

**Monday, January 14, 2019**

**Attorney-Client Meeting  
(not open to public)  
4:30 PM**

**SWEARING-IN CEREMONY  
5:30 PM**

**BOARD OF MAYOR AND ALDERMEN – REGULAR MEETING  
6:00 PM**

1. Prayer
2. Pledge Of Allegiance
3. Roll Call
4. Approval Of Agenda
5. Approve Minutes Of December 10, 2018

Documents:

[BMA MINUTES 12-2018.PDF](#)

6. Special Recognition – Mark Norris
7. Special Recognition – Police Department
8. Election Of Vice-Mayor
9. Presentation Of FY18 Audit Results
10. Public Comments
11. Public Hearing – Ordinance 2018-18 Amending FY19 Budget (Schools- Substitute Ordinance)
12. Consideration Of Ordinance 2018-18 Amending FY19 Budget (Schools-Substitute Ordinance) – Final Reading

Documents:

[SUBSTITUTE ORDINANCE 2018-18 BUDGET AMENDMENT WITH EXHIBIT.PDF](#)

13. Public Hearing – Ordinance 2019-1 Amending The Millington Zoning Map To Change The Zoning At 4140 Pleasant Ridge Road, From B-2 General Commercial To R-1 Residential
14. Consideration Of Ordinance 2019-1 Amending The Millington Zoning Map To Change The Zoning At 4140 Pleasant Ridge Road, From B-2 General Commercial To R-1 Residential – First Reading

Documents:

[ORDINANCE 2019-1 REZONING 4140 PLEASANT RIDGE.PDF](#)

15. Public Hearing – Ordinance 2019-2 Amending The Millington Zoning Map To Change The Zoning On Property Located On The North Side Of Shipp Road And South And East Of Crosspointe Baptist Church From R-1 Residential To R-2 Residential
16. Consideration Of Ordinance 2019-2 Amending The Millington Zoning Map To Change The Zoning On Property Located On The North Side Of Shipp Road And South And East Of Crosspointe Baptist Church From R-1 Residential To R-2 Residential – First Reading

Documents:

[ORDINANCE 2019-2 REZONING PROPERTY R-1 TO R-2.PDF](#)

17. Public Hearing – Ordinance 2019-3 Amending The Millington Zoning Map To Change The Zoning On Property Located On The North Side Of Shipp Road And South Of Crosspointe Baptist Church, From B-2 General Commercial To R-2 Residential
18. Consideration Of Ordinance 2019-3 Amending The Millington Zoning Map To Change The Zoning On Property Located On The North Side Of Shipp Road And South Of Crosspointe Baptist Church, From B-2 General Commercial To R-2 Residential – First Reading

Documents:

[ORDINANCE 2019-3 REZONING FROM B2-R2.PDF](#)

19. Consideration Of Resolution 1-2019 Amending Application Fees For The Millington Planning Commission And The Board Of Zoning Appeals

Documents:

[RESOLUTION 1-2019 APPLICATION FEES.PDF](#)

20. Consideration Of Resolution 2-2019 To Adopt A Revised Plan Of Operation For The Occupational Safety And Health Program For The Employees Of The City Of Millington

Documents:

[RESOLUTION 2-2019 ADOPT A REVISED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN.PDF](#)  
[OSHA PLAN OF OPERATION - AMENDED.PDF](#)

21. Consideration Of Resolution 3-2019 Authorizing Local Agency Project Agreements With Tennessee Department Of Transportation And Accepting The Grants

Documents:

[RESOLUTION 3-2019 ACCEPT TDOT GRANTS AND APPROVE CONTRACTS.PDF](#)

22. Board Reports

23. Adjourn

**ADA NOTICE**

**The City of Millington is in compliance with the Americans with Disabilities Act. Should**

**you need accommodations for the above meeting, please call City Hall at (901)873-5701,  
at least 8 hours in advance of the meeting.**

CITY OF MILLINGTON BOARD OF MAYOR AND ALDERMEN  
MINUTES OF REGULAR MEETING  
December 10, 2018

Call to Order, Prayer, and Pledge of Allegiance

The Board of Mayor and Aldermen of the City of Millington, TN met in regular session at Millington City Hall Chambers on Monday, December 10, 2018. The meeting was called to order at 6:00 pm, and opened with a prayer by Mr. Dagen. Mayor Jones led the Pledge of Allegiance.

Roll Call and Quorum Determination

The following Board members were present:

Mayor Terry Jones  
Bethany Huffman  
Al Bell  
Frankie Dakin  
Larry Dagen  
Thomas McGhee  
Don Lowry  
Mike Caruthers

A quorum being present, the following proceedings were held:

4. Approval of Agenda

Approve Agenda  
Motion: Huffman  
Second: Bell  
Vote: unanimous consent to approve

5. Approve Minutes of November 12, 2018

Approve Minutes  
Motion: Lowry  
Second: Caruthers  
Vote: unanimous consent to approve

6. Report on Debt Obligation - each member received a copy of the report on the \$2 million bond issue for the schools; the report must be submitted to the comptroller and reflected in the minutes.

7. Public Comments

Close Public Comments  
Motion: McGhee  
Second: Lowry  
Vote: unanimous consent to close

8. Consideration of Ordinance 2018-17 Contracting an Area From the City of Millington - Final Reading

Approve Ordinance 2018-17  
Motion: Lowry  
Second: Huffman  
Vote: unanimous vote to approve

9. Consideration of Ordinance 2018-18 Amending FY19 Budget (Schools) - First Reading

Approve Ordinance 2018-18  
Motion: Caruthers  
Second: Bell  
Vote: unanimous vote to approve

10. Consideration of Resolution 57-2018 Accepting Governors Highway Safety Office Grant

This year, one half of the grant needs to be used for equipment purchase, and the other portion used for overtime in traffic enforcement. There is a zero match.

Approve Resolution 57-2018  
Motion: McGhee  
Second: Lowry  
Vote: unanimous consent to close

11. Consideration of Resolution 58-2018 Declaring Property at 5002 Navy Road as Surplus

Approve Resolution 58-2018  
Motion: Caruthers  
Second: Bell  
Vote: unanimous consent to approve

12. Consideration of Resolution 59-2018 Approving Sale of Surplus Property at 5002 Navy Road

Approve Resolution 59-2018  
Motion: Bell  
Second: Lowry  
Vote: unanimous consent to approve

13. Consideration of Resolution 60-2018 Amending the City of Millington Charter  
Mayor Jones and Mr. Dakin both expressed concern that there hadn't been enough discussion on the changes.

