

**SHELBY COUNTY BOARD OF COMMISSIONERS
MINUTE BOOK NO. 165**

1649

REGULAR ADJOURNED SESSION FROM JUNE 20, 2016 TO AUGUST 1, 2016

The Board of County Commissioners met pursuant to adjournment at 3:00 p.m., August 1, 2016, in the Shelby County Commission's Chamber, 160 North Main Street, Memphis, Tennessee, with Chairman Terry Roland present and presiding; also present the following Associate County Commissioners, to wit: Van D. Turner, Jr., Mark Billingsley (ABSENT), David Reaves (ABSENT AT ROLL CALL), George B. Chism, Sr., Heidi Shafer, Willie F. Brooks, Jr. (ABSENT AT ROLL CALL), Melvin Burgess, Walter L. Bailey, Jr. (ABSENT AT ROLL CALL), Reginald Milton, Eddie S. Jones, Jr. (ABSENT AT ROLL CALL), Justin J. Ford and Steve Basar (ABSENT AT ROLL CALL). Present, twelve; Absent, one.

Mrs. Rosalind Nichols, Clerk of the County Commission, was also present.

Mr. Craig Willis, Assistant County Attorney and Parliamentarian, was also present.

Deputy Sheriff Sammie Jones opened the meeting in due form of law when the following proceedings were had, to wit:

Chairman Roland recognized Elder John Brown, Get Right Church Ministries, who gave the opening prayer, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS SESSION

Mr. Willis, Assistant County Attorney, announced Approval of Minutes of Previous Session: June 20, 2016, June 29, 2016 and July 6, 2016.

Minutes of the Previous Session of June 20, 2016, June 29, 2016 and July 6, 2016 had been transcribed by the Clerk, clearly paraphrased, and correctly reflected the action which took place.

Chairman Roland stated that, without objection, the Minutes of Previous Session of June 20, 2016, June 29, 2016 and July 6, 2016, was adopted.

CONSENT A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

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ITEM 1 (ADOPTED)

RESOLUTION RECEIVING AND FILING THE FOURTH
QUARTER REPORT OF THE SHELBY COUNTY
TRUSTEE FOR THE YEAR ENDING JUNE 30, 2016.
SPONSORED BY COMMISSIONER VAN D. TURNER,
JR.

“WHEREAS, The Shelby County Trustee presents a Quarterly Report to the Budget and Finance Committee of the Board of County Commissioners; and

WHEREAS, The Fourth Quarter Report for the Year Ending June 30, 2016, was submitted by the Shelby County Trustee and reviewed by Commissioners in Budget and Finance Committee on July 27, 2016; and

WHEREAS, The Board of County Commissioners desires to receive and file said report which is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Fourth Quarter Report of the Shelby County Trustee for the Year Ending June 30, 2016, a copy of which is attached hereto as *Exhibit A and incorporated herein by reference, is hereby received and filed.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 2 (ADOPTED)

RESOLUTION TO RECEIVE AND FILE THE TRUSTEE’S
ANNUAL REPORT OF DELINQUENT AND INSOLVENT

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TAXPAYERS FOR THE YEAR ENDED JUNE 30, 2016.
SPONSORED BY VAN D. TURNER, JR.

“WHEREAS, Tennessee Code Annotated, Section 67-5-1903, requires the Trustee to present a report to the County legislative body of all delinquent taxpayers and double assessments in the county; and

WHEREAS, The Trustee’s report of all delinquent taxpayers and double assessments in the county is attached hereto, incorporated by reference herein, and is accompanied by a compact disc containing an Access database of every Shelby County delinquent receivable with the amount of tax owed as of June 30, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Trustee’s report of all delinquent taxpayers and double assessments in the County attached hereto and incorporated by reference herein, be and the same is hereby received and filed.

BE IT FUTHER RESOLVED, That the Trustee shall be given credit for such taxes and related charges reported as insolvent or delinquent and for double assessments and for property purchased by Shelby County in tax sales or otherwise requested in the Trustee’s report.

BE IT FURTHER RESOLVED, That this Resolution shall take effect from and after the date it shall have been enacted according to due process of law, the public welfare requiring it.”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Turner stated that Committee recommended aforesaid items 1 and 2 for adoption.

ITEM 3

REGULAR ADJOURNED SESSION FROM JUNE 20, 2016 TO AUGUST 1, 2016

RESOLUTION TO APPROVE A 3 YEAR LEASE BETWEEN SHELBY COUNTY GOVERNMENT, ON BEHALF OF THE SHELBY COUNTY EXTENSION OFFICE, AND AGRICENTER INTERNATIONAL, INC. FOR 5,239.92 SQUARE FEET OF SPACE LOCATED AT 7777 WALNUT GROVE ROAD, MEMPHIS, SHELBY COUNTY, TENNESSEE 38120. THIS ITEM REQUIRES THE EXPENDITURE OF FY 2017 GENERAL FUNDS IN AN AMOUNT NOT TO EXCEED \$79,405.95. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, Shelby County Government, on behalf of the Shelby County Extension Office located within the City of Memphis, Shelby County, Tennessee, desires to lease office space within Agricenter International, Inc. located at 7777 Walnut Grove Road, Memphis, Shelby County, Tennessee 38120, for its promotion, sales education, support and advancement of Production Agriculture and Agribusiness; and

WHEREAS, Agricenter International, Inc. has prepared a lease for 5,239.92 square feet of office space for 3 years to lease dates from July 1, 2016 – June 30, 2019, in the amount of \$79,405.95, annually under the terms and conditions stated in the attached lease, which is hereby incorporated by reference; and

WHEREAS, The initial term rent in the amount of \$6,617.16 per month, due at the beginning of each month under the terms and conditions stated in the attached Lease; and

WHEREAS, It is deemed to be in the best interest of Shelby County Government, on behalf of the Shelby County Extension Office to lease the said 5239.92 square feet of space located at 7777 Walnut Grove Road, Memphis, Tennessee 38120, from the Agricenter International, Inc. under the terms and conditions stated in the attached lease; and

WHEREAS, Funds in the amount of \$79,405.95, are available in the Fiscal Year 2017 Proposed Budget Account 010-201201-8912-Agricultural Extension Service subject to appropriation of funds in the FY 2017 Adopted Budget by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the afore-described lease of 5239.92 square feet of space located at 7777 Walnut Grove Road, Memphis, Tennessee 38120 to Shelby County Government, on behalf of the Shelby County Extension Office, attached hereto and incorporated herein by reference as *Exhibit A, for the general purpose described above, under the terms and conditions stated in the afore-described lease

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agreement is hereby approved.

BE IT FURTHER RESOLVED, That the Lease term is a 3 year lease from July 1, 2016 – June 30, 2019, in the amount of \$79,405.95, annually for the initial term rent of \$6,617.16 per month, at the beginning of each month under the terms and conditions stated in the attached lease; and.

BE IT FURTHER RESOLVED, That no renewal or extension of this Lease shall be binding on either party unless it be in writing and signed the Lessor and the Lessee.

BE IT FURTHER RESOLVED, That the Mayor of Shelby County and the Director of Administration and Finance are authorized to issue their warrant or warrants in an annual amount not to exceed \$79,405.95, to Agricenter International, Inc. and to take proper credit in their accounting thereof.

BE IT FURTHER RESOLVED, That funds in the amount of \$79,405.95, are available in the Fiscal Year 2017 Proposed Budget Account 010-201201-8912-Agricultural Extension Service subject to appropriation of funds in the FY 2017 Adopted Budget by the Board of Commissioners.

BE IT FURTHER RESOLVED, That the Mayor of Shelby County is hereby authorized to execute said lease agreement and an executed copy shall be placed on file in Contracts Administration.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 4 (ADOPTED)

REGULAR ADJOURNED SESSION FROM JUNE 20, 2016 TO AUGUST 1, 2016

RESOLUTION AUTHORIZING THE EXTENSION OF THE LEASE AGREEMENT WITH THE CITY OF MEMPHIS DIVISION OF PUBLIC WORKS FOR THE EARTH COMPLEX LOCATED WITHIN THE FRANK C. PIDGEON INDUSTRIAL PARK AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON MAY 18, 2016. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, The Memphis and Shelby County Port Commission along with the City of Memphis and the County of Shelby, leased, on or about April 9, 1996, certain property to the City of Memphis Division of Public Works (“Lessee”) located within the Frank C. Pidgeon Industrial Park with an expiration date of December 31, 2015 (the “Lease”); and

WHEREAS, Said property consists of approximately 1307 acres and is used by Lessee for its Earth Complex; and

WHEREAS, The parties desire to extend the term of the Lease for a two year period beginning January 1, 2016, and ending December 31, 2017, under the same terms and conditions as the original lease while the parties renegotiate terms and conditions for a new lease.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, On recommendation of the Memphis and Shelby County Port Commission, that the proposed extension of said lease attached hereto as *Exhibit A is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor of Shelby County is hereby authorized to execute the extension of said lease agreement and other documents as may be necessary and consistent with the purposes contained herein.

BE IT FURTHER RESOLVED, That this action is subject to concurrence by City of Memphis.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

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ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 5

RESOLUTION APPROVING A CONTRACT WITH GANNETT FLEMING PROJECT DEVELOPMENT CORPORATION FOR UPGRADES OF TRAFFIC SIGNAL SYSTEMS FOR THE CONGESTION MANAGEMENT AIR QUALITY PROGRAMS THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$942,353.00, AND AN EXTRA WORK ALLOWANCE IN THE AMOUNT OF \$70,676.00, FOR A TOTAL AMOUNT OF \$1,013,029.00. THIS ITEM REQUIRES AN EXPENDITURE OF FY 2017 FEDERAL THROUGH STATE GRANT FUNDS IN THE AMOUNT OF \$1,013,029.00. NO COUNTY FUNDS REQUIRED. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, The Congestion Management and Air Quality (CMAQ) Improvement Program is a one hundred percent (100%) federally funded initiative to reduce vehicle emissions associated with traffic congestion; and

WHEREAS, Intersections selected for improvements under the CMAQ Program must meet federal vehicle emissions reduction requirements to be eligible for inclusion in this program; and

WHEREAS, Federal funds in the amount of \$21,128,996.00, have been awarded for intersection improvements throughout the City of Memphis, the suburban municipalities and the unincorporated areas of Shelby County; and

WHEREAS, Sealed bids were requested and received for this project on February 11, 2016, under SBI I-000362 with the lowest bid being submitted by Gannett Fleming Project Development Corporation in the amount of \$942,353.00, and an extra work allowance in the amount of \$70,676.00, totaling \$1,013,029.00; and

WHEREAS, Funds are available in the FY 2017 Operating Budget from Account Number 698-301007-7023 for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract with Gannett Fleming

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Project Development Corporation in the amount of \$942,353.00, and an extra work allowance in the amount of \$70,676.00, for a total amount of \$1,013,029.00, attached hereto as *Exhibit A and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor is hereby authorized to execute the aforementioned contract and any and all documents necessary to effectuate this Resolution on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contract Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$1,013,029.00, for the purposes contained in this Resolution, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 6 (ADOPTED)

RESOLUTION APPROVING A CONTRACT WITH SHELBY ELECTRIC COMPANY, INC. FOR UPGRADES OF TRAFFIC SIGNAL SYSTEMS FOR THE CONGESTION MANAGEMENT AIR QUALITY PROGRAM THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,689,585.00, AND AN EXTRA WORK ALLOWANCE IN THE AMOUNT OF \$84,480.00, FOR A TOTAL AMOUNT OF \$1,774,065.00. THIS ITEM REQUIRES AN EXPENDITURE OF FY 2017 FEDERAL THROUGH STATE GRANT FUNDS IN THE AMOUNT OF \$1,774,065.00. NO COUNTY FUNDS REQUIRES. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.
SR.

