



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## AGENDA

Monday, August 18, 2014

*Commissioner James Harvey, Chairman*  
*Commissioner Steve Basar, Chairman Pro Tempore*  
*Commissioner Walter Bailey, Jr.*  
*Commissioner Mark Billingsley*  
*Commissioner Henri E. Brooks*  
*Commissioner Melvin Burgess*  
*Commissioner Sidney Chism*

*Commissioner Justin Ford*  
*Commissioner Steve Mulroy*  
*Commissioner Mike Ritz*  
*Commissioner Terry Roland*  
*Commissioner Heidi Shafer*  
*Commissioner Chris Thomas*

WQOX – 88.5 FM [http://www.mcsk12.net/flash/memphis\\_8080.mov](http://www.mcsk12.net/flash/memphis_8080.mov)

Live streaming <http://www.shelbycountyttn.gov/index.aspx?NID=1218>

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1:30 PM

COMMISSION CONVENES

8/18/2014 1:16 PM

CALL TO ORDER

Chairman James Harvey

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

Reverend Cary E. Vaughn  
Love Worth Finding Ministries

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session

Announcement for Appearance Cards for Public  
Speaking/Public Comment Pursuant to Rule # 14(b)

## **CONSENT AGENDA**

### **Resolutions of Memorial, Sympathy and Commendation**

- 1. Resolution honoring Carol Hardy for distinguished service to citizens of Shelby County, Tennessee.**
- 2. Resolution honoring Anthony Tate for distinguished service to citizens of Shelby County, Tennessee.**
- 3. Resolution declaring “Star Trek” Day in Shelby County. Sponsored by Commissioner Steve Mulroy.**
- 4. Special resolution recognizing Commissioner Mike Ritz for eight years of outstanding Public Service on the Shelby County Board of Commissioners. Sponsored by Chairman James M. Harvey, Sr.**
- 5. Special resolution recognizing Commissioner Henri E. Brooks for eight years of outstanding Public Service on the Shelby County Board of Commissioners. Sponsored by Chairman James M. Harvey, Sr.**
- 6. Special resolution recognizing Chairman James M. Harvey, Sr. for eight years of outstanding Public Service on the Shelby County Board of Commissioners. Sponsored by Chairman Pro Tempore Steve Basar.**
- 7. Special resolution recognizing Commissioner Sidney Chism for eight years of outstanding Public Service on the Shelby County Board of Commissioners. Sponsored by Chairman James M. Harvey, Sr.**
- 8. Special resolution recognizing Commissioner Chris Thomas for four years of outstanding Public Service on the Shelby County Board of Commissioners. Sponsored by Chairman James M. Harvey, Sr.**

9. Special resolution recognizing Commissioner Steve Mulroy for eight years of outstanding Public Service on the Shelby County Board of Commissioners. Sponsored by Chairman James M. Harvey, Sr.

### Zoning and Subdivisions

### Reports and/or Resolutions for Standing Committees

#### **SHAFER**

Chairman, Budget and Finance Committee

10. Resolution to approve a contract between Shelby County Government and Business Information Systems for electronic equipment maintenance and contracted computing services in the amount of \$118,500.00 for the period commencing upon execution through June 30, 2015 with the option to renew for four (4) additional one-year periods. This item requires Fiscal year 2015 expenditure of the Register's Office Special Revenue Funds in the amount of \$118,500.00. Sponsored by Commissioner Chris Thomas.

#### **SHAFER**

Chairman, Budget and Finance Committee

11. Resolution to receive and file the Trustee's Annual Financial report for the year ended June 30, 2014 in accordance with T.C.A. section 67-5-1902. Sponsored by Commissioner Heidi Shafer.

#### **SHAFER**

Chairman, Budget and Finance Committee

12. Resolution to receive and file the Trustee's Annual Report of Delinquent and Insolvent Taxpayers for the year ended June 30, 2014 in accordance with T.C.A. section 67-5-1903 and to authorize credit be given to the Trustee. Sponsored by Commissioner Heidi Shafer.

#### **BILLINGSLEY**

Vice Chairman, Public Works Committee

13. A resolution approving a Grant Contract with the Tennessee Department of Transportation in the amount of \$2,250,000.00 to provide funding and project management obligations for a pedestrian bridge at Benjestown Road over the Loosahatchie River and to accept said grant funds. Sponsored by Commissioner Walter Bailey, Jr. and Commissioner Steve Basar. (AMENDED IN AUGUST 13, 2014 COMMITTEE MEETING)

**BILLINGSLEY**  
Vice Chairman, Public  
Works Committee

14. A resolution approving a Grant Contract with the Tennessee Department of Transportation in the amount of \$15,750,000.00 to provide funding and project management obligations for Macon Road widening and reconstruction from Berryhill Road to Houston Levee Road and to accept said grant funds. Sponsored by Commissioner Walter Bailey, Jr.

