

(February 13, 1969)

REPORT OF SEPARATION OF THE BOARD OF ADJUSTMENT STAFF FROM
PLANNING COMMISSION:

During executive session Chairman Heckle stated that after several months of meetings and negotiations the Staff of the Shelby County Board of Adjustment, which also serves as the Staff of the Memphis Board of Adjustment, had been officially separated from the Staff of the Memphis and Shelby County Planning Commission. He stated that this involved both a physical and fiscal separation, and that the required Resolutions and Ordinances had been approved, by both City and County Legislative Bodies.

He informed the Board that the Resolutions providing that beginning July 1, 1969, the Boards would prepare their own budgets, and would be responsible for the full operation of their joint Staff Office.

A copy of the Ordinances and Resolutions effecting the above separation are attached hereto and made a part of these Minutes:

He also submitted to the Board Members a report on the proposed needs of the two Boards, and a resume of their operations and Staff positions. The Board Members had previously received a copy of this report in the mail.

Upon a motion by Mr. Bond and seconded by Mr. Campbell, the Board unanimously adopted this report, together with the projected salary schedule of the Staff positions, with the report being made a part of these Minutes as follows:

MOTION TO ADOPT REPORT AND PROJECTED SALARY SCHEDULE OF STAFF POSITIONS:

FOR MOTION: Chairman Heckle, Messrs. Bond, Campbell,
Squire Edmonds and Mr. Van Hersh..... 4

AGAINST MOTION: None..... 0

ABSENT: Squire Baker, Mr. Jones, Commissioner Ramsay
and Mr. Wilson..... 4

ACTION OF THE BOARD: Report and Projected Salary Schedule of Staff Positions adopted.

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By Squire Edmond

JOINT RESOLUTION AND ORDINANCE

WHEREAS, by Joint Resolution and Ordinance the Quarterly County Court of Shelby County and the City Council of the City of Memphis has separated the Shelby County Board of Adjustment and the City of Memphis Board of Adjustment from the budget of the Memphis and Shelby County Planning Commission, but shall share in the operating expense of the said Boards equally, and

WHEREAS, by action of the Shelby County Board of Adjustment and action of the Mayor of the City of Memphis, Robert Stacey has been designated the Secretary of the Shelby County Board of Adjustment and the City Board of Adjustment.

NOW, THEREFORE, BE IT RESOLVED, THAT

1. The office of the Shelby County Comptroller is hereby designated and authorized to act as accounting facility for the Shelby County Board of Adjustment and the City of Memphis Board of Adjustment, to prepare payroll and pay bills, when approved by the Secretary, and render audit reports.

2. The Shelby County Purchasing Agent is hereby designated and authorized to act as Purchasing Agent for the said Boards of Adjustment.

3. Robert Stacey is hereby confirmed as Secretary of said separate Boards and their chief administrative officer and as such is designated and authorized to execute payroll requests and certify bills of said Boards for payment by the Shelby County Comptroller, provided same are within the approved budget of said Boards, and to execute requisitions to the Shelby County Purchasing Agent.

4. The Secretary is authorized to maintain a Petty Cash Fund in an amount not to exceed Fifty (\$50.00) Dollars and make expenditures therefrom and render accounting as to same to the Shelby County Comptroller.

PASSED:

Jan. 20, 1969

COPY TO
B. STACEY
H. RUSH
COM. R. M. G. H.

(February 13, 1969)

By Squire *Edwards*JOINT RESOLUTION AND ORDINANCE

JOINT ORDINANCE BY THE COUNCIL OF THE CITY OF MEMPHIS AND RESOLUTION BY THE QUARTERLY COUNTY COURT OF SHELBY COUNTY TO SEPARATE THE FUNCTIONS, STAFF PERSONNEL AND BUDGET OF THE CITY AND COUNTY BOARDS OF ADJUSTMENT FROM THE FUNCTIONS, STAFF PERSONNEL AND BUDGET OF THE JOINT MEMPHIS AND SHELBY COUNTY PLANNING COMMISSION AND TO PROVIDE FOR THE CONTINUED SEPARATE OPERATION OF SAID CITY AND COUNTY BOARDS OF ADJUSTMENT UNDER A JOINT STAFF, TO PROVIDE FOR ITS BUDGET AND JOINT APPROPRIATION THEREFOR,

WHEREAS, Chapter 222 of the Public Acts of Tennessee for 1939 (TCA 5-113) authorizes contractual agreements between Cities and Counties, and

WHEREAS, additional authority is granted the City of Memphis to contract with Shelby County as to its governmental and corporate activities by Chapter 413 of the Private Acts of 1933, and

WHEREAS, by authority contained in Chapter 165 of the Private Acts of 1921 the City of Memphis has created and caused to be operated the City Board of Adjustment, and

WHEREAS, by Chapter 625 of the Private Acts of 1935 Shelby County has created and caused to be operated the Shelby County Board of Adjustment, which has exercised county wide jurisdiction; and

WHEREAS, pursuant to Chapters 352 and 353 of the Private Acts of 1955 the Planning Commission of the City of Memphis and Shelby County were combined by Joint Resolution and Ordinance No. 420 passed January 17, 1956; and

WHEREAS, for budgetary convenience the expense of the overhead of the separate City and County Boards of Adjustment have

COPY TO
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A-RUSH
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been carried in the joint budget of the Memphis and Shelby County Planning Commission shared equally by the City of Memphis and Shelby County; and

WHEREAS, It is deemed desirable to physically and fiscally separate the operating staff of such City and County Boards of Adjustment from the staff and budget of the Joint Memphis and Shelby County Planning Commission and that each be provided for by separate action.

IT IS, THEREFORE, ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS AND RESOLVED BY THE QUARTERLY COURT OF SHELBY COUNTY THAT:

1. The staff and portions of the budget of the City and County Boards of Adjustment be and the same are hereby ordered to be removed from the Joint City and County Planning Commission.

2. The City and County may jointly designate the Secretary and such other personnel for said Boards, provided that the County Board of Adjustment, by law, shall be entitled to name its own Secretary, and the Mayor shall likewise be entitled to name the Secretary of the City Board of Adjustment.

3. For the balance of fiscal year 1968-69 the said Joint Planning Commission shall transfer from its budget those funds heretofore included therein for the staff and other expenses for the operation of said City and County Boards of Adjustment and the County Comptroller be and he is hereby authorized to set up an account for the operation of the City and County Boards of Adjustment.

4. Beginning with the fiscal year 1969-70, the City and County Boards of Adjustment shall submit their joint budgets for their operation and if approved by the City Council and Quarterly

County Court shall be funded equally by said Bodies.

5. That the staff personnel for said Boards shall be administered by Shelby County and budgetary matters handled by the Shelby County Comptroller.

6. That for budgetary purposes the City Board of Adjustment is assigned to the Executive office, and the County Board of Adjustment is assigned to the Board of County Commissioners.

7. That nothing herein shall abridge the right of the Council of the City of Memphis to appoint members to the City Board of Adjustment and the Quarterly County Court to appoint members to the Shelby County Board of Adjustment as authorized by their respective enabling legislation.

8. That, the matter being one of urgency and necessity and the public welfare requiring it, this Joint Resolution and Ordinance, insofar as the County of Shelby is concerned, shall take effect from and after its passage, and insofar as the City of Memphis is concerned, shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Adopted:

Jan. 20, 1969