Table Resolution 60-2018

Motion: Dakin

Second: Bell

Vote: For - Mr. Bell, Mr. Dakin

Against - Ms. Huffman, Mr. Dagen, Mr. McGhee, Mr. Lowry, Mr. Caruthers

Approve Resolution 60-2018

Motion: Lowry

Second: Huffman

Vote: For - Ms. Huffman, Mr. Bell, Mr. Dagen, Mr. McGhee, Mr. Lowry, Mr. Caruthers

Against - Mr. Dakin

14. Consideration of Resolution 61-2018 Urging the General Assembly to Repeal Private Acts of 1949, Chapter No. 589 and to Amend Tennessee Code Annotated 68-104-112 and Acts Amendatory thereto, Relative to Consumer Fireworks in the Municipality of Millington Located in N. Shelby County

Approve Resolution 61-2018

Motion: McGhee

Second: Huffman

Vote: unanimous vote to approve

15. Consideration of Resolution 62-2018 Authorizing Funding Review of Proposed Tire Recycling Facility with Financing by Credit Lease Investments, LLC and to be Operated by Environmentally Safe Energy, LLC

Approve Resolution 62-2018

Motion: Dakin

Second: Lowry

Vote: For - Ms. Huffman, Mr. Bell, Mr. Dakin, Mr. McGhee, Mr. Lowry, Mr. Caruthers

Against - Mr. Dagen

16. MPO Application - As part of the application process, all projects in the application must be discussed at a public meeting. If the City of Millington is awarded all the projects applied for, the City's cost at 20% would be \$1,000,080.00. The majority of projects on the list are preserving and reconstructing existing infrastructure.

17. Board Reports

Ms. Huffman thanked the community for all their support at the Christmas parade, Brunch with Mrs. Claus, and the Christmas tree lighting. As this is his last meeting, Mr. Dagen thanked everyone for all their support over his terms as aldermen. Mayor Jones presented Mr. Dagen with a Distinguished Service award and thanked him for his service over the past six years. Mayor Jones announced that the Chamber of Commerce named Chief Gary Graves as the 2018 Person of the Year, and Mr. Ed Haley was named into the Millington Chamber Hall of Honors.

Adjourn

There being no further business, the meeting was adjourned at 6:57 pm.

These minutes are approved as of the 14<sup>th</sup> day of January, 2019.

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Terry Jones, Mayor

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Karen Findley, City Clerk

ORDINANCE 2018-18

AN ORDINANCE TO AMEND THE FY19 BUDGET

WHEREAS, The Board of Mayor and Aldermen of the City of Millington, Tennessee, adopted the FY19 Budget for all Funds by Ordinance 2018-8; and

WHEREAS, The Millington Municipal School Board has approved amendments to their budget; and

WHEREAS, State law requires approval for these amendments.

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, the FY18 Budget is amended as shown in the attached Exhibit A, which is incorporated herein by reference.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019  
First Reading: December 10, 2018  
Final Reading: January 14, 2019

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Terry Jones, Mayor

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Karen Findley, City Clerk

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
<b>Millington Municipal Schools - General Purpose School Fund - Fund # 141</b>				
<b>Amended Accounts Only</b>				
REVENUES				
40110	CURRENT PROPERTY TAX	6,356,000	186,000	6,542,000
40120	TRUSTEE'S COLLECTION - PRIOR YEAR	115,000	(2,000)	113,000
40130	CIRCUIT COURT - PRIOR YEAR	78,000	(30,000)	48,000
40163	PAYMENTS IN LIEU OF TAXES	108,000	4,000	112,000
40210	LOCAL OPTION SALES TAXES	2,680,000	20,000	2,700,000
40240	WHEEL TAX	583,000	(58,000)	525,000
40275	MIXED DRINK TAX	33,000	3,000	36,000
	TOTAL LOCAL TAXES		123,000	
44120	LEASE/RENTALS	5,000	5,000	10,000
44560	DAMAGES RECOVERED FROM INDIVIDUALS	0	100	100
44570	CONTRIBUTION & GIFTS	0	350	350
44990	COUNTY PRE-K	210,000	13,644	223,644
	TOTAL OTHER LOCAL REVENUE		19,094	
46511	BASIC EDUCATION PROGRAM	12,800,000	235,000	13,035,000
46515	EARLY CHILDHOOD EDUCATION	267,844	12,158	280,002
46570	LITERACY COORDINATION	0	10,000	10,000
46980	OTHER STATE GRANTS	0	1,181	1,181
46981	SAFE SCHOOL GRANT	13,190	79,200	92,390
	TOTAL STATE OF TENNESSEE		337,539	
47143	SPECIAL EDUCATION GRANT TO STATE-IDEA	0	25,749	25,749
	TOTAL FEDERAL GOVERNMENT		25,749	
49700	INSURANCE RECOVERY	0	1,185	1,185
49810	FROM SHELBY COUNTY GOVERNMENT	80,000	(80,000)	0
	TOTAL OTHER SOURCES		(78,815)	
	TOTAL REVENUE		426,567	
OPERATING EXPENDITURES				
INSTRUCTIONAL 71000				
REGULAR INSTRUCTION 71100				
116	TEACHERS	7,273,924	(55,183)	7,218,741
163	EDUCATIONAL ASSISTANTS	128,208	(16,276)	111,932
188	BONUS	0	109,500	109,500

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
189	OTHER SALARIES & WAGES	147,000	1,000	148,000
201	SOCIAL SECURITY	469,286	2,421	471,707
204	STATE RETIREMENT	788,083	(20,133)	767,950
206	LIFE INSURANCE	25,850	150	26,000
212	EMPLOYER MEDICARE	109,752	501	110,253
311	CONTRACTS W OTHR SCHOOLS	0	11,300	11,300
369	CONTRACTED SUBSTITUTES CERTIFI	217,200	(1,000)	216,200
429	INSTRUCTIONAL SUPPLIES & MATER	91,510	10,000	101,510
449	TEXTBOOKS	41,000	(7,000)	34,000
722	REG INST EQUIPMENT	100,000	200,000	300,000
	TOTAL REGULAR INSTRUCTION		<u>235,280</u>	
	ALTERNATIVE SCHOOL 71150			
188	BONUS	0	1,250	1,250
201	SOCIAL SECURITY	5,831	78	5,909
204	STATE RETIREMENT	9,492	123	9,615
212	EMPLOYER MEDICARE	1,364	18	1,382
	TOTAL ALTERNATIVE SCHOOL		<u>1,469</u>	
	SPECIAL EDUCATION PROGRAM 71200			
116	TEACHERS	800,009	(10,799)	789,210
163	EDUCATIONAL ASSISTANTS	186,762	(3,841)	182,921
188	BONUS	0	23,250	23,250
189	OTHER SALARIES & WAGES	4,000	(2,000)	2,000
201	SOCIAL SECURITY	61,198	968	62,166
204	STATE RETIREMENT	100,367	(1,935)	98,432
212	EMPLOYER MEDICARE	14,312	227	14,539
312	CONTRACT W PRIVATE AGENCIES	0	180,542	180,542
336	MAINT & REPAIR-EQUIPMENT	1,200	(100)	1,100
370	CONTRACTED SUBSTITUTES NON-CER	2,402	(1,008)	1,394
399	OTHER CONTRACTED SERVICES	169,000	(154,000)	15,000
499	OTHER SUPPLIES & MATERIALS	1,600	(1,100)	500
725	SPECIAL EDUCATION EQUIPMENT	0	5,000	5,000
	TOTAL SPECIAL EDUCATION		<u>35,204</u>	
	VOCATIONAL EDUCATION 71300			
116	TEACHERS	795,607	(38,530)	757,077
188	BONUS	0	9,750	9,750
201	SOCIAL SECURITY	49,328	(1,784)	47,544
204	STATE RETIREMENT	83,220	(5,418)	77,802