**BILLINGSLEY**  
Vice Chairman, Public  
Works Committee

15. Resolution approving a contract between Shelby County Government and Hertter Mechanical Services for providing engineering services for replacement of the underground fuel system at 6411 Haley Road. This item requires expenditure of FY15 County Capital Improvement Program Funds in the amount of \$36,410.00 AND appropriates said funds. Sponsored by Commissioner Walter Bailey, Jr.

**SHAFER**  
Vice Chairman,  
Hospitals & Health  
Committee

16. Resolution to approve a software license agreement between Forensic Medical Management Services, PLC and Shelby County Government on behalf of the Shelby County Medical Examiner's Office and the West Tennessee Regional Forensic Center in the amount of \$163,500.00 for use of proprietary software known as "Death Investigation and Decedent Information System", or "DIDI™" for a period of July 1, 2014 through June 30, 2015 with the option to renew annually upon mutual written agreement, and subject to appropriation of said funds. This item requires the expenditure of FY2015 County General Funds in the amount not to exceed \$163,500.00. Sponsored by Commissioner Melvin Burgess.

**SHAFER**  
Vice Chairman,  
Hospitals & Health  
Committee

17. Resolution to amend the FY2015 Operating Budget to appropriate remaining Federal Grant Funds awarded from the U.S. Environmental Protection Agency for the Special Air Pollution Grant Program in the amount of \$121,575.00 to support compliance with National Ambient Air Quality Standards. This item requires the appropriation and expenditure of Federal Grant Funds in the amount of \$121,575.00. Sponsored by Commissioner Melvin Burgess.

**CHISM**

Chairman, Law  
Enforcement, Fire,  
Corrections & Courts  
Committee

18. Resolution approving a grant contract from the Tennessee Office of Criminal Justice Programs for the Shelby County Crime Victims Center/Rape Crisis Center in the amount of \$25,500.00 and amending the FY 2015 Operating Budget and the Position Control Budget. This item requires appropriation and expenditure of State Grant Funds in the amount of \$25,500.00. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement, Fire,  
Corrections & Courts  
Committee

19. Resolution approving a contract with the Family Safety Center of Memphis and Shelby County in the amount of \$190,000.00 to provide services and orders of protection to citizens who experience intimate partner violence. This item requires the expenditure of County General Funds in the amount of \$190,000.00. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement, Fire,  
Corrections & Courts  
Committee

20. Resolution approving a contract with the Exchange Club Family Center in the amount of \$207,000.00 to provide professional services for children, teens and adults who are victims of child abuse and domestic violence and to provide domestic violence assessments to offenders. This item requires the expenditure of County General Funds in the amount of \$207,000.00. Sponsored by Commissioner Sidney Chism.

**CHISM**

Chairman, Law  
Enforcement, Fire,  
Corrections & Courts  
Committee

21. Resolution approving a grant from the Office of National Drug Control Policy for the purpose of disrupting the commerce of illegal drugs through Shelby County and accepting grant funds in the amount of \$90,728.00. This item requires an expenditure of Federal Grant Funds in the amount of \$90,728.00 and amends the FY 2015 Operating Budget and appropriates said funds. Sponsored by Commissioner Sidney Chism.

**ROLAND**  
Chairman, Land Use,  
Planning,  
Transportation &  
Codes Committee

22. Resolution to grant of a permanent electric transmission line easement to Plains and Eastern Clean Line LLC across approximately 1.74 acres of real property owned by Shelby County, Tennessee, for the use and benefit of the Chickasaw Basin Authority, for \$6,612.00 plus annual payments for structure placements therein, for its use on the plains & eastern overhead, direct current, electric transmission line project. Sponsored by Commissioner Terry Roland.

**ROLAND**  
Chairman, Land Use,  
Planning,  
Transportation &  
Codes Committee

23. Resolution to grant of a permanent electric transmission line easement to Plains and Eastern Clean Line LLC across approximately 12.47 acres of real property owned by Shelby County, Tennessee, for the use and benefit of the Chickasaw Basin Authority, for \$50,046.00 plus annual payments for structure placements therein, for its use on the plains & eastern overhead, direct current, electric transmission line project. Sponsored by Commissioner Terry Roland.

**ROLAND**  
Chairman, Land Use,  
Planning,  
Transportation &  
Codes Committee

24. Resolution to grant a right-of-entry across a portion of County owned railroad right-of-way, known as the Shelby Farms Greenline, located at its intersection with Interstate No. 40, to the State of Tennessee, for nominal consideration, for the State's use in constructing roadway improvements on its I-40/I-240 Interchange Improvement Project. Sponsored by Commissioner Terry Roland.

**FORD**  
Chairman, General  
Government  
Committee

25. Resolution approving the Election of Notaries Public for appointment and/or reappointment for Shelby County, Tennessee, Sponsored by Commissioner Melvin Burgess, Commissioner Steve Mulroy and Commissioner Mike Ritz.

