

AGENDA

GREENE COUNTY LEGISLATIVE BODY

Tuesday, January 18, 2011

6:00 P.M.

The Greene County Commission will meet at the Greene County Courthouse on Tuesday, January 18, 2011 beginning at 6:00 p.m. in the Criminal Courtroom (Top Floor) in the Courthouse. REPUBLICANS WILL HAVE A CAUCUS MEETING THIS MONTH AT 5:00 p.m. IN THE COURTHOUSE. DEMOCRATS WILL ALSO HAVE A CAUCUS MEETING THIS MONTH AT 5:00 p.m. IN THE COURTHOUSE.

Call to Order

- *Pledge to Flag
- *Invocation
- *Roll Call

Approval of Prior Minutes

Public Hearing

- Public Hearing on Rezoning Resolution A

Reports

Reports from Solid Waste Dept.
Committee Minutes

Old Business

Election of Notaries

Resolutions

- A. A resolution to rezone certain territory owned by Eli and Wilma Mullett from A-1, General Agriculture District to B-2, General Business District within the unincorporated territory of Greene County, TN;
- B. A resolution to appropriate funds and make mid year budget changes for the fiscal year 2010-2011 for the Department of Education;
- C. A resolution authorizing Greene County to assume and relieve the Greene County Board of Education from paying from its BEP funds that portion of the bond payment otherwise obligated by the Greene County Board of Education in the amount of \$58,717,78.00.

Other Business

**A RESOLUTION TO REZONE CERTAIN TERRITORY
OWNED BY ELI AND WILMA MULLETT
FROM A-1, GENERAL AGRICULTURE DISTRICT TO B-2, GENERAL BUSINESS DISTRICT
WITHIN THE UNINCORPORATED TERRITORY OF GREENE COUNTY, TENNESSEE**

WHEREAS, the Greene County Commission has adopted a zoning resolution establishing zone districts within the unincorporated territory of Greene County, Tennessee and regulations for the use of property therein; and

WHEREAS, the Greene County Commission realizes that any zoning plan must be changed from time to time to provide for the continued efficient and economic development of the county; and

WHEREAS, Eli and Wilma Mullett has requested that this property be rezoned from A-1, General Agriculture District to B-2, General Business District,

WHEREAS, the Greene County Regional Planning Commission did review a request that the Eli and Wilma Mullett property be rezoned on December 14, 2010 and recommends that the Greene County Commission approve the request to rezone the property.

NOW, THEREFORE BE IT RESOLVED that the Greene County Commission amend the Greene County Zoning Map to show the following property to be zoned B-2, Neighborhood Business District,

Being the same property identified as Greene County tax map 100, as parcel 38.02, as shown on the map.

This change shall take effect after its passage, the welfare of the County requiring it.

Approved for recommendation
by the Sponsor/Greene County Regional
Planning Commission:

December 14, 2010

Date

Date of Public Hearing
by the Greene County Commission:

January 18, 2011

Date

Approved by the Greene
County Commission:

Date

Approved and signed in Open Meeting:

County Mayor

Attest:

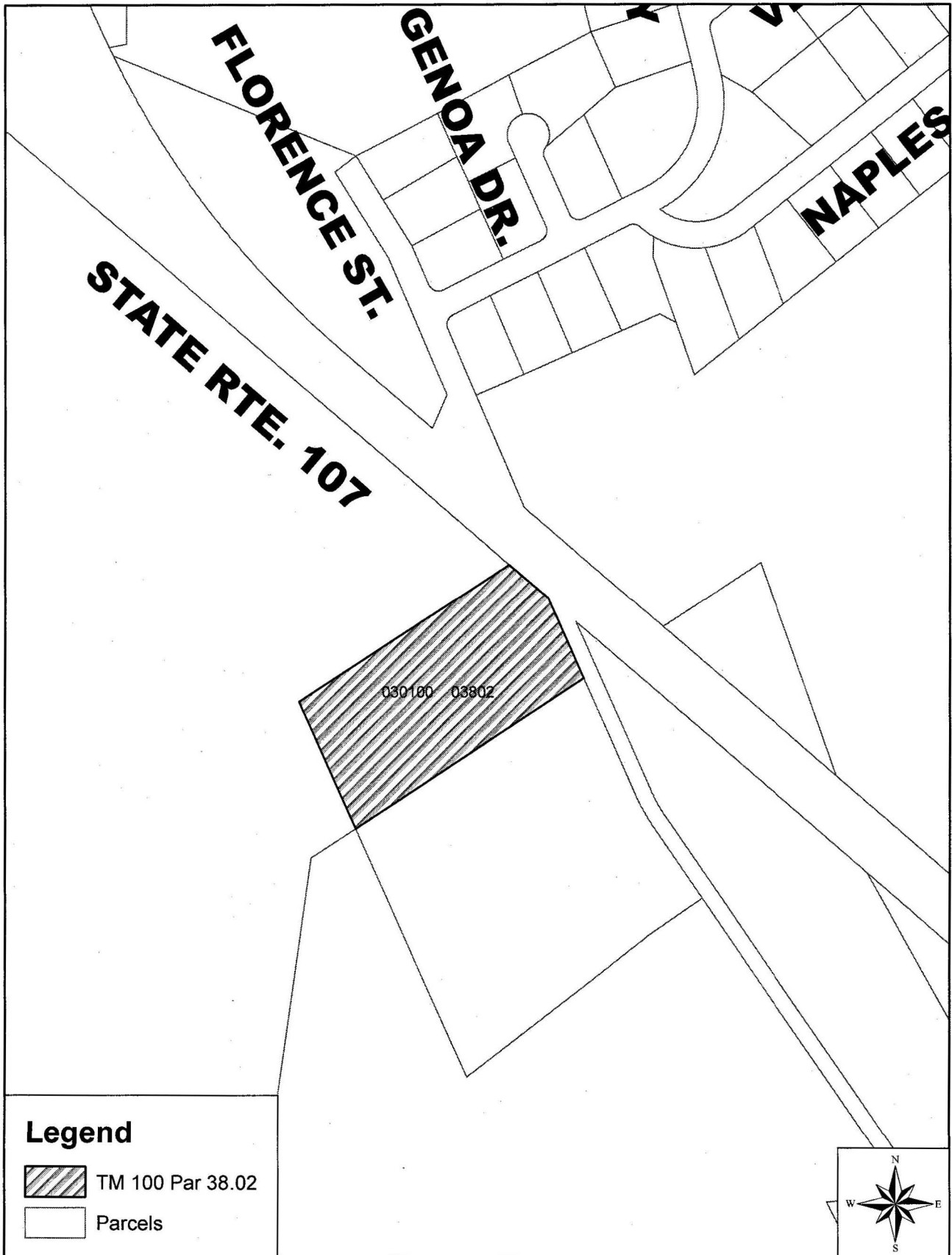
County Court Clerk

Approved as to Form:

County Attorney

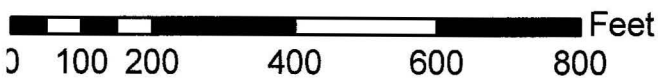
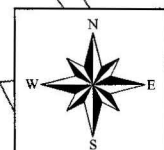
A.

Greene County Rezoning Request
From A-1 General Agriculture District to B-2 General Business District
Owner: Eli & Wilma Mullett
Tax Map 100, Parcel No. 38.02
PC Review: December 14, 2010



Legend

-  TM 100 Par 38.02
-  Parcels



Prepared by
TN Dept. of Economic & Community Development
Local Planning Assistance Office
Johnson City, Tennessee
This map is not for engineering purposes.

**Greene County Regional Planning Commission
Rezoning Staff Report – December 14, 2010**

Findings of Facts – File # 2010-

| | |
|-----------------------------|--|
| Applicant: | Eli Mullett |
| Property Owner: | Eli & Wilma Mullett |
| Map & Parcel ID: | 100 – 38.02 |
| Civil District: | 13 th |
| Acres: | 3.00 acres |
| Property Address: | Erwin Highway |
| Proposed Use: | Furniture Store |
| Current Zoning: | A-1 |
| Proposed Zoning: | B-2 |
| Planning Region: | Greene (Located in Tusculum’s Urban Growth Boundary) |

Background Field Notes:

- Property fronts on two roads. Erwin Highway being classified as an arterial road. Moon Creek Road being classified as a local street/minor street. Most often minor streets are intended for limited capacities, carrying traffic for short distances, and serving residential uses. The Erwin Highway transitions from a 4 lane down to a 2 lane at this location. Moon Creek Road is approximately 12 feet in width with a chip and tar surface. Existing utility poles may obstruct entering from the Erwin Highway location therefore forcing traffic onto Moon Creek Road, a less than standard road. Therefore, resulting in concerns of safety for traffic entering and exiting this location. Commercial development should be approved only in those areas where adequate infrastructure is available to support such development.
- Greene County should utilize its regional planning authority to strongly influence planning of development in its defined Rural Areas as per the Greene County 1101 map.
- The current zones in the area of Greene County are A-1 General Agriculture District. The current zones in the area of Tusculum are R-1 Low Density Residential.
- Proposed use is inconsistent with the surrounding area. Current uses in the area are residential and agriculture.

Staff Recommendation:

- Staff recommends against rezoning request.

Greene County Regional Planning Commission Action

Approval: 12-14-10 (Unanimously)

Denial:


Defer:



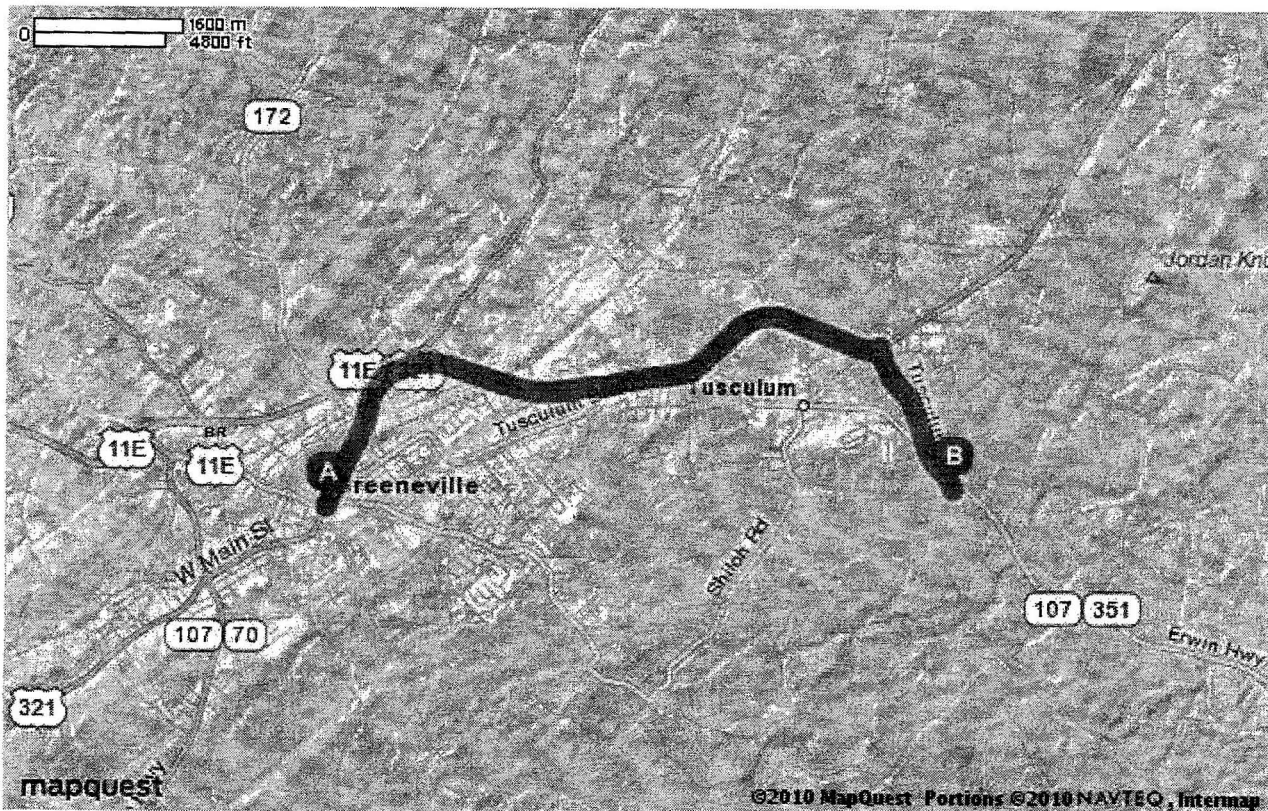
Notes

Location: Erwin Highway/Moon Creek Road
 The rezoning request parcel has no address. The adjoining property has a address of 80 Moon Creek Road. There is a rezoning sign placed on the rezoning request parcel.