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“WHEREAS, The Congestion Management and Air Quality (CMAQ) Improvement Program is a one hundred percent (100%) federally funded initiative to reduce vehicle emissions associated with traffic congestion; and

WHEREAS, Intersections selected for improvements under the CMAQ Program must meet federal vehicle emissions reduction requirements to be eligible for inclusion in this program; and

WHEREAS, Federal funds in the amount of \$21,128,996.00, have been awarded for intersection improvements throughout the City of Memphis, the suburban municipalities and the unincorporated areas of Shelby County; and

WHEREAS, Sealed bids were requested and received for this project on February 11, 2016, under SBI I-000363 with the lowest bid being submitted by Shelby Electric Company, Inc. in the amount of \$1,689,585.00, and an extra work allowance in the amount of \$84,480.00, totaling \$1,774,065.00; and

WHEREAS, Funds are available in the FY 2017 Operating Budget from Account Number 698-301007-7023 for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract with Shelby Electric Company, Inc. in the amount of \$1,689,585.00, and an extra work allowance in the amount of \$84,480.00, totaling \$1,774,065.00, attached hereto as *Exhibit A and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor is hereby authorized to execute the aforementioned contract and any and all documents necessary to effectuate this Resolution on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contract Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$1,774,065.00, for the purposes contained in this Resolution, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

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*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 7 (ADOPTED)

RESOLUTION APPROVING AN AMENDMENT TO THE CONSTRUCTION CONTRACT WITH MCCRORY ELECTRIC COMPANY WITHIN THE CONGESTION MANAGEMENT AIR QUALITY GRANT PROGRAM IN THE AMOUNT OF \$98,000.00, FOR A TOTAL CONTRACT AMOUNT OF \$1,385,447.90, FOR IMPROVEMENTS UNDER THE AMERICANS WITH DISABILITIES ACT THAT WERE NOT REQUIRED IN THE INITIAL PROJECT. THIS ITEM REQUIRES AN EXPENDITURE OF FY 2017 FEDERAL THROUGH STATE GRANT FUNDS IN THE AMOUNT OF \$98,000.00. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.
SR.

“WHEREAS, The Shelby County Board of Commissioners approved a construction contract with McCrory Electric Company by Resolution Item No. 5 on September 14, 2015, in the amount of \$1,287,448.00, including an extra work allowance for traffic signal coordination for intersections along the Jackson Avenue/Austin Peay Highway corridor between Wales Road and Yale Road and along James Road/Stage Road from Jackson Avenue to Covington Pike; and

WHEREAS, This project will reduce travel times along these corridors by coordinating green times and existing signals not currently equipped with video detection and emergency vehicle preemption will be upgraded; and

WHEREAS, This project is 100% funded through the Tennessee Department of Transportation (TDOT) under the Congestion Management Air Quality (CMAQ) Grant Program; and

WHEREAS, TDOT has required additional improvements under the Americans

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with Disabilities Act (ADA) that were not part of the original contract; and

WHEREAS, It is necessary to authorize a contract amendment with McCrory Electric Company in the amount of \$98,000.00, for said ADA improvements; and

WHEREAS, Funds in the amount of \$98,000.00, are available in the Fiscal Year 2017 Proposed Budget Account 698-301007-7023 – Infrastructure – Roads and Bridges subject to appropriation of funds in the FY 2017 Adopted Budget by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That a contract amendment with McCrory Electric Company in the amount of \$98,000.00, for a total contract amount of \$1,385,477.90, for ADA improvements is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute the aforementioned contract change on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contracts Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are hereby authorized to issue their warrant or warrants in the amount set forth in the Amendment to McCrory Electric Company for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 8 (ADOPTED)

RESOLUTION AMENDING THE FY 2017 OPERATING
BUDGET AND APPROVING A CONTRACT WITH

REGULAR ADJOURNED SESSION FROM JUNE 20, 2016 TO AUGUST 1, 2016

KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF \$998,200.00, FOR PROFESSIONAL ENGINEERING AND PROGRAM MANAGEMENT SERVICES AND \$10,000.00, FOR PERMITTING AND ADVERTISING FOR THE CONGESTION MANAGEMENT AIR QUALITY (CMAQ) PROJECT. THIS ITEM REQUIRES THE APPROPRIATION AND EXPENDITURE OF FY 2017 FEDERAL THROUGH STATE GRANT FUNDS IN THE AMOUNT OF \$1,008,200.00, ON A TOTAL GRANT AWARD OF \$7,162,385.00. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, The CMAQ Program is a one hundred percent (100%) federally funded initiative to improve air quality by reducing emissions associated with traffic congestion; and

WHEREAS, Funds in the amount of \$7,162,385.00, have been awarded to Shelby County over a funding period of four years from the execution date of the grant agreement for intersection improvements throughout the incorporated and unincorporated areas; and

WHEREAS, Project priorities have been developed by a competitive rating process through the local Metropolitan Planning Organization (MPO); and

WHEREAS, Kimley-Horn and Associates, Inc. has submitted a proposal in the amount of \$998,200.00, for professional engineering and management services for this project and was selected by the Consultant Review Committee under RFQ #16-011-28, Congestion Management Air Quality Program for this project; and

WHEREAS, The consultant has committed twenty-three percent (23%) locally owned small business participation for this project; and

WHEREAS, It is necessary to amend the FY 2017 Operating Budget and appropriate funds in the amount of \$998,200.00, for the contract and \$10,000.00, for advertising and permitting for a total amount of \$1,008,200.00, for said project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract with Kimley-Horn and Associates, Inc. in the amount of \$998,200.00, attached hereto as *Exhibit A and incorporated herein by reference for professional engineering and program management services for the CMAQ Project is hereby approved.

BE IT FURTHER RESOLVED, That the FY 2017 Operating Budget is hereby amended and funds are hereby appropriated in the amount of \$1,008,200.00, on a total grant

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award of \$7,162,385.00, per Exhibit B attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute the aforementioned contract and execute any documents necessary for the purposes contained in this Resolution on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contracts Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in amounts not to exceed \$1,008,200.00, for the purposes contained in this resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Chism stated that Committee recommended aforesaid Items 3, 4, 5, 6, 7 and 8 for adoption.

ITEM 9 (REMOVED TO REGULAR AGENDA)

Mr. Craig Willis, Assistant County Attorney, announced Item 9, Resolution approving a contract with the Lehman-Roberts Company in the amount of \$1,434,815.00, for the FY 2017 asphalt paving/resurfacing project for the north section of Shelby County. This item requires an expenditure of the FY 2017 roads and bridges fund in the amount of \$1,434,815.00. Sponsored by Commissioner George B. Chism, Sr.

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At the request of Commissioner Shafer, Chairman Roland stated that without objection, Item 9 would be removed to Regular Agenda.

ITEM 10 (ADOPTED)

RESOLUTION APPROVING A CONTRACT WITH STANDARD CONSTRUCTION COMPANY IN THE AMOUNT OF \$336,491.00, AND AN EXTRA WORK ALLOWANCE IN THE AMOUNT OF \$10,000.00, FOR A TOTAL AMOUNT OF \$346,491.00, FOR RESURFACING AND CURB RAMP INSTALLATIONS ON MACON ROAD AND AMENDING THE FY 2017 OPERATING BUDGET IN THE AMOUNT OF \$67,369.00, AND APPROPRIATING SAID FUNDS. THIS ITEM REQUIRES THE EXPENDITURE OF FEDERAL THROUGH STATE GRANT FUNDS IN THE AMOUNT OF \$259,869.00, AND STATE GAS TAX FUNDS IN THE AMOUNT OF \$86,622.00, FOR A TOTAL EXPENDITURE OF \$346,491.00. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

“WHEREAS, Shelby County applied for federal funding through the Metropolitan Planning Organization (MPO) under the Surface Transportation Program (STP) to assist with roadway resurfacing projects; and

WHEREAS, Projects submitted under STP were competitively ranked and selected by the MPO for project funding; and

WHEREAS, Macon Road from Houston Levee Road to Pisgah Road is in need of resurfacing and per funding requirements, any intersections along this roadway segment that do not comply with the Americans with Disabilities Act (ADA) will be upgraded with appropriate curb ramps; and

WHEREAS, Shelby County entered into an Agreement with the Tennessee Department of Transportation approved by Resolution Item #7 adopted March 24, 2014; and

WHEREAS, Sealed bids were requested and received for this project on Tuesday, June 7, 2016, under SBI I-000393 with the lowest bid being submitted by Standard Construction Company, Inc. in the amount of \$336,491.00; and

WHEREAS, Shelby County is responsible for a 25% local match of the total project costs; and

WHEREAS, The Tennessee Department of Transportation (TDOT) has concurred with award of a contract to the lowest responsive bidder, Standard Construction Company, Inc.; and

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WHEREAS, It is necessary to amend the FY 2017 Operating Budget and appropriate said funds in the amount of \$67,369.00, to expend the full amount of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract attached hereto as *Exhibit A and incorporated herein by reference with Standard Construction Company, Inc. in the amount of \$336,491.00, and an extra work allowance in the amount of \$10,000.00, for a total amount of \$346,491.00, for the asphalt resurfacing and curb ramp installations for Macon Road, is hereby approved.

BE IT FURTHER RESOLVED, That the FY 2017 Operating Budget is hereby amended and funds appropriated in the amount of \$67,369.00, per *Exhibit B, attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute any documents necessary for the purposes contained in this Resolution on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Contracts Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$346,491.00, for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Chism stated that Committee recommended Item 10 for adoption.

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ITEM 11 (REMOVED TO REGULAR AGENDA)

Mr. Craig Willis, Assistant County Attorney, announced Item 11, Resolution approving a contract with Standard Construction Company, Inc. in the amount of \$2,127,850.00, for the FY 2017 asphalt paving/resurfacing for the south section of Shelby County. This item requires an expenditure of the FY 2017 roads and bridges fund in the amount of \$2,127,850.00. Sponsored by Commissioner George B. Chism, Sr.

At the request of Commissioner Shafer, Chairman Roland stated that without objection, Item 11 would be removed to Regular Agenda.

ITEM 12 (ADOPTED)

RESOLUTION TO AMEND THE FY 2017 OPERATING BUDGET IN THE AMOUNT OF \$136,014.00, AND TO AMEND THE FY 2017 POSITION CONTROL BUDGET TO EXPEND FUNDS AS AWARDED PER THE INTERAGENCY AGREEMENT BETWEEN CITY OF MEMPHIS, DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT AND SHELBY COUNTY GOVERNMENT, ON BEHALF OF SHELBY COUNTY HEALTH DEPARTMENT, TO PROVIDE LEAD HAZARD REDUCTION SERVICES FOR A TOTAL GRANT AWARD AMOUNT OF \$397,128.00. THIS ITEM REQUIRES THE APPROPRIATION AND EXPENDITURE OF FY 2017 GRANT FUNDS IN THE AMOUNT OF \$136,014.00. SPONSORED BY COMMISSIONER REGINALD MILTON.

“WHEREAS, The United States Department of Housing and Urban Development (HUD) has awarded the City of Memphis a Lead Based Paint Hazard Reduction Demonstration grant totaling \$3,714,272.00, for reducing lead-based paint hazards in single and multi-family rental units; and

WHEREAS, This agreement awards grant funds to Shelby County Government on behalf of Shelby County Health Department to provide Lead Hazard Reduction Services for the period July 1, 2016 through June 30, 2019, in the amount of \$397,128.00, as attached hereto as *Exhibit A; and

WHEREAS, It is necessary to amend the FY 2017 Operating Budget and appropriate grant funds in the amount of \$136,014.00, for the purposes herein contained, pursuant to the attached Exhibit B; and

WHEREAS, It is necessary to amend the FY 2017 Position Control Budget to split time for two existing positions to support the requirements of the grant, pursuant to the

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attached Exhibit C; and

WHEREAS, The Commissioners recognize the United States Department of Housing and Urban Development and the City of Memphis for this grant and acknowledge that this is not a part of the General Fund budget or programs and should the grant be withdrawn or runs out this would not be considered a part of the General Fund budget as a matter of force.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the FY 2017 Operating Budget is hereby amended and funds appropriated in the amount of \$136,014.00, from a total grant award of \$397,128.00, to provide Lead Hazard Reduction Services, pursuant to the attached *Exhibit B, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the Position Control Budget is hereby amended pursuant to the attached *Exhibit C, which shall be incorporated herein by reference.

BE IT FURTHER RESOLVED, That the remaining grant funds for the period of July 1, 2017 through June 30, 2019, be budgeted and appropriated subject to the approval of the future corresponding Fiscal Years' budgets by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the County Mayor and Director of Administration and Finance are authorized to issue their warrant or warrants in amounts to the extent of appropriations made in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBITS A, B AND C REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

REGULAR ADJOURNED SESSION FROM JUNE 20, 2016 TO AUGUST 1, 2016

ADOPTED: August 1, 2016

Commissioner Chism stated that Committee recommended Item 12 for adoption.