**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
212	EMPLOYER MEDICARE	11,537	(418)	11,119
449	TEXTBOOKS	1,000	7,000	8,000
	TOTAL VOCATIONAL EDUCATION		<u>(29,400)</u>	
	TOTAL INSTRUCTIONAL		<u>242,553</u>	
	INSTRUCTIONAL SUPPORT 72000			
	HEALTH SERVICES 72120			
188	BONUS	0	500	500
201	SOCIAL SECURITY	3,481	31	3,512
204	STATE RETIREMENT	5,873	(815)	5,058
206	LIFE INSURANCE	197	33	230
212	EMPLOYER MEDICARE	814	7	821
599	OTHER CHARGES	5,000	882	5,882
	TOTAL HEALTH CARE SERVICES		<u>638</u>	
	OTHER STUDENT SUPPORT 72130			
123	GUIDANCE PERSONNEL	406,857	7,201	414,058
188	BONUS	0	5,750	5,750
201	SOCIAL SECURITY	27,922	805	28,727
204	STATE RETIREMENT	46,567	1,346	47,913
212	EMPLOYER MEDICARE	6,531	188	6,719
309	CONTRACTS W GOVT AGENCIES SAFE	13,330	13,070	26,400
	TOTAL OTHER STUDENT SERVICES		<u>28,360</u>	
	REGULAR INSTRUCTIONAL SUPPORT 72210			
105	SUPERVISOR/DIRECTOR	177,000	(13,437)	163,563
188	BONUS	0	8,500	8,500
189	OTHER SALARIES & WAGES	0	38,000	38,000
201	SOCIAL SECURITY	27,710	2,297	30,007
204	STATE RETIREMENT	46,749	3,866	50,615
212	EMPLOYER MEDICARE	6,482	1,094	7,576
369	CONTRACTED SUBSTITUTES CERTIFI	10,170	1,000	11,170
499	OTHER SUPPLIES & MATERIALS	16,346	(1,000)	15,346
	TOTAL REGULAR INSTRUCTIONAL SUPPORT		<u>40,320</u>	
	ALTERNATIVE EDUCATION SUPPORT 72215			
188	BONUS	0	500	500
201	SOCIAL SECURITY	2,945	31	2,976
204	STATE RETIREMENT	4,969	52	5,021

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
212	EMPLOYER MEDICARE	689	7	696
	TOTAL ALTERNATIVE EDUCATION SUPPORT		<u>590</u>	
	SPECIAL EDUCATION SUPPORT 72220			
124	PSYCHOLOGICAL PERSONNEL	72,037	(8,037)	64,000
161	SECRETARY(S)	18,870	31	18,901
162	CLERICAL PERSONNEL	124,049	1	124,050
188	BONUS	0	3,500	3,500
201	SOCIAL SECURITY	15,103	(282)	14,821
204	STATE RETIREMENT	23,593	(539)	23,054
212	EMPLOYER MEDICARE	3,806	(65)	3,741
524	IN-SERVICE/STAFF DEVELOPMENT	5,000	8,750	13,750
	TOTAL SPECIAL EDUCATION SUPPORT		<u>3,359</u>	
	VOCATIONAL EDUCATION SUPPORT 72230			
189	OTHER SALARIES & WAGES	0	5,000	5,000
201	SOCIAL SECURITY	0	310	310
204	STATE RETIREMENT	0	523	523
212	EMPLOYER MEDICARE	0	73	73
399	OTHER CONTRACTED SERVICES	25,860	(25,860)	0
524	IN-SERVICE/STAFF DEVELOPMENT	0	4,000	4,000
	TOTAL VOCATIONAL EDUCATION SUPPORT		<u>(15,954)</u>	
	TECHNOLOGY 72250			
188	BONUS	0	3,000	3,000
189	Other Salaries	60,000	42,700	102,700
201	SOCIAL SECURITY	18,413	2,833	21,246
204	STATE RETIREMENT	28,968	4,552	33,520
206	LIFE INSURANCE	1,039	128	1,167
207	MEDICAL INSURANCE	28,404	8,024	36,428
212	EMPLOYER MEDICARE	4,306	663	4,969
790	OTHER EQUIPMENT	5,000	2,900	7,900
	TOTAL TECHNOLOGY		<u>64,800</u>	
	BOARD OF EDUCATION 72310			
399	OTHER CONTRACTED SERVICES	10,000	180,000	190,000
506	LIABILITY INSURANCE	26,000	(4,400)	21,600
513	WORKMEN'S COMPENSATION INSURAN	75,000	(6,000)	69,000
	TOTAL BOARD OF EDUCATION		<u>169,600</u>	