Trip to:
 80 Moon Creek Rd
 Greeneville, TN 37745-3726
 6.98 miles
 13 minutes

| A | 101 S Main St Greenville, TN 37743-5973 | Miles Per Section | Miles Driven |
|---|---|-------------------|--------------|
| ● | 1. Start out going EAST on S MAIN ST / US-11E-BR / US-321 / US-321-SCENIC / TN-107 / TN-35 toward E DEPOT ST. Continue to follow US-321 N. | Go 5.6 Mi | 5.6 mi |
| ➔ |  2. Turn RIGHT onto SAM DOAK ST / TN-107 / TUSCULUM BYP. Continue to follow TN-107. <i>TN-107 is 0.5 miles past COLLEGE HILLS ST</i> | Go 1.2 Mi | 6.9 mi |
| ↗ | 3. Turn SLIGHT RIGHT onto MOON CREEK RD. <i>MOON CREEK RD is just past FLORENCE ST</i> | Go 0.1 Mi | 7.0 mi |
| ● | 4. 80 MOON CREEK RD is on the RIGHT. <i>If you reach PIN OAK DR you've gone about 0.3 miles too far</i> | Go 0.01 Mi | 7.0 mi |
| B | 80 Moon Creek Rd Greenville, TN 37745-3726 | 7.0 mi | 7.0 mi |

Total Travel Estimate: 6.98 miles - about 13 minutes



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Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or timeliness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use

**A RESOLUTION TO APPROPRIATE FUNDS AND MAKE
MID YEAR BUDGET CHANGES FOR THE FISCAL YEAR 2010-2011**

WHEREAS, the Greene County School System is amending the 2010-2011 Budget for the General Fund to reflect mid year changes in revenues and expenditures. For Capital Projects we are budgeting the \$1,000,000 bond for a construction project at West Greene High School;

WHEREAS, the following appropriations will be amended:

| Account No. | General Fund Revenue | Increase | Decrease |
|-------------|--|---------------------|---------------------|
| 40125 | Trustee's Collections - Bankruptcy | 72.00 | |
| 44570 | Contributions & Gifts | 44,006.00 | - |
| 46515 | State Pre-K | 49,385.62 | - |
| 46594 | Family Resource Grant | 2,118.47 | |
| 47143 | Education of the Handicapped | 2,255.62 | |
| 47640 | ROTC Reimbursement | 12,000.00 | |
| 46511 | Basic Education Program | | 1,570,871.00 |
| 46512 | BEP ARRA | 1,593,871.00 | |
| 46590 | Other State of Educations Funds (LEAP's Grant) | 3,950.00 | - |
| | Total Changes in Revenues | 1,707,658.71 | 1,570,871.00 |

| Account No. | General Fund Reserves | Increase | Decrease |
|-------------|--------------------------------|----------|-----------|
| 34430 | Reserved for Special Education | | 29,193.00 |

| Account No. | General Fund Expenditures | Increase | Decrease |
|---------------|------------------------------------|-----------|------------|
| 71100 116 | Teachers | - | 1,500.00 |
| 71100 127 | Extended Contract | - | 1,700.00 |
| 71100 429 850 | Instructional Supplies & Materials | 2,118.47 | |
| 71200 116 | Teachers | | 6,784.00 |
| 71200 207 | Medical Insurance | 6,784.00 | |
| 71200 725 | Instructional Equipment | 2,255.62 | |
| 72110 207 | Medical Insurance | 2,000.00 | |
| 72110 399 | Other Contracted Services | | 11.00 |
| 72120 131 | Medical Personnel | 13,410.00 | |
| 72120 201 | Social Security | 832.00 | |
| 72120 212 | Employer Medicare | 195.00 | - |
| 72130 164 | Attendants | | 122,131.00 |
| 72130 140 | Security Officers | 1,000.00 | |
| 72130 201 | Social Security | | 7,480.00 |
| 72130 204 | State Retirement | | 12,305.00 |
| 72130 206 | Life Insurance | | 130.00 |
| 72130 207 | Medical Insurance | | 40,144.00 |
| 72130 208 | Dental Insurance | | 1,350.00 |
| 72130 210 | Unemployment Compensation | | 393.00 |
| 72130 212 | Employer Medicare | | 1,750.00 |