ITEM 13 (ADOPTED)

RESOLUTION APPROVING A CONTRACT BETWEEN SHELBY COUNTY GOVERNMENT, ON BEHALF OF THE JUVENILE COURT CLERK, AND SYSTEMS DESIGN IN THE AMOUNT NOT TO EXCEED \$155,000.00, FOR COMPUTER SUPPORT SERVICES. THIS ITEM REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$155,000.00. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

“WHEREAS, The Juvenile Court Clerk is in need of on-going and continuous computer support services for their in-house systems; and

WHEREAS, In response to a Request for Proposals (“RFP”) #16-004-65, issued by the Shelby County Purchasing Department on April 14, 2016, it has been determined that System Design, the Juvenile Court Clerk’s current vendor, submitted the lowest/best bid meeting specifications for providing computer support services; and

WHEREAS, Systems Design has proposed a contract for said services for the period July 1, 2016 through June 30, 2017, with two (2) additional one (1) year renewal options at a cost of \$155,000.00, per year plus annual contract price increases equal to that of Shelby County employee raises as set forth by the Shelby County Commissioner for the FY 2017 – 2018 and FY 2018 – 2019 budget years; and

WHEREAS, Funds in the amount of \$155,000.00, are available in the proposed Operating and Maintenance Budget of the Juvenile Court Clerk’s Office for FY 2016-2017 in Account Number 037-707101-6620, Computing/Telecom Services - Contracted, for this expenditure, subject to approval and appropriation of the FY 2016-2017 Operating and Maintenance Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHLEBY COUNTY, TENNESSEE, That the contract in the amount not to exceed \$155,000.00, between Shelby County Government, on behalf of the Juvenile Court Clerk, and Systems Design for computer support services, for the period of July 1, 2016 through June 30, 2017, is hereby approved.

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BE IT FURTHER RESOLVED, That said Contract contains the option to renew for two (2) additional one (1) year periods at a cost of \$155,000.00, per year plus annual contract price increases equal to that of Shelby County employee raises as set forth by the Shelby County Commission for the corresponding budget years. Said renewal options are hereby approved, subject to the adoption of each fiscal year's Operating and Maintenance budget by the Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, That the County Mayor be and is hereby authorized to execute this contract on behalf of Shelby County Government as well as all future renewals subject to the terms and conditions of the contract and this Resolution and that executed copies of said contract and all renewal agreements shall be placed on file in the Purchasing Department.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are hereby authorized to issue their warrant or warrants, in an amount not to exceed \$155,000.00, to Systems Design pursuant to the terms and conditions of the contract, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with Shelby County Charter, Article 11, Section 2.06(B)."

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 14 (ADOPTED)

RESOLUTION APPROVING A CONTRACT EXTENSION WITH ALLIED BARTON SECURITY SERVICES, LLC IN THE AMOUNT OF \$475,000.00, FOR SECURITY GUARD SERVICES AT SHELBY COUNTY BUILDINGS AND PROPERTY. THIS ITEM REQUIRES AN EXPENDITURE OF GENERAL FUNDS. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

"WHEREAS, The parties previously entered into a contract (hereinafter

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“Agreement”) dated September 27, 2013, for security guard services for the Sheriff’s Department, Contract #CA149590 (the County); and

WHEREAS, The Agreement provided the option to renew for two additional one-year periods; and

WHEREAS, There are no remaining options to renew the Agreement and the parties now desire to enter into this Amendment to extend the Agreement *’Exhibit A’ on a month-to-month basis for the period beginning on July 1, 2016 through September 30, 2016, to allow the Sheriff’s Department the opportunity to make an award and finalize a new contract, pursuant to the Request for Proposals (RFP No. 16-002-47) issued February 19, 2016.

WHEREAS, Funds are available in the amount of \$475,000.00, in the FY 2017 Operating Budget in Sheriff’s Office general funds account No. 031-620606-6681, Security Services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the extension Agreement with AlliedBarton Security Services, LLC for security guard services for the period beginning July 1, 2016 through September 30, 2016, is hereby approved.

BE IT FURTHER RESOLVED, That the expenditure of funds in the amount of \$475,000.00, is hereby authorized from FY 2016-2017 Operating Budget Account No. 031-620606-6681, Security Services.

BE IT FURTHER RESOLVED That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$475,000.00, to AlliedBarton Security Services, LLC and are to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06 (B).”

*NOTE: EXHIBIT “A” REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

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ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 15 (ADOPTED)

RESOLUTION APPROVING A CONTRACT WITH ELITE SERVICE GROUP, INC. FOR JANITORIAL SERVICES FOR THE SHERIFF'S OFFICE JAIL ANNEX. THIS ITEM REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$237,792.00. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

“WHEREAS, The Shelby County Sheriff’s Office has the need for professional janitorial services for the Sheriff’s Office Jail Annex located at the Criminal Justice Center, 201 Poplar Avenue; and

WHEREAS, The Shelby County Purchasing Department issued a Request for Proposals, RFP No.16-002-50, Janitorial Services – Jail Annex on behalf of the Sheriff’s Office on March 8, 2016, and received (11) proposals; and

WHEREAS, Elite Service Group, Inc. responded to said RFP on April 15, 2016, submitting the most responsive and cost efficient proposal, with the knowledge, skill and expertise necessary to provide the desired services for the Shelby County Sheriff’s Department; and

WHEREAS, The Shelby County Sheriff’s Department deems it prudent to enter into a contract *‘‘Exhibit A’’ with Elite Service Group, Inc. for the above-stated services in the total amount not to exceed \$237,792.00; and

WHEREAS, The term of the contract will began July 1, 2016 through June 30, 2017, with an option to renew for two additional one-year terms upon mutual agreement of the parties; and

WHEREAS, Funds in the amount of \$237,792.00, have been allocated in the FY 2017 proposed Operating Budget, Account Number 031-630302-6730, Janitorial Services, Contracted.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY TENNESSEE, That the contract with Elite Service Group,

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Inc. in the amount of \$237,792.00, be hereby approved.

BE IT FURTHER RESOLVED, That the annual options to renew are hereby approved subject to the annual appropriation of funds for each renewal term, through the adoption of each fiscal year's Operating Budget by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not exceed \$237,792.00, to Elite Service Group, Inc. for the purposes contained in this Resolution, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT "A" REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 16 (ADOPTED)

RESOLUTION APPROVING A CONTRACT WITH XEROX GOVERNMENT SYSTEMS, LLC IN THE AMOUNT OF \$114,060.00, FOR SOFTWARE MAINTENANCE AND SUPPORT SERVICES ON BASE-LINE COMPONENTS FOR THE CIRCUIT AND CHANCERY COURT CLERK'S OFFICE'S CASE MANAGEMENT SYSTEM. THIS ITEM REQUIRES THE EXPENDITURE OF GENERAL FUNDS IN THE AMOUNT OF \$114,060.00. SPONSORED BY COMMISSIONER MARK BILLINGSLEY.

"WHEREAS, The PARTIES are party to a Software License and Services Agreement dated on or about July 16, 1998, (as amended to date, the "License Agreement") pursuant to which CONSULTANT licensed to the COUNTY certain software products including CONSULTANT'S Component Systems known as Contexte 6.0 (previously known

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as Banner Component Systems) with Xerox Government Systems, LLC previously referred to as ACS Government Systems, Inc. ("Consultant") dated February 13, 2013, to provide certain software maintenance and support services; and

WHEREAS, The COUNTY has the need for professional assistance for the provision of maintenance and support for such software at a cost of \$114,060.00; and

WHEREAS, The CONSULTANT has the knowledge and expertise to provide such services; and

WHEREAS, The COUNTY has approved CONSULTANT'S single source designation by letter dated May 5, 2016; and

WHEREAS, The parties are desirous of entering into the attached contract for the period beginning July 1, 2016 through June 30, 2017, with the option to renew for three (3) additional one (1) year periods; and

WHEREAS, Funds in the total amount of \$114,060.00, are available in the FY 2017 Operating Budget for Circuit Court, Account Number 032-702001-6780 in the amount of \$59,530.00, and for Chancery Court, Account Number 033-701001-6780 in the amount of \$54,530.00, Maintenance Equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the CONTRACT, attached hereto as *Exhibit "A" and incorporated herein by reference, is hereby approved for the period beginning July 1, 2016, through June 30, 2017, in the amount of \$114,060.00.

BE IT FURTHER RESOLVED, That said contract contains an option to renew for three (3) additional one (1) year periods. Said renewals are hereby approved subject to adoption of future years Operating Budgets by the Board of County Commissioners.

BE IT FURTHER RESOLVED, That the Shelby County Mayor and Division Director of Administration and Finance be, and are hereby authorized to execute any and all documents necessary to the intents of this Resolution, executed copies of which documents shall be placed on file in Contracts Administration and Purchasing Department.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$114,060.00, to Xerox Government Systems, LLC for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That the Purchasing Department is authorized to

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five (5) year period, commencing on July 1, 2016 and expiring on June 30, 2021, utilizing
grant funds in an amount not to exceed \$54,307.92, annually under the terms and conditions
of the lease agreement attached hereto as Exhibit A; and

WHEREAS, Funds are available in the FY 2017 Grant funds Operating Budget in
Funds 316/317 Low Income Home Energy Assistance Grants.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMIS-
SIONERS OF SHELBY COUNTY, TENNESSEE, That the five year lease agreement for the
period of July 1, 2016 through June 30, 2021, in an amount not to exceed \$54,307.92,
annually between Shelby County Government, on behalf of the Shelby County Community
Services Agency, and Hickory Ridge Mall C.D. Corporation to lease office space at 3772
Winchester Road, Space 516, Memphis, Tennessee, under the terms and conditions stated
in the aforementioned lease agreement, attached hereto and incorporated herein by
reference as *Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to
execute said lease agreement on behalf of Shelby County Government and other documents
as may be necessary consistent with the purposes herein, an executed copy of which shall
be placed on file in the Contract Administration Department.

BE IT FURTHER RESOLVED, That the County Mayor and Director of
Administration and Finance be and are hereby authorized to issue their warrant or warrants
in an amount not to exceed \$54,307.92, for Fiscal Year 2017 to Hickory Ridge Mall C.D.
Corporation, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That pursuant to said lease agreement the
Purchasing Department is hereby authorized to issue a purchase order to Hickory Ridge Mall
C.D. Corporation in an amount not to exceed \$54,307.92, from the Fiscal Year 2017
Operating Budget, with remaining purchase orders issued in future fiscal years, subject to
annual appropriation by the Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in
accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.

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County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 18 (ADOPTED)

RESOLUTION APPROVING A FOUR YEAR LEASE AGREEMENT BETWEEN IR-LIPSCOMB & PITTS BUILDING LLC AND SHELBY COUNTY GOVERNMENT, ON BEHALF OF THE DELTA COMMISSION ON AGING D/B/A AGING COMMISSION OF THE MID-SOUTH FOR THE PERIOD BEGINNING JULY 1, 2016 THROUGH JUNE 30, 2020, FOR OFFICE SPACE ON THE NINTH AND TENTH FLOORS AT 2670 UNION AVENUE EXTENDED, MEMPHIS, TENNESSEE 38112 IN AN ANNUAL AMOUNT NOT TO EXCEED \$204,270.00, WITH A \$.50/PSF ESCALATION PER YEAR, OF WHICH REQUIRES THE EXPENDITURE OF STATE GRANT FUNDS IN THE AMOUNT OF \$97,028.00, AND FEDERAL GRANT FUNDS IN THE AMOUNT OF \$107,242.00. SPONSORED BY COMMISSIONER WALTER L. BAILEY, JR.