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
	OFFICE OF THE DIRECTOR OF SCHOOLS 72320			
101	COUNTY OFFICIAL/ADMINISTRATIVE	157,129	19,129	176,258
188	BONUS	0	1,500	1,500
201	SOCIAL SECURITY	14,047	1,279	15,326
204	STATE RETIREMENT	22,352	2,134	24,486
212	EMPLOYER MEDICARE	3,285	300	3,585
435	OFFICE SUPPLIES	5,000	(1,000)	4,000
599	OTHER CHARGES	4,000	2,000	6,000
	TOTAL OFFICE OF THE DIRECTOR		<u>25,342</u>	
	OFFICE OF PRINCIPAL 72410			
104	PRINCIPAL(S)	423,806	(1,986)	421,820
119	ACCOUNTANTS/BOOKKEEPERS	130,564	1	130,565
139	ASSISTANT PRINCIPAL(S)	570,038	60,695	630,733
161	SECRETARY(S)	128,036	1	128,037
188	BONUS	0	16,000	16,000
189	OTHER SALARIES & WAGES	49,336	254	49,590
201	SOCIAL SECURITY	93,287	5,447	98,734
204	STATE RETIREMENT	147,909	10,690	158,599
206	LIFE INSURANCE	5,058	1,442	6,500
207	MEDICAL INSURANCE	213,998	7,002	221,000
212	EMPLOYER MEDICARE	21,918	1,174	23,092
320	DUES & MEMBERSHIPS	4,275	419	4,694
348	POSTAL CHARGES	2,940	(490)	2,450
524	IN-SERVICE/STAFF DEVELOPMENT	5,000	385	5,385
599	OTHER CHARGES	2,700	(314)	2,386
	TOTAL OFFICE OF PRINCIPAL		<u>100,720</u>	
	FISCAL SERVICES 72510			
188	BONUS	0	2,500	2,500
201	SOCIAL SECURITY	17,289	155	17,444
204	STATE RETIREMENT	24,397	727	25,124
212	EMPLOYER MEDICARE	4,043	36	4,079
	TOTAL FISCAL SERVICES		<u>3,418</u>	
	HUMAN RESOURCES 72520			
162	CLERICAL PERSONNEL	83,349	15,000	98,349
188	BONUS	0	1,500	1,500
201	SOCIAL SECURITY	10,438	1,023	11,461
204	STATE RETIREMENT	16,342	1,473	17,815

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
210	UNEMPLOYMENT COMPENSATION	0	10,000	10,000
212	EMPLOYER MEDICARE	2,441	239	2,680
	TOTAL HUMAN RESOURCES		<u>29,235</u>	
	PLANT OPERATIONS 72610			
188	BONUS	0	3,500	3,500
201	SOCIAL SECURITY	19,921	217	20,138
204	STATE RETIREMENT	28,726	313	29,039
212	EMPLOYER MEDICARE	4,659	51	4,710
415	ELECTRICITY	665,000	15,000	680,000
502	BUILDING & CONTENT INSURANCE	95,000	(15,000)	80,000
	TOTAL PLANT OPERATIONS		<u>4,081</u>	
	PLANT MAINTENANCE 72620			
167	MAINTENANCE PERSONNEL	110,000	34,820	144,820
188	BONUS	0	2,000	2,000
201	SOCIAL SECURITY	6,820	2,283	9,103
204	STATE RETIREMENT	8,135	36	8,171
206	LIFE INSURANCE	319	131	450
207	MEDICAL INSURANCE	14,768	8,000	22,768
212	EMPLOYER MEDICARE	1,595	533	2,128
338	MAINT & REPAIR-VEHICLES	1,300	1,000	2,300
701	ADMINISTRATION EQUIPMENT	675	65,990	66,665
	TOTAL PLANT MAINTENANCE		<u>114,793</u>	
	TOTAL INSTRUCTIONAL SUPPORT		<u>569,302</u>	
	NON-INSTRUCTIONAL			
	EARLY CHILDHOOD EDUCATION 73400			
116	TEACHERS	217,056	2,611	219,667
163	EDUCATIONAL ASSISTANTS	94,486	(1,767)	92,719
188	BONUS	0	6,750	6,750
189	OTHER SALARIES & WAGES	5,000	2,000	7,000
201	SOCIAL SECURITY	19,311	694	20,005
204	STATE RETIREMENT	31,308	465	31,773
212	EMPLOYER MEDICARE	4,574	126	4,700
369	CONTRACTED SUBSTITUTES CERTIFI	11,000	(2,800)	8,200
370	CONTRACTED SUBSTITUTES NON-CER	5,000	100	5,100
429	INSTRUCTIONAL SUPPLIES & MATER	5,609	4,889	10,498

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
499	OTHER SUPPLIES & MATERIALS	1,500	200	1,700
	TOTAL EARLY CHILDHOOD EDUCATION		<u>13,268</u>	
	TOTAL NON-INSTRUCTIONAL		<u>13,268</u>	
	TOTAL EXPENDITURES BEFORE DEBT SERVICE		<u>825,123</u>	
	DEBT RELATED EXPENDITURES			
604	INTEREST ON NOTES	122,523	(27,523)	95,000
	TOTAL DEBT RELATED EXPENDITURES		<u>(27,523)</u>	
	OTHER FINANCING SOURCES (USES) 99100			
590	TRANSFERS OUT	1,000,000	(371,033)	628,967
	TOTAL EXPENDITURES & OTHER ISSUES		<u>426,567</u>	
	Net Change		<u>0</u>	

**Millington Municipal Schools - Federal Projects Fund - Fund # 142**

**Amended Accounts Only**

		Revenues		
47131	CTE PERKINS BASIC	46,247	0	46,247
47141	TITLE I	1,149,860	19,546	1,169,406
47143	IDEA DISC SUPPL	0	8,320	8,320
47143	IDEA DISCRETIONARY SWD	0	66,764	66,764
47143	IDEA PART B	615,943	42,130	658,073
47145	SPECED PRE-SCH	7,273	3,329	10,602
47146	TITLE III	0	905	905
47147	TITLE IV	31,179	51,311	82,490
47189	TITLE II PART A	89,943	72,473	162,416
47590	CONSOLIDATED ADMIN	20,655	0	20,655
47590	READ TO BE READY SUMMER	0	361	361
47590	PRESCHOOL DEVELOP	151,404	6,470	157,874
	Total Revenue		<u>271,610</u>	

Operating Expeditures

Title I Part A

REGULAR INSTRUCTION 71100

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
116	TEACHERS	348,303	(52,674)	295,629
163	EDUCATIONAL ASSISTANTS	36,312	(792)	35,520
201	SOCIAL SECURITY	23,846	(3,315)	20,531
204	STATE RETIREMENT	35,415	(5,542)	29,872
206	LIFE INSURANCE	1,408	(218)	1,190
207	MEDICAL INSURANCE	51,512	(16,551)	34,960
212	EMPLOYER MEDICARE	5,577	(775)	4,802
311	CONTR W OTR SCH SYSTEMS	5,236	(27)	5,209
369	CONTR SUBSTITUTES CERT	7,824	9,250	17,074
399	OTHER CONTRACTED SERVICES	56,617	5,145	61,761
429	INSTR SUPPLIES & MATERIAL	15,162	25,914	41,076
499	OTHER SUPPLIES & MATERIALS	5,195	6,506	11,701
722	REG INST EQUIPMENT	32,000	17,000	49,000
	OTHER STUDENT SUP 72130			
499	OTHER SUPPLIES & MATERIALS REGULAR INSTR SUPPORT 72210	11,682	(1,147)	10,535
189	OTHER SALARIES & WAGES	350,876	(10,215)	340,661
201	SOCIAL SECURITY	21,754	(633)	21,121
204	STATE RETIREMENT	33,302	(1,068)	32,234
206	LIFE INSURANCE	1,305	(42)	1,263
207	MEDICAL INSURANCE	5,829	10,737	16,566
212	EMPLOYER MEDICARE	5,088	(148)	4,940
432	LIBRARY BOOKS/MEDIA	5,000	(2,000)	3,000
524	IN-SERVICE/STAFF DEVELOP	11,000	399	11,399
599	OTHER CHARGES	7,347	39,743	47,090
	Sub-Total		<u>19,546</u>	
Title II Part A				
	REGULAR INSTR SUPPORT 72210			
369	CONTR SUBSTITUTES CERT	1,170	5,000	6,170
524	IN-SERVICE/STAFF DEVELOP	19,193	67,473	86,667
	Sub-Total		<u>72,473</u>	
Title III				
	REGULAR INSTR SUPPORT 72210			
524	IN-SERVICE/STAFF DEVELOP	0	905	905
	Sub-Total		<u>905</u>	
Title IV				
	REGULAR INSTRUCTION 71100			