| Account No. | General Fund Expenditures | Increase | Decrease |
|--------------------|--------------------------------------|-------------------|-------------------|
| 72130 355 | Travel | 500.00 | |
| 72210 129 | Librarians | | 500.00 |
| 72210 163 | Educational Assistant | 200.00 | |
| 72210 189 900 | Other Salaries & Wages (LEAP's) | 11,880.00 | |
| 72210 201 900 | Social Security (LEAP's) | 736.00 | |
| 72210 204 900 | State Retirement (LEAP's) | 1,231.00 | |
| 72210 212 900 | Employer Medicare (LEAP's) | 172.00 | |
| 72210 355 900 | Travel (LEAP's) | | 818.00 |
| 72210 499 900 | Other Supplies & Materials (LEAP's) | | 9,251.00 |
| 72320 320 | Dues & Memberships | 169.00 | - |
| 72320 355 | Travel | 1,500.00 | |
| 72410 207 | Medical Insurance | 5,000.00 | |
| 72510 207 | Medical Insurance | 393.00 | |
| 72610 207 | Medical Insurance | 8,400.00 | |
| 72620 142 | Mechanics | 1,100.00 | |
| 72710 189 | Other Salaries & Wages | 120,631.00 | |
| 72710 201 | Social Security | 7,480.00 | |
| 72710 204 | State Retirement | 12,305.00 | |
| 72710 206 | Life Insurance | 130.00 | |
| 72710 207 | Medical Insurance | 55,000.00 | |
| 72710 208 | Dental Insurance | 1,350.00 | |
| 72710 210 | Unemployment Compensation | 393.00 | |
| 72710 212 | Employer Medicare | 1,750.00 | |
| 73400 116 | Teachers (Pre-K) | | 6,906.00 |
| 73400 163 | Educational Assistants | 24,951.00 | - |
| 73400 195 | Substitute Teachers Certified | 1,125.00 | - |
| 73400 206 | Life Insurance | 13.00 | 7.20 |
| 73400 207 | Medical Insurance | 2,987.00 | |
| 73400 307 | Communications | - | 25.60 |
| 73400 310 | Contracts With Public Agencies | 20,871.80 | - |
| 73400 429 | Instructional Materials & Supplies | 20,000.00 | - |
| 73400 722 | Instructional Equipment | - | 13,623.38 |
| 76100 707 | Building Improvement | 63,927.00 | - |
| | Total Changes in Expenditures | 392,789.89 | 226,809.18 |

**CAPITAL PROJECTS
FUND 177**

| Account No. | General Fund Revenue | Increase | Decrease |
|-------------|----------------------|--------------|----------|
| 49100 | Bonds Issued | 1,000,000.00 | |

| Account No. | General Fund Expenditures | Increase | Decrease |
|-------------|---------------------------|--------------|----------|
| 91300-304 | Architects | 50,000.00 | |
| 91300-706 | Building Construction | 940,000.00 | |
| 91300-711 | Furniture and Fixtures | 10,000.00 | |
| | TOTAL EXPENDITURES | 1,000,000.00 | |

NOW, THEREFORE, BE IT RESOLVED by the Greene County Legislative Body meeting in regular session, this 18th of January 2011, a quorum being present and a majority voting in the affirmative, that the funds be appropriated as shown above.