“WHEREAS, The City of Memphis by Ordinance and Shelby County by Resolution, established the Delta Commission on Aging which has formally changed its name to the Aging Commission of the Mid-South (hereinafter “Aging Commission”) by County Resolution; and

WHEREAS, The principal office for the Aging Commission, administered through the Shelby County Division of Community Services, is located at 2670 Union Avenue Extended, and the Aging Commission has maintained its operations at said location for the past 20 years; and

WHEREAS, The Aging Commission desires to continue leasing space on the ninth and tenth floors totaling 13,618 of rentable square feet of said office space for an additional four (4) year period commencing July 1, 2016 and expiring June 30, 2020, under the terms and conditions of the lease agreement attached as “Exhibit A”; and

WHEREAS, The cost per month for said space will be \$17,022.50, for a total not to exceed \$204,270.00, for the initial year with the annual rental for each succeeding year being

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adjusted in accordance with the terms stated in "Exhibit A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the four year lease agreement for the period of July 1, 2016 through June 30, 2020, in an amount not to exceed \$857,934.00, between Shelby County Government, on behalf of the Aging Commission of the Mid-South, and IR-Lipscomb & Pitts Building LLC to lease approximately 13,618 square feet of office space at 2670 Union Avenue Extended, Memphis Tennessee, 38112 for general office purpose, under the terms and conditions stated in the aforementioned lease agreement, attached hereto and incorporated herein by reference as *Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED, That the County Mayor is hereby authorized to execute said lease agreement on behalf of Shelby County Government and other documents as may be necessary consistent with the purpose herein, an executed copy of which shall be placed on file in the Contract Administration Department.

BE IT FURTHER RESOLVED, That State Grant Funds in the amount of \$97,028.00, and Federal Grant Funds in the amount of \$107,242.00, are hereby approved and the Purchasing Department is authorized to issue purchase orders to IR-Lipscomb & Pitts Building LLC from the FY 2017 Operating Budget, Account Nos. 410-481751-6714, 410-481742-6714, 410-481751-6714, 585-481742-6714, 585-481764-6714, 585-481702-6714, subject to the availability of funds in the accounts at the time the purchase orders are issued.

BE IT FURTHER RESOLVED, That the annual expenditures approved herein shall be contingent upon the adoption of the FY 2017 Operating Budget by the Shelby County Board of Commissioners, and thereafter subject to the annual appropriation of funds for the corresponding fiscal operating year through June 30, 2020.

BE IT FURTHER RESOLVED, That the County Mayor and the Director of Administration and Finance be and are hereby authorized to issue their warrant or warrants to IR-Lipscomb & Pitts Building LLC in an amount not to exceed \$204,270.00, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

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/s/ Mark H. Luttrell, Jr.
County MayorDate: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County CommissionADOPTED: August 1, 2016**ITEM 19 (ADOPTED)**

RESOLUTION TO AMEND THE FY 2017 OPERATING BUDGET IN THE AMOUNT OF \$2,222,500.00, FOR THE PROVISION OF ADMINISTERING RYAN WHITE PART B SERVICES FOR THE PERIOD OF JULY 1, 2016 THROUGH MARCH 31, 2017. THIS ITEM REQUIRES THE APPROPRIATION AND EXPENDITURE OF STATE GRANT FUNDS IN THE AMOUNT OF \$2,222,500.00. SPONSORED BY COMMISSIONER WALTER L. BAILEY, JR.

“WHEREAS, Shelby County Government is receiving an award in the amount of \$2,222,500.00, for the period of July 1, 2016 through March 31, 2017, from the State of Tennessee Department of Health to provide HIV-related oral health, early intervention, and other core medical and support services for those persons seeking such services who do not have sufficient health care coverage or financial resources for coping with HIV disease; and

WHEREAS, The award is confirmed by the State of Tennessee Department of Health and attached as *Exhibit B which shall be incorporated herein by reference; and

WHEREAS, The State of Tennessee Department of Health has designated Shelby County Government, Division of Community Services, Ryan White Department as the lead agency for the purpose of administering the program; and

WHEREAS, It is necessary to amend the FY 2017 Operating Budget in the amount of \$2,222,500.00, and appropriate said State funds pursuant to the attached Exhibit A which shall be incorporated herein by reference; and

WHEREAS, The State of Tennessee Department of Health award is for a term beginning July 1, 2016 through March 31, 2017; and

WHEREAS, All costs are reimbursable by the grant for services and activities delivered during the period of the grant.

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY TENNESSEE, That the FY 2017 Operating Budget is hereby amended and funds appropriated in the amount of \$2,222,500.00, to provide HIV-related oral health, early intervention, and other core medical and support services, pursuant to the attached *Exhibit A, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That the County Mayor and Director of Administration and Finance are authorized to issue their warrant or warrants to the extent of appropriations made in this resolution pursuant to the terms and conditions of said grant and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Jones stated that Committee recommended aforesaid Items 17, 18 and 19 for adoption.

ITEM 20 (ADOPTED)

RESOLUTION RECEIVING AND FILING THE THIRD
QUARTER REPORT OF THE SHELBY FARMS PARK
CONSERVANCY FOR THE YEAR ENDING JUNE 30,
2016. SPONSORED BY COMMISSIONER STEVE
BASAR.

“WHEREAS, The Shelby Farms Park Conservancy presents a Quarterly Report to the Conservation Committee of the Board of County Commissioners; and

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WHEREAS, The Third Quarter Report for the Year Ending June 30, 2016, was submitted by the Shelby Farms Park Conservancy and reviewed by Commissioners in Conservation Committee on July 27, 2016; and

WHEREAS, The Board of County Commissioners desires to receive and file said report which is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Third Quarter Report of the Shelby Farms Park Conservancy for the Year Ending June 30, 2016, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, is hereby received and filed.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Basar stated that Committee recommended Item 20 for adoption.

ITEM 21 (ADOPTED)

RESOLUTION APPROVING THE COUNTY MAYOR'S
NOMINATION OF FLOYD TYLER FOR APPOINTMENT
AND MCKINLEY MARTIN, JR. FOR REAPPOINTMENT
TO THE MEMPHIS AND SHELBY COUNTY COMMUNITY
REDEVELOPMENT AGENCY. SPONSORED BY
COMMISSIONER WILLIE F. BROOKS, JR.

“WHEREAS, Pursuant to the rules and regulations governing the members of the Memphis and Shelby County Community Redevelopment Agency, in written correspondence

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to the Chairman of the Shelby County Board of Commissioners dated June 3, 2016, the
County Mayor nominated Floyd Tyler for appointment and McKinley Martin, Jr., for
reappointment to the Board; and

WHEREAS, The ratification and approval by Shelby County Board of
Commissioners is required; and

WHEREAS, The members of the Memphis and Shelby County Community
Redevelopment Agency are appointed for a term of four (4) years or until the appointment of
their successors; and

WHEREAS, The following nominees shall be appointed with approval of this
Resolution as follows:

<u>Appointment</u>	<u>Expiration</u>
Floyd Tyler (replaces Luke Hill)	September 2, 2018
McKinley Martin, Jr. (reappointment)	March 12, 2020

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMIS-
SIONERS OF SHELBY COUNTY, TENNESSEE, That the appointment of Floyd Tyler and
reappointment of McKinley Martin, Jr. to the Memphis and Shelby County Community
Redevelopment Agency for the terms listed above are with this Resolution approved by the
Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance
with the Shelby County Charter, Article II, Section 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 22 (ADOPTED)

RESOLUTION APPROVING THE COUNTY MAYOR'S
NOMINATION OF DANIELLE HUGGINS AND STACEY
ENOCH FOR APPOINTMENT TO THE SHELBY COUNTY
ADULT ORIENTED ESTABLISHMENT BOARD.

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SPONSORED BY COMMISSIONER EDDIE S. JONES,
JR.

“WHEREAS, Pursuant to the rules and regulations governing the members of the Shelby County Adult Oriented Establishment Board, in written correspondence to the Chairman of the Shelby County Board of Commissioners dated June 13, 2016, the County Mayor nominated Danielle Huggins and Stacey Enoch for appointment to the board; and

WHEREAS, The ratification and approval by Shelby County Board of Commissioners is required; and

WHEREAS, The members of the Shelby County Adult Oriented Establishment Board are appointed for a term of four (4) years or until the appointment of their successors; and

WHEREAS, The following nominees shall be appointed with approval of this Resolution as follows:

<u>Appointment</u>	<u>Term Expired</u>
Danielle Huggins (replaces Katherine Kirk)	July 11, 2020
Stacey Enoch (replaces Judge Weinmann)	July 11, 2020

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the appointment of Danielle Huggins and Stacey Enoch to the Shelby County Adult Oriented Establishment Board for the terms listed above are with this Resolution approved by the Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

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and 22 for adoption.

ITEM 23 (ADOPTED)

RESOLUTION TO AMEND: RULE 6(E) OF THE BOARD OF COMMISSIONERS' PERMANENT RULES OF ORDER TO REQUIRE MORE SPECIFIC INFORMATION REGARDING BUDGETARY OFFSETS IN RESOLUTIONS; RULE 6 (F) TO REQUIRE A RECOMMENDATION FROM THE APPROPRIATE EMPLOYEE BENEFITS BOARD TO BE SUBMITTED TO THE COUNTY COMMISSION FOR REVIEW AT LEAST 90 DAYS IN ADVANCE OF AN ITEM TO AMEND THE EMPLOYEE AND/OR RETIREMENT BENEFITS PLAN BEING PLACED ON THE AGENDA; AND RULE 20 TO CLARIFY THE EFFECT OF A MOTION TO RECONSIDER. SPONSORED BY CHAIRMAN TERRY ROLAND.

WHEREAS, The Shelby County Board of Commissioners' (Board) Permanent Rules of Order, Rule 27, Section (a) allows for the Board to amend the Permanent Rules of Order by a majority vote of the legally constituted body; and

WHEREAS, This Board is charged by the Charter of Shelby County with the duty of appropriating funds for various County governmental operations including, but not limited to, appropriating funding for employee and/or retirement benefits; and

WHEREAS, In certain circumstances, this Board is legally required to adjust funding for one governmental entity when funds are appropriated for another such entity; and

WHEREAS, The members of this Board will be better enabled to fully consider any request for funding by an agency so affected if it is fully informed as to the fiscal ramifications of any such expenditure; and

WHEREAS, This Board is charged with oversight of the systems for providing pensions and other benefits to the persons who have retired as County Employees and certain of their family members; and

WHEREAS, The Board of County Commissioners will better be able to do so should Resolutions effecting changes in such benefits be reviewed and approved by the County boards providing direct oversight and administration of said programs; and

WHEREAS, The interests of the Commission and the County it serves are well served by having clear and comprehensive Rules of Order.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That Rule 6(e) of the Permanent Rules of

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Order for the Shelby County Board of Commissioners shall be amended by adding the following:

Rule 6(e) (v): For those items appropriating county funds for which an offset or other adjustment to the funding provided to another agency, office, department, or any other governmental entity is required, the caption shall fully state the amount of the adjustment and the entity affected thereby.

Rule 6(f)(iv); Prior to being placed on any committee or Commission agenda, any Resolution or Ordinance involving employee and/or retiree benefits (including but not limited to changes in insurance, pension, sick/annual time, etc.) must contain a recommendation by the appropriate employee benefits board ("appropriate board"). The term "appropriate board" shall be the Shelby County Retirement Board (SCRB) for all pension changes and the Unified Personnel Policy Committee (UPPC) for all other changes to the employee compensation or benefits plan. Further, the reviewed benefit change Resolution shall not be placed upon a committee or Commission agenda unless it has been provided to the Commission for its review at least 90 days in advance of being placed on the agenda. Any Resolution altering both pension benefits and other employee benefits must contain a recommendation from both the SCRB and the UPPC.

BE IT FURTHER RESOLVED, That Rule 20 of the Permanent Rules of Order for the Shelby County Board of Commissioners shall be amended adding the following:

"(iii) Should a Motion to Reconsider be adopted, the effect of the adoption of the Motion to Reconsider shall be to immediately place before the Commission again the question on which the vote is to be reconsidered in the exact position it occupied the moment before it was voted on originally."

BE IT FURTHER RESOLVED, That all other Rules shall remain in full force and effect as currently written.

BE IT FURTHER RESOLVED, That the Permanent Rules of Order, as hereby amended, shall remain in full force and affect until such time as these Rules, or any of them, are subsequently amended or repealed.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

/s/ Mark H. Luttrell, Jr.
County Mayor

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Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 24 (ADOPTED)

RESOLUTION ESTABLISHING POLICIES AND
GUIDELINES FOR THE APPROPRIATION AND
DISBURSEMENT OF COUNTY FUNDS IN FY 2017 TO
GOVERNMENTAL ENTITIES AND NON-PROFIT CIVIC
AND CHARITABLE ORGANIZATIONS. SPONSORED BY
COMMISSIONER REGINALD MILTON AND
COMMISSIONER WILLIE F. BROOKS, JR.