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
399	OTHER CONTRACTED SERVICES	0	9,000	9,000
429	INSTR SUPPLIES & MATERIAL	7,500	5,000	12,500
	REGULAR INSTR SUPPORT 72210			
189	OTHER SALARIES & WAGES	0	26,245	26,245
369	CONTR SUBSTITUTES CERT	7,700	6,510	14,210
399	OTHER CONTRACTED SERVICES	0	1,000	1,000
524	IN-SERVICE/STAFF DEVELOP	15,979	3,556	19,535
	Sub-Total		<u>51,311</u>	
IDEA Part B				
	SPECIAL ED PROGRAM 71200			
116	TEACHERS	221,125	900	222,025
204	STATE RETIREMENT	40,546	1,000	41,546
312	CONTR W PRIVATE AGENCIES	0	36,587	36,587
399	OTHER CONTRACTED SERVICES	24,912	(24,912)	0
429	INSTR SUPPLIES & MATERIAL	2,000	2,000	4,000
725	SPECIAL ED EQUIPMENT	0	4,375	4,375
	Special Ed Support 72220			
399	OTHER CONTRACTED SERVICES	10,898	18,180	29,078
	TRANSPORTATION 72710			
312	CONTR W PRIVATE AGENCIES	2,000	4,000	6,000
	Sub-Total		<u>42,130</u>	
IDEA Preschool				
	SPECIAL ED PROGRAM 71200			
312	CONTR W PRIVATE AGENCIES	0	3,000	3,000
399	OTHER CONTRACTED SERVICES	3,000	(3,000)	0
	Special Ed Support 72220			
499	OTHER SUPPLIES & MATERIALS	573	2,029	2,602
524	IN-SERVICE/STAFF DEVELOP	1,700	1,300	3,000
	Sub-Total		<u>3,329</u>	
IDEA Discretionary (SWD)				
	SPECIAL ED SUPPORT 72220			
124	PSYCHOLOGICAL PERS	0	52,000	52,000
201	SOCIAL SECURITY	0	3,224	3,224
204	STATE RETIREMENT	0	473	473
206	LIFE INSURANCE	0	313	313
207	MEDICAL INSURANCE	0	9,000	9,000
212	EMPLOYER MEDICARE	0	754	754

**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
499	OTHER SUPPLIES & MATERIALS	0	1,000	1,000
	Sub-Total		<u>66,764</u>	
IDEA Discretionary Supplementary				
	SPECIAL ED SUPPORT 72220			
499	OTHER SUPPLIES & MATERIALS	0	2,320	2,320
524	IN-SERVICE/STAFF DEVELOP	0	6,000	6,000
	Sub-Total		<u>8,320</u>	
Read to be Ready - Summer Grant				
	REGULAR INSTR SUPPORT 72210			
524	IN-SERVICE/STAFF DEVELOP	0	361	361
	Sub-Total		<u>361</u>	
CTE Perkins Basic				
	VOCATIONAL ED 71300			
499	OTHER SUPPLIES & MATERIALS	0	11,000	11,000
599	OTHER CHARGES	12,000	(12,000)	0
	OTHER STUDENT SUP 72130			
355	TRAVEL	9,250	(1)	9,249
524	IN-SERVICE/STAFF DEVELOP	2,998	1,000	3,998
	Sub-Total		<u>(1)</u>	
Preschool Development Grant				
	EARLY CHILDHOOD ED 73400			
116	TEACHERS	59,113	(1,000)	58,113
599	OTHER CHARGES	1,000	7,470	8,470
	Sub-Total		<u>6,470</u>	
	Total Expenditures		<u>271,610</u>	
	Net Change		<u>0</u>	

**Millington Municipal Schools - Cafeteria Fund - Fund # 143  
Amended Accounts Only**

		<u>Revenues</u>		
47111	USDA SCHOOL LUNCH PROGRAM	1,263,564	30,000	1,293,564
	Total Revenue		<u>30,000</u>	



**City Of Millington  
Budget Amendment**

**EXHIBIT A**

Account #	Account Name	Current Budget	Change	Amended Budget
Operating Expenditures				
188	BONUS	0	15,500	15,500
201	SOCIAL SECURITY	33,373	961	34,334
204	STATE RETIREMENT	29,457	579	30,036
206	LIFE INSURANCE	1,155	(2)	1,153
212	EMPLOYER MEDICARE	7,805	225	8,030
336	MAINT & REPAIR-EQUIPMENT	5,000	3,000	8,000
422	FOOD SUPPLIES	608,000	(4,252)	603,748
499	OTHER SUPPLIES & MATERIALS	57,900	6,000	63,900
710	FOOD SERVICE EQUIPMENT	15,000	7,988	22,988
			30,000	
Net Change			0	

**Millington Municipal Schools - Capital Projects Fund - Fund # 177  
Amended Accounts Only**

REVENUE				
Other Statutory Local Taxes				
44990	Other local Revenue	0	544,283	544,283
49800	Transfer in Fund 141	1,000,000	(371,033)	628,967
	Use of Fund Balance	4,304,289	(124,205)	4,180,084
TOTAL REVENUES			49,045	
EXPENDITURES				
91300	EXPENDITURES			
706	Building Construction	6,051,289	(234,581)	5,816,708
	Boiler at MCHS	0	129,165	129,165
	Painting at Schools	0	35,121	35,121
	Middle Sch Covered Walk	0	93,015	93,015
799	Other Capital Outlay			
	Demolition of Civic Center	350,000	113,575	463,575
	Resurface Parking Lots	205,000	(145,000)	60,000
	Roof Repairs	60,000	42,700	102,700
	HVAC Phased Replacement	133,428	15,050	148,478
TOTAL EXPENDITURES			49,045	
Net Change			0	