County Mayor

The Greene County Budget & Finance Committee
Sponsor

Roger C Woolsey

County Attorney

[Signature]

County Clerk

**RESOLUTION AUTHORIZING GREENE COUNTY TO ASSUME AND
RELIEVE THE GREENE COUNTY BOARD OF EDUCATION FROM PAYING FROM
ITS BEP FUNDS THAT PORTION OF THE BOND PAYMENT OTHERWISE
OBLIGATED BY THE GREENE COUNTY BOARD OF EDUCATION IN THE
AMOUNT OF \$58,717.78**

WHEREAS, previously as per an agreement between the Greene County Legislative Body and the Greene County Board of Education, the Greene County Board of Education had pledged sales tax revenues generated from the ¼ cent local option increase in the sales tax approved by referendum on March 14, 2000 and up to \$250,000.00 of BEP funding to facilitate construction of Chuckey Doak High School and Mosheim Middle School; and

WHEREAS, in March of 2004, the Greene County Legislative Body authorized Greene County to assume liability for that portion of the pledge in BEP funds obligated by the Board of Education of up to \$250,000.00 to allow the Greene County Board of Education to fund the construction project at Ottway Elementary School; and

WHEREAS, the repayment of funds pursuant to the pledge by the Greene County Board of Education was forgiven for a period of 6 years through June 30, 2009; and

WHEREAS, pursuant to the agreement between the Board of Education and the Greene County Legislative Body, the Board of Education is now obligated to pay \$58,717.78 to the Greene County Education Debt Service Fund as of the fiscal year ending June 30, 2010, which represents the Board of Education's pledge of BEP funds pursuant to the agreement between the Greene County Board of Education and the Greene County Legislative Body in 2001; and

WHEREAS, considering the economic downturn and the loss of sales tax revenue, it appears that it would be in the best interest of the Greene County Board of Education as well as Greene County as a whole for the County Legislative Body to forgive the Board of Education's

C

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Greeneville, TN 37745
Phone: 423/798-1779
Fax: 423/798-1781

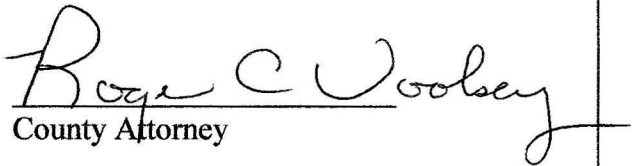
obligation of \$58,717.78 for the fiscal year ending June 30, 2010, pursuant to the pledge of BEP funds as described in the agreement between the Board of Education and Greene County in 2001.

NOW THEREFORE, BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on the 17th day of January, 2011, a quorum being present and a majority voting in the affirmative, that the Greene County Board of Education's obligation of \$58,717.78 for the fiscal year ending June 30, 2010 is forgiven by Greene County Legislative Body and held for nothing with that portion of the Board of Education's obligation to be taken from the County's Education Debt Service Fund Balance.

Education Committee
Sponsor

County Mayor

County Clerk



County Attorney

GREENE COUNTY BOARD OF EDUCATION AGREEMENT

WITH THE GREENE COUNTY LEGISLATURE BODY

In August of 2001, the Greene County Board of Education pledged revenues from a ¼-cent local option sales tax increase (which was passed by referendum on March 14, 2000) and a contribution of **up to \$250,000**, annually, of BEP funding into the Education Debt Service Fund. The purpose of this pledge was to provide for assistance with debt payments on the \$18,000,000 construction bond issued for the construction projects of Chuckey Doak High School and Mosheim Middle School. This original resolution, approved by the Board of Education and Greene County Legislative Body, is vague as how the up to \$250,000 amount is to be calculated.

The obligation to repay up to \$250,000 annually on debt was forgiven in March of 2004, by action of the Greene County Commission, for a period of 6 years in order that the Board of Education would have funds to construct a project at Ottway Elementary. The fiscal year ending June 30, 2010 was the first year in which the Board of Education was to resume payments.

After researching the original resolution and the resolution to forgive payments for six years and after consulting with current and past officials, it became clear that there is no consensus of how the calculation of amount due from the Board of Education is to be performed. Those officials maintain that the original intent of the resolutions was to require payments from the Board of Education in order to maintain a \$1,000,000 fund balance in the Education Debt Service Fund.

The resolution presented for your consideration in this packet will allow the amount due from the Board of Education as of June 30, 2010 to be forgiven. This resolution is necessary in order to allow additional time for the Greene County Legislative Body and the Greene County Board of Education to formulate a plan, in plain English, that will clearly explain how the amount due on the Board of Education's obligation to the Education Debt Service Fund will be calculated in future years.

The resolution was reviewed by Mr. Mark Treece, county audit supervisor, and was approved by both the Greene County Education Committee and the Budget and Finance Committee.