“WHEREAS, There are communities throughout Shelby County with dire needs for assistance from nonprofits and community-based organizations who have for years provided invaluable assistance within these areas and often times offer the best the best medium to address the communities’ essential needs; and

WHEREAS, Shelby County Board of Commissioners reside in and have strong ties at the grassroots level with the citizens who live within their respective districts; and

WHEREAS, Each District served by the Shelby County Board of Commissioners has unique needs that may require support from additional entities including that of Shelby County Government; and

WHEREAS, These needs may arise at various times during the fiscal year and become time-sensitive, thus requiring funding flexibility and the ability to assist organizations and various entities when all other sources have been exhausted; and

WHEREAS, Tennessee Code Annotated, Section 5-9-109, authorizes the Shelby County Board of Commissioners to make appropriations to various nonprofit charitable organizations; and

WHEREAS, Pursuant to Tennessee Code Annotated, Section 5-9-109, special requirements apply to the funding of nonprofit civic and charitable organizations; and

WHEREAS, The County Commission also wishes to create a Community Enhancement Program modeled after the one created by the State Legislature pursuant to

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2007 Tennessee Publication Acts, Ch. 603, Section 68; and

WHEREAS, The FY 2017 Operating Budget includes \$1,300,000.00, of funds appropriated but not allocated to specific entities with the intent that equal increments will be available to each Commissioner to recommend grants to be approved by the Shelby County Board of Commissioners.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the policies and procedures enumerated herein are approved and adopted.

BE IT FURTHER RESOLVED, That amounts included in the Operating Budget as grants to non-profit and charitable organizations but not allocated to specific entities shall be allocated in equal increments per Commission District for the disbursement of grants. Such grants shall be approved to specific entities by Resolution of the County Board of Commissioners.

BE IT FURTHER RESOLVED, That all grant appropriations shall promote the general welfare of the residents of Shelby County.

BE IT FURTHER RESOLVED, That community enhancement grants shall only be available to support:

(1) Public safety activities, including, but not limited to, those related to local law enforcement, fire and life safety, programs designed to address local drug programs, advocacy for children and other vulnerable populations, and other criminal justice programs;

(2) Cultural activities, including, but not limited to, those related to enhancing opportunities provided by museums, libraries, and historic sites, and activities supporting other local cultural endeavors; or

(3) Community development activities, including, but not limited to, those related to serving the unique needs of various segments of the population, such as the elderly and youth, through supporting program offerings provided through local recreational and community facilities, senior citizens centers, boys and girls clubs, and the like as well as county and municipal infrastructure improvements such as road and bridge planning, construction and maintenance, pothole repair, and sidewalk repair and construction.

BE IT FURTHER RESOLVED, That community enhancement grand proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance.

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BE IT FURTHER RESOLVED, That the following definitions apply in distinguishing between non-profit charitable and non-profit civic organizations:

(1) Non-profit charitable organization: means a charitable 501(c)(3) organization in which no part of the net earnings inures or may lawfully inure to the benefit of any private shareholder or individual and which provides services benefiting the general welfare of the residents of the County.

(2) Non-profit civic organization: Means a civic organizations exempt from taxation pursuant to 501(c)(4) of the Internal Revenue Code of 1954 as amended, which “operates primarily in the County for the purpose of bringing about civic betterments and social improvements through efforts to maintain and increase employment opportunities in the County by promoting industry, trade, commerce, tourism and recreation by inducing manufacturing, industrial, governmental, educational, financial, service, commercial, recreational, and agricultural enterprises to locate in or remain in the County.”

BE IT FURTHER RESOLVED, That the disbursement to non-profit civic or charitable organizations shall not be made until the individual non-profit civic or charitable organization has fully complied with the following conditions:

1. Any nonprofit organization that desires financial assistance from the county legislative body or the governing body of the county shall file with the county clerk a copy of an annual report of its business affairs and transactions, which includes, but is not limited to, a copy of an annual audit, a description of the program that serves the residents of the county, and the proposed use of the county assistance.

2. Such report will be open for public inspection during the regular business hours of the county clerk’s office.

3. Any non-profit organization that desires such financial assistance in an amount of \$25,000.00, or less may file, in lieu of the annual audit, an annual report detailing all receipts and expenditures, such as the most current IRS Form 990.

4. Such report shall be prepared and certified by the Chief Financial Officer of such non-profit organization.

5. Financial reports shall be available to fiscal officers of the county and shall be subject to audit under provisions of Tennessee Code Annotated, Section 4-3-304.

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6. That said funds must only be used by the named non-profit charitable organization in furtherance of its non-profit charitable purposes benefitting the general welfare of the residents of Shelby County.

7. A community enhancement grant to a governmental or non-governmental agency or entity shall not be awarded until the recipient has filed with the County Commission and the Director of Finance and Administration a plan specifying the proposed use of such funds in accordance with the purposes enumerated herein and the benefits anticipated to be derived therefrom.

8. Once the governmental or non-governmental agency or entity, not including non-profit civic or charitable organizations, has expended funds for the proposed project and has provided the Director of Finance and Administration an accounting of the actual expenditure of such funds, including a report of the use and benefits of the expenditures and a statement that the report is true and correct in all material respects, the Director of Finance and Administration will reimburse the governmental or non-governmental agency or entity the amount allotted under the grant. Non-profit civic or charitable organizations can receive funds without an advance expenditure requirement.

BE IT FURTHER RESOLVED, That any appropriations to non-profit organizations other than charitable organizations may be made only when notices have been published in a newspaper of general circulation in the county of the intent to make an appropriation to a nonprofit but not charitable organization, specifying the intended amount of the appropriation and the purposes for which the appropriation will be spent.

BE IT FURTHER RESOLVED, That all expenditures of grant funds shall be made only after approval of the expenditure by the Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, That the awarding of grants pursuant to this policy will be presented to the Shelby County Board of Commissioners on a monthly basis.

BE IT FURTHER RESOLVED, That, upon the Shelby County Board of Commissioners' approval of grand fund expenditures, the Office of the Chief Administrative Officer will prepare and execute the grant contract within 30 days per County policy as provided herein.

BE IT FURTHER RESOLVED, That any rules or procedures which may have been previously set forth in any Resolution are hereby superseded by this Resolution.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration

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and Finance are authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, 2.06(B).”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

ITEM 25 (ADOPTED)

**RESOLUTION AWARDING COUNTY FUNDS FROM THE
FY 2017 OPERATING BUDGET IN THE AMOUNT OF
\$15,000.00, TO GROWTH INTERNATIONAL
DEVELOPMENT CORPORATION, INC., A CHARITABLE
ORGANIZATION. SPONSORED BY COMMISSIONERS
JUSTIN J. FORD, MELVIN BURGESS, EDDIE S. JONES,
JR., TERRY ROLAND AND VAN D. TURNER, JR.**

WHEREAS, Pursuant to the Community Enhancement Program Resolution (Agenda Item No. 24) passed on August 1, 2016 (the “CEP Resolution”), the Shelby County Board of Commissioners created a Community Enhancement Program and established policies and guidelines for the appropriation and disbursement of County funds to governmental entities and non-profit civic and charitable organizations meeting certain criteria, as set forth therein; and

WHEREAS, Said CEP Resolution provides that all grant appropriations pursuant to the Community Enhancement Program shall promote the general welfare of the residents of Shelby County and shall only be available to support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements within Shelby County; and

WHEREAS, Said Resolution provides that community enhancement grant proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby

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County; and

WHEREAS, Said Resolution provides that such grants shall be approved to specific entities by Resolution of the County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That funds from the FY 2017 Operating Budget are hereby allocated and awarded to Growth International Development Corporation, Inc. in the amount of \$15,000.00, as a grant listed in *Exhibit A hereto for the projects detailed in the attached plan of services for the grant.

BE IT FURTHER RESOLVED, That said grant proceeds must promote the general welfare of the residents of Shelby County and support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements, and must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County.

BE IT FURTHER RESOLVED, That the Office of the Chief Administrative Officer shall prepare and execute a grant contract with the specific entities designated herein within thirty (30) days of the grantee's compliance with the grant awarding conditions set forth in the CEP Resolution.

BE IT FURTHER RESOLVED, That payment of grant funds shall be made as provided by the CEP Resolution and the grant contract.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are hereby authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

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/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Ford stated that Committee recommended aforesaid Items 23, 24 and 25 for adoption.

ITEM 26 (ADOPTED)

RESOLUTION RECEIVING AND FILING THE 2015 IN-LIEU PROPERTIES ANNUAL REPORT OF THE SHELBY COUNTY TRUSTEE FOR THE YEAR ENDING DECEMBER 30, 2015. SPONSORED BY COMMISSIONER MELVIN BURGESS.

“WHEREAS, The Shelby County Trustee prepares and presents the 2015 In-Lieu Properties Annual Report to the Audit Committee of the Board of County Commissioners; and

WHEREAS, The 2015 In-Lieu Properties Annual Report was submitted by the Trustee and reviewed by Commissioners in Committee on July 27, 2016; and

WHEREAS, The Board of County Commissioners desires to receive and file said report which is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the 2015 In-Lieu Properties Annual Report of the Shelby County Trustee for the Year Ending December 31, 2015, a copy of which is attached hereto as *Exhibit A and incorporated herein by reference, is hereby received and filed.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

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/s/ Rosalind Nichols
Clerk of County CommissionADOPTED: August 1, 2016

Commissioner Basar stated that Committee recommended Item 26 for adoption.

ITEM 27 (ADOPTED)

RESOLUTION APPROVING THE SALE OF ONE HUNDRED TWENTY-EIGHT COUNTY-OWNED DELINQUENT TAX PARCELS, ACQUIRED FROM VARIOUS SHELBY COUNTY TAX SALES, TO IDENTIFIED PURCHASERS AT VARIOUS PRICES COLLECTIVELY TOTALING \$546,735.00, PURSUANT TO THE SALE PROVISIONS OF TENNESSEE CODE ANNOTATED, SECTION 67-5-2507, AND AUTHORIZING THE SHELBY COUNTY MAYOR TO EXECUTE QUIT CLAIM DEEDS. SPONSORED BY COMMISSIONER EDDIE S. JONES, JR.

“WHEREAS, Shelby County has acquired **ONE HUNDRED TWENTY-EIGHT** Delinquent Tax Parcels from Shelby County Tax Sale Nos 48, 51, 53, 54, 82.1, 82.2, 94.5, 95.2, 97.3, 98.02, 102, 103, 104, 106, 201, 205, 301, 303, 304, 403, 502, 504, 505, 602, 604, 701, 702, 703, 704, 802, 803, 804, 901, 903, 1002, 1003, 1004, 1101, 1102, 1201, and 1202, which parcels being more particularly described in the listing thereof, which is attached hereto as Exhibit “A”, and further shown in Exhibit “B”, maps, and incorporated herein by reference; and

WHEREAS, Pursuant to the sale provisions of Tennessee Code Annotated, Section 67-5-2507, the Shelby County Land Bank Department has taken charge of and marketed said Delinquent Tax Parcels to secure purchase offers for each; and

WHEREAS, The purchase offers received for said Delinquent Tax Parcels were publicly advertised for increased offers pursuant to Tennessee Code Annotated, Section 67-5-2507, in conjunction with establishing the purchase offers received from the identified purchasers, listed in Exhibit “A”, as representing their highest and best sale price, and further shown in Exhibit “B”, maps, and incorporated herein by reference; and

WHEREAS, It is deemed to be in the best interest of Shelby County to sell said **ONE HUNDRED TWENTY-EIGHT** Delinquent Tax Parcels to the identified purchasers for the sale prices as listed in said Exhibit “A” and further shown in Exhibit “B”, maps, and incorporated herein by reference.

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NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the sale of the aforementioned **ONE HUNDRED TWENTY-EIGHT** Delinquent Tax Parcels, acquired from Shelby County Tax Sale Nos. 48, 51, 53, 54, 82.1, 82.2, 94.5, 95.2, 97.3, 98.02, 102, 103, 104, 106, 201, 205, 301, 303, 304, 403, 502, 504, 505, 602, 604, 701, 702, 703, 704, 802, 803, 804, 901, 903, 1002, 1003, 1004, 1101, 1102, 1201, and 1202 to the identified purchasers for the sale prices listed in said *Exhibit "A" and further shown in *Exhibit "B", maps, and incorporated herein by reference, collectively totaling \$546,735.00, be and the same is hereby approved.