ORDINANCE 2019-1

ORDINANCE AMENDING THE MILLINGTON ZONING MAP TO CHANGE THE ZONING AT 4140 PLEASANT RIDGE ROAD, FROM B2-GENERAL COMMERCIAL TO R-1 RESIDENTIAL

WHEREAS, the Board of Mayor and Aldermen has previously adopted the City of Millington Zoning Ordinance and Zoning Map and has made numerous amendments to it since its initial adoption; and

WHEREAS, the Millington Planning Commission at its meeting on December 17, 2018 reviewed the proposed zoning change for 4140 Pleasant Ridge Road from B-2 Commercial to R-1 Residential and recommended it for approval; and

WHEREAS, Board of Mayor and Aldermen, upon recommendation by the Planning Commission, has determined that it is in the best interest of the City and its inhabitants to amend the zoning district as set out herein;

NOW THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the property at 4140 Pleasant Ridge Road be rezoned from B-2 General Commercial to R-1 Residential.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019

First Reading: January 14, 2019

Final Reading:

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Terry Jones, Mayor

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Karen Findley, City Clerk

ORDINANCE 2019-2

ORDINANCE AMENDING THE MILLINGTON ZONING MAP TO CHANGE THE ZONING ON PROPERTY LOCATED ON THE NORTH SIDE OF SHIPP ROAD AND SOUTH AND EAST OF CROSSPOINTE BAPTIST CHURCH, FROM R-1 RESIDENTIAL TO R-2 RESIDENTIAL

WHEREAS, the Board of Mayor and Aldermen has previously adopted the City of Millington Zoning Ordinance and Zoning Map and has made numerous amendments to it since its initial adoption; and

WHEREAS, the Millington Planning Commission at its meeting on December 17, 2018 reviewed the proposed zoning change for the 54 acres of property described below from R-1 Residential to R-2 Residential and recommended it for approval; and

WHEREAS, Board of Mayor and Aldermen, upon recommendation by the Planning Commission, has determined that it is in the best interest of the City and its inhabitants to amend the zoning district as set out herein;

NOW THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the 54 acres of property as described in the legal description below be rezoned from R-1 Residential to R-2 Residential.

**LEGAL DESCRIPTION**

Being a part of TRACTS 2 & 3 of the Second Baptist Church property recorded in Instrument Number KG 7189 in the Shelby County Register's Office, (Parcel ID# M0105 00186 and M0105 00187) lying on the north side of Shipp Road in the First Civil District of Shelby County, Tennessee, being more particularly described as follows:

Beginning at an iron pin found at the southeast corner of TRACT 3 of the Second Baptist Church property recorded in Instrument Number KG 7189, of which this partition is a part, Then along the south line of TRACT 3 and the north line of the Millington Farms LLC tract recorded in Instrument# HT 8347 the following two courses:  
North 83° 31' 50" West, 434.37 feet to a point;  
North 80° 27' 52" West, 457.48 feet to the east end of Shipp Road;  
Then North 80° 14' 27" West, 159.12 feet along the centerline of Shipp Road to a nail & washer set;  
Then North 26° 32' 46" East, 1167.52 feet along the west line of this partition to an iron pin set;  
Then North 44° 45' 07" West, 714.15 feet along the north interior line of this partition to an iron pin set;  
Then North 26° 32' 46" East, 360.14 feet along the west line of this partition to an iron pin set;  
Then South 80° 41' 34" East, 1753.25 feet along the north line of TRACT 2 and the south line of the Henry Gotten, Jr. tract recorded in Instrument# BN 1516, and the south interior line of the Millington Farms LLC tract recorded in Instrument# HT 8347 with the general alignment of a fence to the northeast corner of TRACT 2;  
Then South 26° 33' 14" West along the east line of TRACT 2 and the west line of the said Millington Farms, LLC tract, passing an iron pin found at the northeast corner of TRACT 3 at 955.41 feet, but continuing along the east line of TRACT 3 for a total distance of 1947.34 feet to the Point of Beginning, and containing approximately 54 acres.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019  
First Reading: January 14, 2019  
Final Reading:

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Terry Jones, Mayor

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Karen Findley, City Clerk

ORDINANCE 2019-3

ORDINANCE AMENDING THE MILLINGTON ZONING MAP TO CHANGE THE ZONING ON  
PROPERTY LOCATED ON THE NORTH SIDE OF SHIPP ROAD AND SOUTH OF CROSSPOINTE  
BAPTIST CHURCH, FROM B-2 GENERAL COMMERCIAL TO R-2 RESIDENTIAL

WHEREAS, the Board of Mayor and Aldermen has previously adopted the City of Millington Zoning Ordinance and Zoning Map and has made numerous amendments to it since its initial adoption; and

WHEREAS, the Millington Planning Commission at its meeting on December 17, 2018 reviewed the proposed zoning change for the 15.07 acres of property described below from B-2 General Commercial to R-2 Residential and recommended it for approval; and

WHEREAS, Board of Mayor and Aldermen, upon recommendation by the Planning Commission, has determined that it is in the best interest of the City and its inhabitants to amend the zoning district as set out herein;

NOW THEREFORE, BE IT ORDAINED, by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the 15.07 acres of property as described in the legal description below, be rezoned from B-2 General Commercial to R-2 Residential.

LEGAL DESCRIPTION

Beginning at the Southwest corner on this 15.07 Acre parcel being the remaining Anna Lou Williams property as recorded at Cause No. B-25244 in Shelby County Probate Court (also see Deed Book 1740 page 297) and the Anna Lou Williams property as recorded at Instrument No. 11073524, also being in the North Right of Way of Shipp Road (R.O.W. varies) as recorded at Instrument No. V6 8494 (Shelby County R.O.W. acquisition), also being the Southeast corner of the Denmark Hospitality, Inc property as recorded at Instrument No. 09111422, which was originally a part of the Williams property; thence in a Northeastwardly direction, along a West line of this parcel, also being the East line of the Denmark Hospitality, Inc property, also being the East line of the Danny Fly & Russell McIntosh property as recorded at Instrument No. 07046072, North 20 degrees 13 minutes 33 seconds East, a distance of 374.70 feet to an exterior corner of this parcel, also being an exterior corner of Lot 2 of Bakshi Subdivision Revised as recorded at Plat Book 256 Page 9, which was originally a part of the Williams property; thence in a Southeastwardly direction, along a North line of this parcel, also being a South line of Lot 2, South 63 degrees 14 minutes 46 seconds East, a distance of 393.03 feet to an interior corner of this parcel, also being the Southeast corner of Lot 2; thence in a Northeastwardly direction, along a West line of this parcel, also being an East line of Lot 2 and the East line of Lot 1 of Bakshi Subdivision Revised, North 26 degrees 43 minutes 38 seconds East, a distance of 416.71 feet to the Northwest corner of this parcel, also being the Northeast corner of Lot 1, also being in a South line of the Second Baptist Church of Millington property as recorded at Instrument No. KG 7189, which was originally a part of the Williams property; thence in a Southeastwardly direction, along a North line of this parcel, also being a South line of the Second Baptist Church of Millington property, South 63 degrees 14 minutes 46 seconds East, a distance of 683.61 feet to the Northeast corner of this parcel, also being an interior corner of the Second Baptist Church of Millington property; thence in a Southwestwardly direction, along the East line of this parcel, also being a West line of the Second Baptist Church of Millington property, South 9 degrees 26 minutes 04 seconds West, a distance of 557.33 feet to the Southeast corner of this parcel, being in Shipp Road, also being an exterior corner of the Second Baptist Church of Millington property; thence in a Southwestwardly direction, along the centerline of Shipp Road, being the South line of this parcel, North 80 degrees 33 minutes 56 seconds West, a distance of 800.25 feet to the Southeast corner of the Shipp Road R.O.W. acquisition (V6 8494) and an exterior corner of this parcel; thence in a Northeastwardly direction, along the East line of the Shipp Road R.O.W. acquisition (V6 8494) and a West line of this parcel, North 12 degrees 01 minutes 08 seconds

