provision of window replacement Phase 2 at Peggy Edmiston Administration Building, and this item requires expenditure of county Capital Improvement funds in the amount of \$274,422.00 from the FY 2007/2008 Budget for CIP Project No. 101710, Office Buildings.

Sponsored by Commissioner David Lillard.

**FORD  
ADOPTED**

23. Resolution amending Shelby County Retirement System Plan A to increase optional cash-out amounts with respect to terminated participants and surviving spouses.

Sponsored by Commissioner Joe Ford.

**FORD  
ADOPTED**

24. Resolution to grant one-time cost of living bonuses in November 2007 to certain Plan B retirees.

Sponsored by Commissioner Ford.

**FORD  
(DEFERRED  
TO 12/03/07)**

25. Resolution approving the Shelby County Compensation Policy for FY 2007/2008.

Sponsored by Commissioner Henri Brooks.

**MULROY  
ADOPTED**

26. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support legislation amending Tennessee Code Annotated, Title 68, Chapter 140, Section 527 relative to paramedic training.

Sponsored by Commissioner Steve Mulroy.

**MULROY  
(DEFERRED  
TO 12/17/07)**

27. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support legislation amending Tennessee Code Annotated, Title 39, Chapter 14; Title 40, Chapter 35; and Title 62, Chapter 9, relative to scrap metal, scrap metal dealers, theft, and criminal trespass.

Sponsored by Commissioner Steve Mulroy.

**MULROY  
(DEFERRED  
TO 12/03/07)**

- 28. Resolution urging the Shelby County Legislative Delegation to oppose the passage of legislation allowing the establishment of Special School Districts in Shelby County.**

Sponsored by Commissioner Mike Carpenter.

**MULROY  
ADOPTED**

- 29. Resolution by the Board of Commissioners of Shelby County, Tennessee, requesting the members of the Tennessee General Assembly to support the recommendations of the open meetings subcommittee of the Joint Study Subcommittee on Open Government relative to the quorum standard for the open meetings law.**

Sponsored by Commissioner Steve Mulroy.

**CHISM  
ADOPTED**

- 29A. Resolution amending a resolution entitled, "Resolution creating a task force to study the viability of a Shelby County Family Court by adding three new positions to the task force." This resolution does not require expenditure of county funds.**

Sponsored by Commissioner Sidney Chism.

#### **Announcements/Statements**

- 30. Notifications from County Mayor of various appointments, reappointments to boards, commissions, and offices of Shelby County Government.**
- a. Resolution approving the county mayor's nomination for appointment of Michelle Sanders and re-appointment of Katy Spurlock, Dorothy Johnson, Susan Ratner, Jose Leon and Bennie Walker as community representatives to the Head Start Policy Council Community Advisory Board. Sponsored by Commissioner Joe Ford.

#### **Adjournment**

**MULROY  
ADOPTED**

- 31. Resolution of Adjournment to Monday, December 3, 2007, at 1:30 p.m.**

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