BE IT FURTHER RESOLVED, That the Mayor be and is authorized to execute Quit Claim Deeds conveying the same, along with any other documents necessary for the closing of the Delinquent Tax Parcel sales described herein.

BE IT FURTHER RESOLVED, That the identified purchasers have followed all required County policies and procedures and shall close their purchase of said Delinquent Tax Parcels in accordance with the terms of the executed "Offer to Purchase Agreement".

BE IT FURTHER RESOLVED, That the identified purchasers have acknowledged that failure to close said Delinquent Tax Parcels in accordance with the terms of the executed "Offer to Purchase Agreement" shall result in their forfeiture to the County of any and all deposits and/or processing fees paid by them.

BE IT FURTHER RESOLVED, That the Shelby County Land Bank shall forward a failure-to-close notice to the Shelby County Trustee on those said failure-to-close parcels; and immediately thereafter incorporate said failure-to-close parcels back into its for sale inventory.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBITS "A" AND "B" REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

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/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Commissioner Jones stated that Committee recommended Item 27 for adoption.

Whereupon, passage of aforesaid items, was moved by Commissioner Reaves
duly seconded by Commissioner Jones.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Brooks, Milton, Shafer, Ford, Basar, Jones, Chism, Burgess,
Turner and Roland.

NAYS: None

ABSENT: Billingsley

AYES, eleven; NAYS, none; ABSENT, one (Bailey absent during roll call).

Chairman Roland declared the MOTION CARRIED.

REGULAR AGENDA

NOTE: CHAIRMAN ROLAND STATED THAT, WITHOUT
OBJECTION ITEMS 9 AND 11, WHICH WERE
REMOVED FROM THE CONSENT AGENDA TO
THE REGULAR AGENDA, WOULD BE TAKEN
UP AT THIS TIME.

ITEM 9 (ADOPTED) (AS AMENDED)

Mr. Willis, Assistant County Attorney, announced Item 9, which is as follows:

RESOLUTION APPROVING A CONTRACT WITH THE
LEHMAN-ROBERTS COMPANY IN THE AMOUNT OF
\$1,434,815.00, FOR THE FY 2017 ASPHALT
PAVING/RESURFACING PROJECT FOR THE NORTH
SECTION OF SHELBY COUNTY. THIS ITEM REQUIRES
AN EXPENDITURE OF THE FY 2017 ROADS AND
BRIDGES FUND IN THE AMOUNT OF \$1,434,815.00.
SPONSORED BY COMMISSIONER GEORGE B. CHISM,
SR.

“WHEREAS, Roadways in the unincorporated areas of Shelby County are in need

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of paving and repair by asphalt resurfacing; and

WHEREAS, Sealed bids were requested and received on June 1, 2016, under Sealed Bid #I-000397, with the lowest/best bid being submitted by the Lehman-Roberts Company in the amount of \$1,434,815.00; and

WHEREAS, The Lehman-Roberts Company has committed to use at least 9.2% locally owned small business participation for this contract; and

WHEREAS, Funds are available in the Roads Bridges and Engineering Department Operating Budget in account number 071-301003-7023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract between Shelby County Government and the Lehman-Roberts Company attached hereto as *Exhibit A and incorporated herein by reference in the amount of \$1,434,815.00, is hereby approved.

BE IT FURTHER RESOLVED, That the Shelby County Mayor is hereby authorized to execute the aforementioned contract on behalf of Shelby County Government as well as any other documents necessary to effectuate the intent of this Resolution and that executed copies be placed on file in the Contract Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$1,434,815.00, to the Lehman-Roberts Company for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

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Whereupon, passage of the Resolution was moved by Commissioner Reaves; duly seconded by Commissioner Brooks.

Chairman Roland recognized Commissioner Shafer, who stated: "Thank you, thank you, Mr. Chairman. So I brought up in the Committee Meeting my questions about the special revenue funds and then we did a little more work on it Friday morning in our Ad Hoc Meeting and what should be passed out to you are various special revenue funds that we store money in and occasionally pull money from and what I would like to do, is I would like to amend the – I would like to amend No. 9 and then I also want to amend No. 11, but amend No. 9 instead of saying FY 2017 Special Revenue Funds, that it would say FY 17 Roads and Bridges Fund and then that way it would be very clear everybody what fund it's coming from."

Chairman Roland recognized Commissioner Shafer, who Made a Motion to Amend.

Chairman Roland stated that Item No. 9 would be amended; without objection.

The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Brooks, Milton, Shafer, Basar, Jones, Chism, Burgess and Roland.

NAYS: None

ABSENT: Billingsley

AYES, nine; NAYS, none; ABSENT, one (Bailey, Ford and Turner absent during roll call).

Chairman Ford declared the MOTION CARRIED AS AMENDED.

ITEM 11 (ADOPTED) (AMENDED)

Mr. Willis, Assistant County Attorney, announced Item 11, which is as follows:

RESOLUTION APPROVING A CONTRACT WITH STANDARD CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$2,127,850.00, FOR THE FY 2017 ASPHALT PAVING/RESURFACING FOR THE SOUTH SECTION OF SHELBY COUNTY. THIS ITEM REQUIRES AN EXPENDITURE OF THE FY 2017 ROADS AND BRIDGES FUND IN THE AMOUNT OF \$2,127,850.00. SPONSORED BY COMMISSIONER GEORGE B. CHISM, SR.

"WHEREAS, Roadways in the unincorporated areas of Shelby County are in need

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of paving and repair by asphalt resurfacing; and

WHEREAS, Sealed bids were requested and received on June 1, 2016, under Sealed Bid #I-000396, with the lowest/best bid being submitted by Standard Construction Company, Inc. in the amount of \$2,127,850.00; and

WHEREAS, Standard Construction Company, Inc., has committed to use at least 20% locally owned small business participation for this contract; and

WHEREAS, Funds are available in the Roads Bridges and Engineering Department Operating Budget in account number 071-301003-7023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the contract between Shelby County Government and Standard Construction Company, Inc. attached hereto as Exhibit A and incorporated herein by reference in the amount of \$2,127,850.00, is hereby approved.

BE IT FURTHER RESOLVED, That the Shelby County Mayor is hereby authorized to execute the aforementioned contract on behalf of Shelby County Government as well as any other documents necessary to effectuate the intent of this Resolution and that executed copies be placed on file in the Contract Administration Section of the Office of the County Attorney.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants in an amount not to exceed \$2,127,850.00, to Standard Construction Company, Inc. for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

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ADOPTED: August 1, 2016

Whereupon, passage of the Resolution was moved by Commissioner Brooks; duly seconded by Commissioner Chism.

Chairman Roland recognized Commissioner Shafer, who stated: "Same thing. I would like to amend this instead of saying 2017 Special Revenue Funds to say from the 2017 Roads and Bridges Fund."

Chairman Roland recognized Commissioner Shafer, who Made a Motion to Amend; duly seconded by Commissioner Reaves.

Chairman Roland recognized Commissioner Jones, who stated: "I just have a question for the Administration. So all the funds in all of these accounts, are they in the budget book?"

Chairman Roland recognized Mr. Harvey Kennedy, Chief Administrative Officer, who stated: "Yes they are; they're not in the details of the General Fund, but yes they're all in the budget book. And we've agreed that moving forward that we will use the specific Special Revenue Fund rather than just the generic term Special Revenue Fund so it will be clear where the money is coming from."

Chairman Roland recognized Commissioner Jones, who stated: "Absolutely. Can you send me what's in all of these funds, probably to the whole body?"

Chairman Roland recognized Mr. Kennedy, who stated: "Sure we can. Mr. Swift is going to incorporate that into the regular report to the Commissioners. So yeah, we can send that to you. You're talking about the fund balance for each of the Special Revenue Funds, is that what you're asking?"

Chairman Roland recognized Commissioner Jones, who stated: "Yes sir."

Chairman Roland recognized Commissioner Shafer, who stated: "Mr. Kennedy and I – and I want to thank him for his work on this. We agreed that from now on when we have these that it will be in the body that how much is in the fund, remaining is in the fund will be in the body of the Resolution so that it will be very clear to the public and to us."

Chairman Roland stated that Item No. 11 would be amended; without objection.

The Clerk called the roll for casting of the vote with the following results:

AYES: Bailey, Reaves, Brooks, Milton, Shafer, Ford, Basar, Jones, Chism, Burgess, Turner and Roland.

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NAYS: None

ABSENT: Billingsley

AYES, twelve; NAYS, none; ABSENT, one.

Chairman Ford declared the MOTION CARRIED AS AMENDED.

ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

ITEM 28 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 28, which is as follows:

RESOLUTION APPOINTING SHAYLA NICOLE PURIFOY
TO SERVE AS JUDICIAL COMMISSIONER AND
SETTING THE TERM OF APPOINTMENT AND
COMPENSATION. SPONSORED BY COMMISSIONER
JUSTIN J. FORD.

“WHEREAS, The Shelby County Board of Commissioners is granted the authority to appoint Judicial Commissioners pursuant to Tennessee Code Annotated, Section 40- 1-111; and

WHEREAS, Shelby County Government desires to provide effective and efficient judicial service in the General Sessions Courts for all citizens of Shelby County to avoid unnecessary inconvenience to persons involved in the legal system and delays in the disposition of cases; and

WHEREAS, By Resolution adopted as Item No. 9 on June 29, 2016, the Shelby County Board of Commissioners set Monday, August 1, 2016, as the date for appointing a Judicial Commissioner to the vacant position created by the resignation of Sherry Miller Johnson; and

WHEREAS, Shayla Nicole Purifoy is a qualified attorney in good standing with the Tennessee Supreme Court; and

WHEREAS, It is the intent of the Shelby County Board of Commissioners to appoint Shayla Nicole Purifoy as a Judicial Commissioner for a four (4) year term and set the compensation at this time; and

WHEREAS, After the initial appointment by the Commission, any subsequent term of office set for Shayla Nicole Purifoy must be determined by the general sessions judges

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and said term shall not exceed four (4) years pursuant to Tennessee Code Annotated, Section 40-1-111(a)(1)(B)(ii).

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That pursuant to the aforementioned legal authority, Shayla Nicole Purifoy be and the same is hereby appointed as a Judicial Commissioner to Position No. 010021.

BE IT FURTHER RESOLVED, That the four (4) year term for the Judicial Commissioner appointed herein shall commence on August 1, 2016 and expire on August 1, 2020, and the annual salary of Shayla Nicole Purifoy is set at \$93, 227.00, and shall be appropriated from the personnel portion of the appropriate fiscal year Operating Budget of the General Sessions Criminal Court Judges and the County General Fund.

BE IT FURTHER RESOLVED, That the Mayor and Director of the Division of Administration and Finance are hereby authorized to issue their warrant or warrants for the purposes contained in this Resolution and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall take effect in accordance with the Shelby County Charter, Article II, Section 206(B), the public welfare requiring the same.”

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Whereupon, passage of the Resolution was moved by Commissioner Reaves; duly seconded by Commissioner Brooks.

The Clerk called the roll for nominations for the Judicial Commissioner, with the following results:

- | | |
|----------------------|-----------------------------------|
| Commissioner Reaves | - nominated Timothy Alan Beacham |
| Commissioner Shafer | - no nominations |
| Commissioner Brooks | - nominated David Pool |
| Commissioner Burgess | - nominated Shayla Nicole Purifoy |

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Commissioner Bailey	- nominated Cathy Anderson
Commissioner Ford	- no nomination
Commissioner Milton	- no nomination
Commissioner Jones	- no nomination
Commissioner Turner	- nominated Cathy Anderson
Commissioner Basar	- no nomination
Commissioner Chism	- no nomination
Chairman Roland	- no nomination

The Chairman stated the nominees would be Ms. Cathy Anderson, Mr. Timothy Beacham, Mr. David Pool and Ms. Shayla Purifoy.

The nominees were each given an opportunity to introduce themselves and make two minute speeches.

