

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

AMENDMENT
TO
THE TIPTON COUNTY ZONING RESOLUTION

RESOLUTION NO. 09/02/156

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF TIPTON COUNTY, TENNESSEE BY ADDING TO SUBSECTION 5.053.B IN ARTICLE V.

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-101 a zoning resolution has been adopted for Tipton County; and

WHEREAS, adding to the Uses Permitted in the R-2 Zoning District appears to be in the public interest; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-105 the Tipton County Regional Planning Commission has recommended this amendment; and

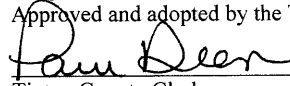
WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-105 a public hearing was held before this body on January 12, 2009 the time and place of which was published with 30 days notice in a newspaper of general circulation in the County,

BE IT RESOLVED by the Tipton County Legislative Commission, Tennessee, that Subsection 5.053.B, Article V of the Zoning Resolution is amended by adding Item 8 in the Uses Permitted of the R-2 District to read as follows:

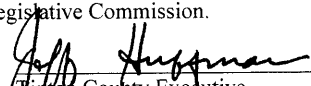
5.053.B. Uses Permitted

8. Condominiums (Site Plan Approval Required, Stormwater Analysis Required and any other provisions required by Title 66, Chapter 27 Tennessee Code).

BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage and publication, the public welfare of Tipton County, Tennessee, requiring it.
Approved and adopted by the Tipton County Legislative Commission.



Tipton County Clerk



Tipton County Executive

2/9/2009

Date

SAID MOTION PASSED ON VOICE VOTE.

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

IN RE: 2009 ADULT TOTAL LEADERSHIP CLASS INTRODUCED

The following persons were introduced as the Adult TOTAL Leadership

Class of 2009 in attendance at this Legislative meeting:

TOTAL Adult Leadership 2009

Shawn Anderson	Jeff Hunter
Sammy Beasley	Jeremiah Jones
Rebekah Byrd	Margarette Patrick
Jayson Cannon	Ronnie Porter
Steve Childress	William Veazey
Clay Crockett	

IN RE: 2009 YOUTH TOTAL LEADERSHIP CLASS INTRODUCED

The following persons were introduced as the Youth TOTAL Leadership

Class of 2009 in attendance at this Legislative meeting:

TOTAL Youth Leadership 2009

Bailey Hansen – Brighton
David McCullough – Covington
Tom McDow – TRA
Gregory Meinweiser – Munford
Katrina Moeller – Munford
Emily Kate Smith – Brighton
Jessica Smith – Covington

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

IN RE: THDA RESOLUTION FOR HOME GRANT FUNDING

**On motion by Commissioner William E. Bibb, Jr. and seconded by
Commissioner Thomas Dunavant it was ordered by the Legislative Body of Tipton
County, Tennessee, at its February 9, 2009 Term, that the following Resolution
authorizing the proper officials to apply for THDA Home Grant funding be
approved:**

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

RESOLUTION 09/02/157

RESOLUTION

TIPTON COUNTY, TENNESSEE

WHEREAS, the Tennessee Housing Development Agency (THDA) Home Investment Partnership Program has been established to help eligible local applicants carry out housing strategies consistent with the objectives as set forth in the HOME Investment Partnership Program Act and with Title 24 Code of Federal Register, Part 92: The Home Investment Partnership Program Rule; and

WHEREAS, Tipton County, acting by and through its County Commission proposes to apply for HOME Investment Partnership Grant Program funds for the purpose of performing eligible housing activities that will benefit local residents.

WHEREAS, under the terms and provisions of the Home Investment Partnership Program Rule, Tipton County as a recipient is required to designate and appoint a Financial Officer to perform certain duties in the administration of said program.