**FORD**  
Chairman, General  
Government  
Committee

26. Resolution to amend Rule 6 (Ordinances, Resolutions, and Discussion Items) subdivision (c)(iv) pertaining to information for all bidders which shall accompany contracts presented to the County Commission for approval. Sponsored by Commissioner Steve Mulroy.

**RITZ**

Acting Chairman,  
General Government  
Committee

27. Resolution setting guidelines the Commission will consider when it receives, reviews and deliberates on a report of investigation from the County Attorney as to the residency of an Elected County Official. Sponsored by Commissioner Steve Mulroy. (AMENDED IN AUGUST 13, 2014 COMMITTEE MEETING)

**THOMAS**

Chairman, Delinquent  
Tax Property  
Committee

28. Resolution approving the sale of thirty seven County owned delinquent tax parcels, acquired from various Shelby County Trustee tax sales to identified purchasers at various prices collectively totaling \$127,050.00, 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 Chris Thomas.

**THOMAS**

Chairman, Delinquent  
Tax Property  
Committee

29. A resolution approving the conveyance of one improved parcel of County owned delinquent tax property to Carl Crutcher Jr. Outreach Foundation., a Tennessee Not-For-Profit Corporation, for nominal consideration; and to authorize the Shelby County Mayor to execute quit claim deed. Sponsored by Commissioner Chris Thomas. (AMENDED IN AUGUST 13, 2014 COMMITTEE MEETING)

**THOMAS**

Chairman, Delinquent  
Tax Property  
Committee

30. A resolution approving the conveyance of two unimproved parcels of County owned delinquent tax property to Victory Temple C.O.G.I.C., Tennessee Not-For-Profit Corporation, for nominal consideration; and to authorize the Shelby County Mayor to execute quit claim deeds. Sponsored by Commissioner Chris Thomas. (AMENDED IN AUGUST 13, 2014 COMMITTEE MEETING)

**Approval of the Consent Agenda**

**REGULAR AGENDA**

**Elections, Appointments, and Confirmations**

**Ordinances**

**MULROY**  
Chairman, Education  
Committee

31. **ORDINANCE - THIRD READING** - An ordinance setting the salary of the Chairman and members of the Shelby County Board of Education. Sponsored by Commissioner Mike Ritz. (DEFERRED IN AUGUST 4, 2014 COMMISSION MEETING)

**Zoning and Subdivisions**

**ROLAND**  
Chairman, Land Use,  
Planning,  
Transportation &  
Codes Committee

32. **CASE NO. P.D. 14-310 CC**

**Case Name: Windyke South Planned Development**

**Applicant: Belz Investco GP (Ron Belz)**

**Representative: Ronald Harkavy**

**Location: Beginning at the Eastern Terminus of Windyke Drive, Greenbelt Drive, and Clubview Drive and extending Eastward approximately 5,000 feet.**

**Request: A Residential Planned Development consisting of lots for detached and attached residential housing units**

**Recommendations:**

**Memphis and Shelby County Office of Planning and Development:**

**Approval with Conditions**

**Memphis and Shelby County Land Use Control Board:**

**Approval with Conditions**



**ROLAND**  
Chairman, Land Use,  
Planning,  
Transportation &  
Codes Committee

**33. CASE NO. P.D. 04-315 CC**

**Appellants: Oaklawn Estates Homeowners**

**Location: East side of Roland Road at Bishop  
Dozier Drive**

**Request: Overturn the decision of the Memphis &  
Shelby County Land Use Control Board approving  
a modification to reduce the minimum lot area of  
Single Family Residential lots in area 'A' of the  
Outline Plan**

**Recommendations:**

**Memphis & Shelby County Office of Planning &  
Development:**

**Approval with Five (5) Site Plan Conditions**

**Memphis & Shelby County Land Use Control  
Board:**

**Approval with Five (5) Site Plan Conditions**

**(Notice of Public Hearing required pursuant to  
Unified Development Code Section 9.3.4.)**

**(FAILED IN AUGUST 13, 2014 COMMITTEE  
MEETING)**

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

**MULROY**  
Chairman, Education  
Committee

- 34. Resolution supporting the Shelby County School  
Board approval of the District's Strategic Goals  
80/90/100% for college & career readiness.  
Sponsored by Commissioner Steve Basar.  
(FAILED IN AUGUST 13, 2014 COMMITTEE  
MEETING)**

**RITZ**  
Acting Chairman,  
General Government  
Committee

- 35. Resolution adopting Residency Certification Form  
to be executed by all Elected Officials of Shelby  
County Government. Sponsored by Commissioner  
Steve Mulroy. (FAILED IN AUGUST 13, 2014  
COMMITTEE MEETING)**

**RITZ**  
Acting Chairman,  
General Government  
Committee

- 36. Resolution amending and clarifying the Personnel Policy of Shelby County regarding nondiscrimination. Sponsored by Commissioner Walter Bailey, Jr., and Commissioner Steve Mulroy.**

**Announcements/Statements**

**Adjournment**

- 37. Adjournment Sine Die**