The Clerk called the roll for nominations for the election of a new Judicial Commissioner, with the following results:

Commissioner Reaves	- nominated Timothy Alan Beacham
Commissioner Shafer	- nominated Timothy Alan Beacham
Commissioner Brooks	- nominated David Pool
Commissioner Burgess	- nominated Shayla Nicole Purifoy
Commissioner Bailey	- nominated Cathy Anderson
Commissioner Ford	- nominated Cathy Anderson
Commissioner Milton	- nominated Shayla Nicole Purifoy
Commissioner Jones	- nominated Shayla Nicole Purifoy
Commissioner Turner	- nominated Cathy Anderson
Commissioner Basar	- nominated David Pool
Commissioner Chism	- nominated David Pool
Chairman Roland	- nominated Timothy Alan Beacham

The Clerk announced three votes for Ms. Cathy Anderson, three votes for Mr. Timothy Alan Beacham and three votes for Ms. Shayla Purifoy.

The Chairman stated that the top three vote getters would continue to the next round.

The Clerk called the roll for nominations for the election of a new Judicial Commissioner, with the following results:

Commissioner Reaves	- nominated Timothy Alan Beacham
Commissioner Shafer	- nominated Timothy Alan Beacham
Commissioner Brooks	- nominated Shayla Nicole Purifoy
Commissioner Burgess	- nominated Shayla Nicole Purifoy
Commissioner Bailey	- nominated Cathy Anderson
Commissioner Ford	- nominated Cathy Anderson
Commissioner Milton	- nominated Shayla Nicole Purifoy
Commissioner Jones	- nominated Shayla Nicole Purifoy
Commissioner Turner	- nominated Cathy Anderson
Commissioner Basar	- nominated David Pool

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Commissioner Chism - nominated David Pool
Chairman Roland - nominated Timothy Alan Beacham

The Clerk announced three votes for Ms. Cathy Anderson, three votes for Mr. Timothy Alan Beacham, two votes for Mr. David Pool and four votes for Ms. Shayla Purifoy.

Chairman Roland stated that the candidates who received two or more votes would continue to the next round.

The Clerk called the roll for nominations for the election of a new Judicial Commissioner, with the following results:

Commissioner Reaves - nominated Timothy Alan Beacham
Commissioner Shafer - nominated Timothy Alan Beacham
Commissioner Brooks - nominated Shayla Nicole Purifoy
Commissioner Burgess - nominated Shayla Nicole Purifoy
Commissioner Bailey - nominated Shayla Nicole Purifoy
Commissioner Ford - nominated Cathy Anderson
Commissioner Milton - nominated Shayla Nicole Purifoy
Commissioner Jones - nominated Shayla Nicole Purifoy
Commissioner Turner - nominated Shayla Nicole Purifoy
Commissioner Basar - nominated Timothy Alan Beacham
Commissioner Chism - nominated Timothy Alan Beacham
Chairman Roland - nominated Timothy Alan Beacham

The Clerk announced one vote for Ms. Cathy Anderson, five votes for Mr. Timothy Alan Beacham and six votes for Ms. Shayla Purifoy.

Chairman Roland stated that none of the candidates received the majority of the membership vote and that the floor may be reopened for new nominations.

Chairman Roland recognized Commissioner Reaves, who moved to reopen the floor for new nominations; duly seconded by Commissioner Shafer.

The Clerk called the roll for nominations for the Judicial Commissioner, with the following results:

Commissioner Reaves - nominated Timothy Alan Beacham
Commissioner Shafer - no nominations
Commissioner Brooks - nominated David Pool
Commissioner Burgess - nominated Shayla Nicole Purifoy
Commissioner Bailey - nominated Shayla Nicole Purifoy
Commissioner Ford - nominated Cathy Anderson
Commissioner Milton - nominated Jennifer Fitzgerald
Commissioner Jones - nominated Shayla Nicole Purifoy
Commissioner Turner - nominated Brooks Winnig
Commissioner Basar - no nomination
Commissioner Chism - no nomination
Chairman Roland - no nomination

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The Chairman stated the nominees would be Ms. Cathy Anderson, Mr. Timothy Beacham, Jennifer Fitzgerald, Mr. David Pool, Ms. Shayla Purifoy and Ms. Brooks Winning.

The new nominees were given an opportunity to introduce themselves and make two minute speeches.

The Clerk called the roll for nominations for the election of a new Judicial Commissioner, with the following results:

Commissioner Reaves	- nominated Timothy Alan Beacham
Commissioner Shafer	- nominated Timothy Alan Beacham
Commissioner Brooks	- nominated David Pool
Commissioner Burgess	- nominated Shayla Nicole Purifoy
Commissioner Bailey	- nominated Shayla Nicole Purifoy
Commissioner Ford	- nominated David Pool
Commissioner Milton	- nominated Shayla Nicole Purifoy
Commissioner Jones	- nominated Shayla Nicole Purifoy
Commissioner Turner	- nominated Brooks Winnig
Commissioner Basar	- nominated David Pool
Commissioner Chism	- nominated David Pool
Chairman Roland	- nominated Timothy Alan Beacham

The Clerk announced three votes for Mr. Timothy Alan Beacham, four votes for Ms. Shayla Purifoy, four votes for Mr. David Pool and one vote for Ms. Brooks Winnig.

Chairman Roland stated that the top three vote-getters would continue to the next round.

The Clerk called the roll for nominations for the election of a new Judicial Commissioner, with the following results:

Commissioner Reaves	- nominated Timothy Alan Beacham
Commissioner Shafer	- nominated Timothy Alan Beacham
Commissioner Brooks	- nominated David Pool
Commissioner Burgess	- nominated Shayla Nicole Purifoy
Commissioner Bailey	- nominated Shayla Nicole Purifoy
Commissioner Ford	- nominated David Pool
Commissioner Milton	- nominated Shayla Nicole Purifoy
Commissioner Jones	- nominated Shayla Nicole Purifoy
Commissioner Turner	- nominated Shayla Nicole Purifoy
Commissioner Basar	- nominated David Pool
Commissioner Chism	- nominated David Pool
Chairman Roland	- nominated Shayla Purifoy

Chairman Roland recognized Commissioner Shafer who changed her vote to Ms. Shayla Purifoy.

The Clerk announced two votes for Mr. Timothy Beacham, four votes for Mr. David

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Pool and seven votes for Ms. Shayla Purifoy.

Shayla Purifoy was elected as the new Shelby County Judicial Commissioner.

Chairman Roland recognized Ms. Shayla Purifoy who made brief remarks and thanks for the election.

Chairman Roland recognized Senator Lee Harris, who stated: "I just think that the pool of candidates were outstanding. I think almost half of them, if I could go ahead and throw this tidbit out, were students of mine and so it's very encouraging to see how far they've come. I think you guys had a tough job today and you've done it well. Thank you members of the Commission and Mr. Chairman."

NOTE: CHAIRMAN ROLAND STATED THE
COMMISSION WOULD RECESS FOR FIVE
MINUTES, WITHOUT OBJECTION.
COMMISSION RECESSED AT 4:19:30.

NOTE: COMMISSION RECONVENED AT 4:25:26.

ORDINANCES

ITEM 29 (FIRST READING) (APPROVED)

Mr. Willis, Assistant County Attorney, announced Item No. 29, Ordinance – First Reading: Ordinance amending the Shelby County Charter to require the hiring appointment and dismissal process for the County Attorney to consist of a recommendation for dismissal by the County Mayor with the concurrence of a Resolution of the Board of County Commissioners. Sponsored by Chairman Terry Roland.

ORDINANCE AMENDING THE SHELBY COUNTY
CHARTER TO REQUIRE THE HIRING APPOINTMENT
AND DISMISSAL PROCESS FOR THE COUNTY
ATTORNEY TO CONSIST OF A RECOMMENDATION
FOR DISMISSAL BY THE COUNTY MAYOR WITH THE
CONCURRENCE OF A RESOLUTION OF THE BOARD
OF COUNTY COMMISSIONERS. SPONSORED BY
CHAIRMAN TERRY ROLAND.

NOTE: Pursuant to the Shelby County Charter, only the caption of an Ordinance is read on First and Second Reading. See Minutes of Third Reading for full text of Ordinance.

Commissioner Turner moved approval of the Ordinance on First Reading; duly seconded by Commissioner Basar.

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The Clerk called the roll for casting of the vote with the following results:

AYES: Bailey, Reaves, Brooks, Milton, Shafer, Ford, Basar, Jones, Chism and Roland.

NAYS: None

ABSENT: Billingsley

AYES, ten; NAYS, none; ABSENT, one (Burgess and Turner absent during roll call).

Chairman Ford declared the MOTION ON FIRST READING APPROVED.

ZONING AND SUBDIVISIONS

REPORTS AND/OR RESOLUTIONS FOR STANDING COMMITTEES

ITEM 30 (REFERRED BACK TO COMMITTEE)

Mr. Willis, Assistant County Attorney, announced Item 30, which is as follows:

RESOLUTION APPROVING THE SHELBY COUNTY BOARD OF EDUCATION OPERATING BUDGET FOR FISCAL YEAR 2017 AS ADOPTED BY THE SHELBY COUNTY BOARD OF EDUCATION. SPONSORED BY COMMISSIONER DAVID REAVES.

“WHEREAS, The Shelby County Board of Education adopted the Fiscal Year 2017 Operating Budget of the Shelby County Board of Education on June 30, 2016; and

WHEREAS, The Operating Budget of the Shelby County Board of Education for Fiscal Year 2017 was reviewed by the Budget Committee of the Shelby County Board of Commissioners on June 29, 2016; and

WHEREAS, Tennessee Code Annotated, Section 49-2-4101 requires the Shelby County Board of Commissioners to adopt a budget of the Shelby County Board of Education; and

WHEREAS, The Shelby County Board of Commissioners has appropriated \$419,471,000.00, as the total amount of funding for Education for Fiscal Year 2017, as approved in the Shelby County Government Operating Budget adopted on June 29, 2016, to be allocated to the various school systems within Shelby County on the basis of the Average Daily Attendance (ADA) ratio; and

WHEREAS, Tennessee Code Annotated, Section 49-2-301 requires that any

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change in the expenditure of money as provided for by the budget shall first be ratified by the local school board and the appropriate legislative body; and

WHEREAS, The Shelby County Board of Education has not submitted a detailed Capital Projects budget and the County has not appropriated CIP funds for Shelby County Schools for Fiscal Year 2017. The Capital Improvement budget included in Exhibit A represents carry-forward of prior year funding.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Operating Budget of the Shelby County Board of Education for Fiscal Year 2017 is approved in the total amount of \$1,338,863,661.00, as summarized in *Exhibit A, which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That total funding from Shelby County Government to the Shelby County Board of Education for school operations shall not exceed the amount calculated on the basis of actual Average Daily Attendance (ADA), currently budgeted in the estimated amount of \$329,788,100.00.

BE IT FURTHER RESOLVED, That the Planned Uses of Fund Balance, as presented in the attached Exhibit A, are hereby approved.

BE IT FURTHER RESOLVED, That a copy of this Resolution and the attached Exhibit A are to be placed on file and incorporated into the Minutes of this meeting of the Shelby County Board of Commissioners as evidence of this action.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBITS A AND B REFERRED TO
HEREIN FILED WITH RECORD IN
OFFICE OF CLERK OF COUNTY
COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

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Whereupon, passage of the Resolution was moved by Commissioner Reaves; duly seconded by Commissioner Brooks.

Chairman Roland recognized Commissioner Turner, who stated: "Mr. Chairman, I just wanted to make sure I'm making my record on my disclosure. My wife is an employee of Shelby County Schools, she was employed as a Guidance Counselor prior to my service on the Commission. Her employment does not influence my vote. Furthermore, my firm prior to this period did some work for Charter Schools, however I personally don't do any work for Charter Schools or Shelby County Schools and I wanted to make that disclosure."

The Clerk called the roll for casting of the vote with the following results:

AYES: Bailey, Reaves, Brooks, Milton, Shafer, Ford, Basar, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: Billingsley

AYES, twelve; NAYS, none; ABSENT, one.

Chairman Roland declared the MOTION CARRIED.

ITEM 31 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 31, which is as follows:

RESOLUTION RATIFYING AND APPROVING
AMENDMENTS BY THE SHELBY COUNTY BOARD OF
EDUCATION TO THEIR OPERATING BUDGET FOR
FISCAL YEAR 2016 AS ADOPTED BY THE SHELBY
COUNTY BOARD OF EDUCATION ON JUNE 21, 2016.
SPONSORED BY COMMISSIONER DAVID REAVES.