East, a distance of 30.00 feet to the Northeast corner of the Shipp Road R.O.W. acquisition (V6 8494) and an interior corner of this parcel; thence in a Northwestwardly direction, along the North Right of Way line of the Shipp Road (R.O.W. acquisition - V6 8494) and a South line of this parcel, the following two (2) courses; North 77 degrees 58 minutes 52 seconds West, a distance of 250.05 feet to an angle point; thence North 58 degrees 22 minutes 20 seconds West, a distance of 187.02 feet to the point of beginning and containing 15.07 Acres, more or less.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its second and final passage.

Public Hearing: January 14, 2019

First Reading: January 14, 2019

Final Reading:

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Terry Jones, Mayor

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Karen Findley, City Clerk

RESOLUTION 1-2019

RESOLUTION AMENDING APPLICATION FEES FOR THE MILLINGTON  
PLANNING COMMISSION AND THE BOARD OF ZONING APPEALS

WHEREAS, The City of Millington Planning Commission and Board of Zoning Appeals charge certain application fees to cover the administrative costs and the notification costs of processing such applications; and

WHEREAS, it has been determined that the application fees charged by the City of Millington are inadequate to cover these costs, and

WHEREAS, the fees charged by the City of Millington are generally less than other similar cities in the area, and

WHEREAS, the following revised fee schedule has been developed and is proposed for adoption:

Application Fees

Board of Zoning Appeals, all applications	\$300
Planning Commission	
Subdivisions	
Design Plat	\$300 plus \$10 for each lot
Engineering Plat	\$200 plus \$50 for each lot
Final Plat	\$300 plus \$1 for each lot
Site Plans	2 acres or less \$300 Greater than 2 acres \$500
Rezoning	2 acres or less \$300 Greater than 2 acres \$300 plus \$30 per additional acre with a maximum of \$1,000
Planned Development	2 acres or less \$300 Greater than 2 acres \$300 plus \$30 per additional acre with a maximum of \$1,000
Signs	\$50 per sign or a maximum of \$200 if submitted as a single application

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee that the Planning Commission and Board of Zoning Appeals application fees listed above are approved.

BE IT FURTHER RESOLVED, that the fees shall take effect upon adoption of this resolution.

This resolution is adopted this the 14<sup>th</sup> day of January 2019.

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Terry G. Jones, Mayor

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Karen Findley, City Clerk

RESOLUTION 2-2019

RESOLUTION TO ADOPT A REVISED PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH PROGRAM FOR THE EMPLOYEES OF THE CITY

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the City of Millington hereby updates the Occupational Safety and Health Program Plan for our employees.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Mayor and Aldermen of the City of Millington that the attached Plan Of Operation For The Occupational Safety And Health Program For The Employees Of City Of Millington is adopted.

BE IT FURTHER RESOLVED, That any previously adopted resolutions, which adopted a Plan of Operation for the Occupational Safety and Health Program for the Employees Of the City or any other document for that purpose, are hereby repealed.

BE IT FURTHER RESOLVED, That the City Manager is authorized to identify individuals to serve as the Safety Committee provided for in said Plan.

This Resolution is adopted as of the 14th day of January, 2019.

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Terry Jones, Mayor

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Karen Findley, City Clerk

PLAN OF OPERATION  
FOR THE  
OCCUPATIONAL SAFETY  
AND HEALTH PROGRAM  
FOR THE  
EMPLOYEES OF THE CITY OF MILLINGTON



PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH  
PROGRAM PLAN FOR THE EMPLOYEES OF CITY OF MILLINGTON

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I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of the City of Millington

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

The Mayor & Board of Alderman in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
- h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees safety and health.

II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

COMMISSIONER OF LABOR and WORKFORCE DEVELOPMENT

The chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.

EMPLOYER

The City of Millington and includes each department, board, commission, or other agency of the City of Millington.

SAFETY COMMITTEE OF OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN

The person(s) designated by the City of Millington to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of the City of Millington.

INSPECTOR(S)

The individual(s) appointed or designated by the Safety Committee of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is appointed, inspections shall be conducted the Safety Committee of Occupational Safety and Health.

**APPOINTING AUTHORITY**  
Mayor and/or City Manager

**EMPLOYEE**

Any person performing services for the City and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as volunteers provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.

**PERSON**

One or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.

**STANDARD**

An occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.

**IMMINENT DANGER**

Any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.

**ESTABLISHMENT or WORKSITE**

A single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.

**SERIOUS INJURY or HARM**

That type of harm that would cause permanent or prolonged impairment of the body in that:

1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).
3. On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

**ACT or TOSH Act**

The Tennessee Occupational Safety and Health Act of 1972.

**GOVERNING BODY**

The Board of Mayor and Aldermen

**CHIEF EXECUTIVE OFFICER**

The Mayor.

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### III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. Employer shall refrain from and unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.
- f. Employer is entitled to protection of its legally privileged communication.
- g. Employer shall inspect all worksites to insure the provisions of this Program Plan are complied with and carried out.
- h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
- i. Employer shall notify all employees of their rights and duties under this Program Plan.

### IV. EMPLOYEES RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
- d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.

- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

#### V. ADMINISTRATION

- a. The Safety Committee of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.
  - 1. The Safety Committee may designate person or persons as they deem necessary to carry out their powers, duties, and responsibilities under this Program Plan.
  - 2. The Safety Committee may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Safety Committee.
  - 3. The Safety Committee shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
  - 4. The Safety Committee may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
  - 5. The Safety Committee shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
  - 6. The Safety Committee shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. They shall make recommendations to correct any hazards or exposures observed. They shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
  - 7. The Safety Committee shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
  - 8. The Safety Committee shall maintain or cause to be maintained records required under Section VIII of this plan.
  - 9. **The Safety Committee shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees insure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours.**
- b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.
  - 1. The administrative or operational head shall follow the directions of the Safety Committee on all issues involving occupational safety and health of employees as set forth in this plan.
  - 2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Committee within the abatement period.

3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Committee along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

#### VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

#### VII. VARIANCE PROCEDURE

The Safety Committee may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Committee should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development. The procedure for applying for a variance to the adopted safety and health standards is as follows:

- a. The application for a variance shall be prepared in writing and shall contain:
  1. A specification of the standard or portion thereof from which the variance is sought.
  2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
  3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
  4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
  5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by certified mail.
- c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
  1. The employer
    - i. Is unable to comply with the standard by the effective date because of unavailability of professional or

technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.

- ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
  - iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.
2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
  - e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
  - f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

#### VIII. RECORD KEEPING AND REPORTING

Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to [www.osha.gov](http://www.osha.gov) and click on Recordkeeping Forms located on the home page.

The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.

Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

#### IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Committee of Occupational Safety and Health.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
- b. Upon receipt of the complaint letter, the Safety Committee will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Committee will answer the complaint in writing stating whether or not the complaint is deemed to be valid and

if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.

- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
- d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.
- e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Committee and the Chief Executive Officer or the representative of the governing body.
- f. Copies of all complaint and answers thereto will be filed by the Safety Committee who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

## X. EDUCATION AND TRAINING

- a. Safety Committee and/or Compliance Inspector(s):
  - 1. Arrangements will be made for the Safety Committee and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.
  - 2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.
- b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

- 1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
- 2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids, or gases including explosives, and other harmful substances in the proper handling procedures



and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.

3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress and Drowning.
5. Instruct employees on hazards and dangers of confined or enclosed spaces.
  - i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.
  - ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
  - iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

## XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

- a. In order to carry out the purposes of this Ordinance, the Safety Committee and/or Compliance Inspector(s), if appointed, is authorized:
  1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
  2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.
- b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Committee or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.

- c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Committee or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.
- d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.
- e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.
- f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.
- g. Advance Notice of Inspections.
  - 1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
  - 2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
- h. The Safety Committee need not personally make an inspection of each and every worksite once every thirty (30) days. They may delegate the responsibility for such inspections to supervisors or other personnel provided:
  - 1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Committee.
  - 2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Committee.
- i. The Safety Committee shall maintain records of inspections to include identification of worksite inspected date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

## XII. IMMEDIATE DANGER PROCEDURES

- a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:
  - 1. The Safety Committee shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
  - 2. If the alleged imminent danger situation is determined to have merit by the Safety Committee, they shall make or cause to be made an immediate inspection of the alleged imminent danger location.
  - 3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an

imminent danger, the Safety Committee or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.

4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Committee or Compliance Inspector and to the mutual satisfaction of all parties involved.
5. The imminent danger shall be deemed abated if:
  - a. The imminence of the danger has been eliminated by removal of employees from the area of danger.
  - b. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
6. A written report shall be made by or to the Safety Committee describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Committee in accordance with subsection (i) of Section XI of this plan.

b. Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be reported to the Safety Committee and Chief Executive Officer immediately.
2. The Safety Committee and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

### XIII. ABATEMENT ORDERS AND HEARINGS

- a. Whenever, as a result of an inspection or investigation, the Safety Committee or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Committee shall:
  1. Issue an abatement order to the head of the worksite.
  2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- b. Abatement orders shall contain the following information:
  1. The standard, rule, or regulation which was found to violated.
  2. A description of the nature and location of the violation
  3. A description of what is required to abate or correct the violation.
  4. A reasonable period of time during which the violation must be abated or corrected.

5. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Committee in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Committee shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Safety Committee shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

#### XIV. PENALTIES

- a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.
- b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:
  1. Oral reprimand.
  2. Written reprimand.
  3. Suspension for three (3) or more working days.
  4. Termination of employment.

#### XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Safety Committee pursuant to this plan of operation or the legislation (ordinance, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

#### XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency or Safety Committee within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30-day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

#### XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

- a. Compliance with any other law, statute, ordinance, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.

- b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, ordinance, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, ordinance, or executive order, as applicable, is specifically repealed.



USA Stadium 2 employees  
4351 Babe Howard Blvd  
Millington, TN 38053  
901-873-5880

Waste Water Treatment 10 employees  
7920 Epperson Mill Road  
Millington, TN 38053  
901-872-1178

Water Department 6 employees  
7926 Church Street – North Plant  
5041 Waycross – South Plant  
Millington, TN 38053  
901-873-5670 or  
901-873-4956

TOTAL NUMBER OF EMPLOYEES: 135

## APPENDIX – II NOTICE TO ALL EMPLOYEES

### NOTICE TO ALL EMPLOYEES OF CITY OF MILLINGTON

The Tennessee Occupational Safety and Health Act of 1972 provide job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Safety Committee.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before the Personnel Director for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of City of Millington is available for inspection by any employee at the Personnel Office during regular office hours.



## **APPENDIX - III PROGRAM PLAN BUDGET**

### STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that the City of Millington has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

**APPENDIX – IV**  
**ACCIDENT REPORTING PROCEDURES**

Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Committee and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Committee and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Committee or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Committee within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

RESOLUTION 3-2019

RESOLUTION AUTHORIZING LOCAL AGENCY PROJECT AGREEMENTS WITH  
TENNESSEE DEPARTMENT OF TRANSPORTATION AND ACCEPTING THE  
GRANTS

WHEREAS, The City has submitted numerous projects and had them approved as part of the Metropolitan Planning Organization's plan for infrastructure improvements and new constructions in Shelby County; and

WHEREAS, the City has requested assistance from the State and the State has submitted contracts for three of those projects:

1. Sykes Road, From US-51 to Raleigh Millington Road - Paving,
2. Big Creek Church Road, From SR-3 (US-51) to east of Cold Springs Lane - paving, and
3. Shelby Road, Bridge over Royster Creek - restoration of existing bridge including bank stabilization; and

WHEREAS, All three of these contracts provide 80% State funding with 20% local match; and

WHEREAS, City match for these projects will come from the CIP Paving budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the aforementioned grants from the State are accepted and will be accounted for in the City's Capital Improvement Program Fund.

BE IT FURTHER RESOLVED, That the Mayor is hereby authorized to sign and submit all documents necessary to receive these grants.

This Resolution is adopted as of the 14th day of January, 2019.

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Terry Jones, Mayor

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Karen Findley, City Clerk