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Tipton County as follows:

THAT, Jeff Huffman, County Mayor, is hereby authorized to execute and submit an application with appropriate assurances to THDA requesting Fiscal Year 2009 HOME Investment Partnership Grant Program funds in an amount not to exceed \$500,000 for homeowner rehabilitation activities; and all homeowners will be required to provide \$500.00 in matching funds towards rehabilitation assistance they receive; and

THAT, Jeff Huffman, County Mayor, be and is hereby designated and appointed as Financial Officer under the terms and pursuant to the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and to perform on behalf of Tipton County, Tennessee, those acts and assume such duties as are consistent with said position.

READ AND ADOPTED this the 9th day of February, 2009.

TIPTON COUNTY

Jeff Huffman

ATTEST:

Paul Dean

SAID MOTION PASSED ON VOICE VOTE.

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

**IN RE: CONSIDERATION OF A CONTRACT BETWEEN TIPTON
COUNTY AND TDOT ON THE CONSTRUCTION OF A
NEW BRIDGE ON SR-59 OVER LITTLE BEAVER CREEK**

On motion by Commissioner Quincy Barlow and seconded by Commissioner Patsy K. Fee it was ordered by the Legislative Body of Tipton County, Tennessee, at its February 9, 2009 Term, that the proper officials be authorized to enter into a contract between Tipton County and TDOT on construction of a new bridge on SR-59 over Little Beaver Creek be approved:

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**
300 BENCHMARK PLACE
JACKSON, TENNESSEE 38301
(731) 935-0134

GERALD F. NICELY
COMMISSIONER

PHIL BREDESEN
GOVERNOR

January 15, 2009

Mr. Jeff Huffman
Tipton County Mayor
P O Box 686
Covington, TN 38019-0686

RE: Tipton County; 84007-2220-94; BR-STP-59(19); State Route 59; Bridge and
Approaches Over Little Beaver Creek @ L M 24.54
Pin No. 102039.00

Mr. Huffman;

This office delivered a proposal and a set of plans on the above mentioned project to your office on March 5, 2008. It has been requested to resend the proposal in order for it to be reviewed by your office. Enclosed you will find this proposal. Please review this proposal at your next meeting.

Sincerely,

Teri Wells

Teri Wells
Administrative Assistant

Enclosure

Cc: File

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
300 BENCHMARK PLACE
JACKSON, TENNESSEE 38301

GERALD F. NICELY
COMMISSIONER

PHIL BREDESEN
GOVERNOR

Teri Wells

731-935-0125
e-mail: Teri.Wells@state.tn.us

PROPOSAL

STATE PROJECT: 84007-2220-94

FEDERAL PROJECT: BR-STP-59(19)

TERMINI: State Route 59; Bridge and Approaches
over Little Beaver Creek @ LM 24.54

MATERIAL PROVIDED: One set of plans, one letter and three proposals.

DELIVERY DATE: _____

CITY OF: _____ COUNTY OF: Tipton

COUNSEL OR BOARD MEETING DATE: 2/9/2009

ACCEPTED BY: Jeff Hupp DATE: 2/9/09

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

PROPOSAL

OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE TO THE
COUNTY OF TIPTON, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee hereinafter "DEPARTMENT", proposes to construct a project designated as State Project 84007-2220-94 and Federal Project BR-STP-59(19) that is described as: State Route 59; Bridge and Approaches over Little Beaver Creek @ LM 24.54 in Tipton., hereinafter, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and
2. To close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law; and

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

State Project Number 84007-2220-94
Federal Project Number BR-STP-59(19)

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. To maintain any frontage road to be constructed as part of the project; and
6. That after the project is completed and open to traffic, to accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, and

MINUTES OF FEBRUARY TERM, 2009

MONDAY THE 9TH

State Project Number	<u>84007-2220-94</u>
Federal Project Number	<u>BR-STP-59(19)</u>

7. That the COUNTY will make no changes or alter any segment of a road on its road system that lies within limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT; and

8. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

9. That it is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT'S right-of-way shall be maintained and replaced by the COUNTY; and

10. That when traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right of way for the project, any building improvements become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefore.

12. To prohibit encroachments of any kind upon the right-of-way and easements for the project; and

13. To prohibit the servicing of motor vehicles within the right-of-way and easements for the project; and