"WHEREAS, The Shelby County Board of Education adopted the Fiscal Year 2016 Operating Budget of the Shelby County Board of Education on June 30, 2015; and

WHEREAS, The Operating Budget of the Shelby County Board of Education for Fiscal Year 2016 was approved and appropriated by the Shelby County Board of Commissioners on July 6, 2015, Resolution No. 8; and

WHEREAS, The Shelby County Board of Education has ratified amendments to the expenditure of money as provided for by said budget pursuant to Tennessee Code Annotated, Section 49-2-301(b)(W)(ii) on June 21, 2016, which is attached hereto as Exhibit A and included herein by reference; and

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WHEREAS, Tennessee Code Annotated, Section 49-2-301(b)(W)(ii) also requires that any change in the expenditure of money as provided for by the budget be ratified by the local legislative body.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That amendments to the Fiscal 2016 Operating Budget for the Shelby County Schools, as adopted by the Shelby County Board of Education on June 21, 2016, are hereby ratified and funds appropriated as summarized in *Exhibit A which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, That a copy of this Resolution and the attached Exhibit is to be placed on file and incorporated into the Minutes of this meeting of the Shelby County Board of Commissioners as evidence of this action.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B).”

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Whereupon, passage of the Resolution was moved by Commissioner Brooks; duly seconded by Commissioner Basar.

Chairman Roland recognized Commissioner Reaves, who stated: “This particular budget add-on was to finalize and reconcile the numbers for FY 2016 after they all came in; that’s all that it was.”

The Clerk called the roll for casting of the vote with the following results:

AYES: Bailey, Reaves, Brooks, Milton, Shafer, Ford, Basar, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

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ABSENT: Billingsley

AYES, twelve; NAYS, none; ABSENT, one.

Chairman Roland declared the MOTION CARRIED.

ITEM 32 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 32, which is as follows:

RESOLUTION APPROVING THE ELECTION OF
NOTARIES PUBLIC FOR APPOINTMENT AND/OR
REAPPOINTMENT FOR SHELBY COUNTY,
TENNESSEE. SPONSORED BY COMMISSIONER
MELVIN BURGESS.

“WHEREAS, The Shelby County Board of Commissioners is required to elect as many notaries public as they deem necessary pursuant to Tennessee Code Annotated, Section 8-16-101(a); and

WHEREAS, The Shelby County Clerk’s Office has reviewed the applications for appointment and/or reappointment of the notaries public listed in Exhibit “A,” which is attached hereto and incorporated herein by reference, and has verified that each applicant has signed the application certifying that they are in compliance with Tennessee Code Annotated, Section 8-16-101(c), they are not disqualified by Tennessee Code Annotated, Section 8-18-101, and they meet the age and residency requirements of Tennessee Code Annotated, Section 8-16-101(a); and

WHEREAS, Committee No. 10 - General Government recommends these notaries public for appointment and/or reappointment be elected by the Shelby County Board of Commissioners at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the individuals applying for appointment and/or reappointment listed in *Exhibit “A,” which is attached hereto and incorporated herein by reference, be and are hereby elected notaries public for Shelby County, Tennessee.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06 (B).”

*NOTE: EXHIBIT “A” REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

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/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Whereupon, passage of the Resolution was moved by Commissioner Reaves; duly seconded by Commissioner Brooks.

Chairman Roland recognized Commissioner Jones, who stated: "I'm just doing my disclosure for the notary."

The Clerk called the roll for casting of the vote with the following results:

AYES: Bailey, Reaves, Brooks, Milton, Shafer, Basar, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: Billingsley

AYES, eleven; NAYS, none; ABSENT, one (Ford absent during roll call).

Chairman Roland declared the MOTION CARRIED.

ITEM 33 (ADOPTED)

Mr. Willis, Assistant County Attorney, announced Item 33, which is as follows:

RESOLUTION AWARDING COUNTY FUNDS FROM THE
FY 2017 OPERATING BUDGET IN THE AMOUNT OF
\$20,500.00, TO GRACE ATHLETIC MINISTRY
ENTERPRISES, INC., DBA CROSSCHECK, A
CHARITABLE ORGANIZATION. SPONSORED BY
COMMISSIONER GEORGE B. CHISM, SR.,
COMMISSIONER VAN D. TURNER, JR.,
COMMISSIONER MELVIN BURGESS, COMMISSIONER
REGINALD MILTON, COMMISSIONER EDDIE S. JONES,
JR., COMMISSIONER DAVID REAVES AND CHAIRMAN
TERRY ROLAND.

"WHEREAS, Pursuant to the Community Enhancement Program Resolution (Agenda Item No. 24) passed on August 1, 2016 (the "CEP Resolution"), the Shelby County Board of Commissioners created a Community Enhancement Program and established

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policies and guidelines for the appropriation and disbursement of County funds to governmental entities and non-profit civic and charitable organizations meeting certain criteria, as set forth therein; and

WHEREAS, Said CEP Resolution provides that all grant appropriations pursuant to the Community Enhancement Program shall promote the general welfare of the residents of Shelby County and shall only be available to support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements within Shelby County; and

WHEREAS, Said Resolution provides that community enhancement grant proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County; and

WHEREAS, Said Resolution provides that such grants shall be approved to specific entities by Resolution of the County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That funds from the FY 2017 Operating Budget are hereby allocated and awarded to Grace Athletic Ministry Enterprises, Inc., DBA Crosscheck, in the amount of \$20,500.00, as a grant listed in *Exhibit A hereto for the projects detailed in the attached plan of services for the grant.

BE IT FURTHER RESOLVED, That said grant proceeds must promote the general welfare of the residents of Shelby County and support public safety activities, cultural activities, community development activities, as well as County and municipal infrastructure improvements, and must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance projects within Shelby County.

BE IT FURTHER RESOLVED, That the Office of the Chief Administrative Officer shall prepare and execute a grant contract with the specific entities designated herein within thirty (30) days of the grantee's compliance with the grant awarding conditions set forth in the CEP Resolution.

BE IT FURTHER RESOLVED, That payment of grant funds shall be made as provided by the CEP Resolution and the grant contract.

BE IT FURTHER RESOLVED, That the Mayor and the Director of Administration

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and Finance are hereby authorized to issue their warrant or warrants for all amounts appropriated herein, and to take proper credit in their accounting therefor.

BE IT FURTHER RESOLVED, That this Resolution shall become effective in accordance with the Shelby County Charter, Article II, Section 2.06(B)."

*NOTE: EXHIBIT A REFERRED TO HEREIN
FILED WITH RECORD IN OFFICE OF
CLERK OF COUNTY COMMISSION

/s/ Mark H. Luttrell, Jr.
County Mayor

Date: August 8, 2016

ATTEST:

/s/ Rosalind Nichols
Clerk of County Commission

ADOPTED: August 1, 2016

Whereupon, passage of the Resolution was moved by Commissioner Basar; duly seconded by Commissioner Chism.

Chairman Roland recognized Commissioner Chism, who stated: "Thank you, Mr. Chairman. Yes sir, I would like you to recognize Kevin Wieters, who's the Executive Director of Crosscheck Athletics...Kevin you weren't here the other day, Scott Elliott, who's with Kevin was, they just wanted to thank you and Kevin wanted to say a few words for Crosscheck Athletics."

Chairman Roland recognized Mr. Kevin Wieters, Executive Director of Crosscheck, who stated: "Yes, Commissioner and Chairman. Thanks so much for your time and I appreciate the contributions to Crosscheck. While headquartered in Germantown, we do have about a 1,000 kids who come through basketball and football season, but being headquartered in Germantown does not mitigate us from reaching North and South Memphis, so with this contribution, we're going to be able to reach about 60 KIPP School members, that's a large first time relationship building effort. So they thank you, I thank you. And our model is a three year model, get them involved, have a mediocre middle and then they'll be self-sustaining then we can repeat that model and this is our 10th year of football and we're just excited for the input, the contribution and we would really appreciate your prayers for these kids."

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The Clerk called the roll for casting of the vote with the following results:

AYES: Reaves, Brooks, Milton, Shafer, Ford, Basar, Jones, Chism, Burgess, Turner and Roland.

NAYS: None

ABSENT: Billingsley

AYES, eleven; NAYS, none; ABSENT, one (Bailey absent during roll call).

Chairman Roland declared the MOTION CARRIED.

ITEM 33A (ADD-ON) (REFERRED BACK TO COMMITTEE)

Mr. Willis, Assistant County Attorney, announced Item 33A, which is as follows:

RESOLUTION ESTABLISHING THE GUIDELINES FOR THE EXPENDITURE OF SURPLUS FUNDS RESULTING FROM AN EXCESS OF TAX COLLECTIONS COLLECTED IN FISCAL YEAR 2017. SPONSORED BY COMMISSIONER HEIDI SHAFER.

Whereupon, passage of the Resolution was moved by Commissioner Jones; duly seconded by Commissioner Brooks.

Chairman Roland recognized Commissioner Shafer, who stated: "Thank you, Mr. Chairman. I brought this up as an add-on because it would also cure the request that Commissioner Jones had. This had been on the agenda previously and we got roll balled down in a bunch of stuff and we were all tired and it was budget season so I went ahead and pulled it out so that we could do it later. What this is, is using the model that we did for the Wheel Tax, we're using that as the same model for all surplus funds in that if there are any surplus, if we are so blessed to have surplus funds this year, what it would do is it would put you know some in the education fund, which you must by law and some into debt service, which you must by law, but instead of just putting it into the General Fund where it can get spent down without our – you know without our full awareness we would move it into a separate account inside the Commissioner's Contingency Fund and we would – we'd probably want to put some restrictions on it you know as we work through it, but so that money doesn't just get piddled away and spent down without our full awareness, because in order to get moved out it would have to require us to move it out of our Contingency Fund. It doesn't give us any extra money to spend, it's just a different way to make sure that we're aware and this is only if surplus comes into play."

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Chairman Roland recognized Mr. Harvey Kennedy, Chief Administrative Officer, who stated: "Mr. Chairman, this is the first time we've had a chance to look at this one, I would really ask that we defer it to the next meeting, let us get a chance to look at it. I'm sure from a legal standpoint it's good, I'd like to check it against generally accepted accounting principles to make sure that we're not going astride of any of those and then we'd have a chance to look at it, I'd get the CFO and their staff to have a chance to look at it for some time, I think they would be helpful for us."

Chairman Roland recognized Commissioner Milton, who stated: "Looking at this, I think if the Administration needs a little time to review this, I think we should give them that time."

Chairman Roland recognized Commissioner Shafer, who stated: "Yeah, I don't have any problem with them reviewing it. I mean I fully expect that they're not going to be thrilled about it because it won't be – it won't have all of that money into the General Fund there, but I don't have any qualms about them looking at it. I believe it will meet every – I believe it will meet all of the requirements."

Chairman Roland recognized Commissioner Brooks, who Made a Motion to Refer back to Committee; duly seconded by Commissioner Milton.

Chairman Roland stated that Item 33A would be Referred back to Committee; without objection.

ANNOUNCEMENTS AND STATEMENTS

Chairman Roland recognized Commissioner Shafer, who stated: "Thank you, Mr. Chairman. I wanted to just give an update and invite everybody to be at the 7 o'clock Ad Hoc Committee tomorrow morning and you can attend by phone, there's a call-in number that you can call-in so that you can listen and respond while you're getting ready in the morning. We've made very good progress at our meeting on Friday and we found out that there is a system called the On Base System that I think will be somewhat cumbersome, but I believe that we can get our answers – I think we can begin to get some answers from there...yes Mr. Kennedy is going to bring us a sample set of thousands of pages, but where it will allow us to see line items and to you know be notified when things are moved between line items. So if you would – if you wish to be – to call-in tomorrow, if you would just text me, I'll text you the call-in number and the code, otherwise we'll be up in the Conference Room upstairs at 7

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o'clock, there will be coffee and probably some little nibbles but we'll be done by no later than eight, absolutely no later than eight."

ADJOURNMENT

ITEM 34

Mr. Willis, Assistant County Attorney, announced Item 34, Adjournment to Monday, August 15, 2016.

Chairman Roland stated that, without objection, the Commission meeting of Monday, August 1, 2016, was adjourned until Monday, August 15, 2016.

(COMPLETE DIGITAL RECORDING ON FILE IN OFFICE OF CLERK OF COUNTY
COMMISSION)

COMPILED AND EDITED:

ROSALIND NICHOLS
CLERK OF COUNTY COMMISSION

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