

FILE COPY

COUNTY LEGISLATIVE BODY

Special Session  
August 5, 1996

BE IT REMEMBERED That pursuant to a call in the following words and figures, to wit:

"I, Jim Voss, County Mayor of Fayette County, Tennessee, pursuant to the provisions of Section 5-5-105 of the Tennessee Code Annotated, Official Edition, the public necessities requiring it, do hereby call a Special Session of the County Commissioners to covene on Monday, August 5th, 1996, at 7:00 P.M., in the upstairs courtroom of the Courthouse in Somerville, Tennessee, for the following purposes:

- 1.0 Resolution Authorizing an Amendment to the Wheel Tax under Private Act of 1963, Chapter 7, as Amended, Amount \$ Distribution
- 2.0 To Vote on Resolution Making appropriations for the Various Funds, Departments, Institutions, Offices and Agencies of Fayette County, Tennessee, for the Fiscal Year Beginning July 1st, 1996, and Ending June 30th, 1997.
- 3.0 To Vote on a Resolution Fixing the Tax Levy in Fayette County, Tennessee, for the Fiscal Year Beginning July 1st, 1996.
- 4.0 To Vote on a Resolution Making Appropriations to Non-Profit Charitable Organizations of Fayette County, Tennessee, for the Fiscal Year Beginning July 1st, 1996, and Ending June 30th, 1997.
- 5.0 Approval of Over-All Budget for Fiscal Year 1996/97.

This 23rd day of July, 1996."

With a quorum being present, the following proceedings were had and entered of record, to-wit:

After much discussion concerning funding budgets, motion was made by Commissioner Robison, seconded by Commissioner Brewer, to authorize the County Attorney to draw a Resolution be presented to this Commission at its next regular meeting for the increase of the County Wheel Tax. The amount of the increase to be decided at the next regular meeting with distribution of those funds not to be assigned.

Motion was then made by Commissioner Kelley, seconded by Commissioner Morris that the amount of the County Wheel Tax increase not exceed \$15.00.

Upon receiving voice vote, the \$15.00 limit on a Wheel Tax increase failed. Commissioner Kelley asked for a roll call vote.

Upon roll call the following voted "NO": Commissioners Arnett, Cox, Crawford, Fowler, German, Hayslett, Norman, Morris, Robison, Taylor, Thomas, Tomlin. (12)

Voting "YES": Commissioners Brewer, Harris, Kelley, Wilson and Yancey. (5)

Commissioner Sullivan passed, and one Commissioner was absent.

Thereupon, said motion failed.

The Commission then voted on the original motion concerning a Resolution concerning a Wheel Tax increase to be prepared by the County Attorney and presented to this Body at it's next regular meeting. Said motion did carry, but not unanimously.

Having been reviewed by various committees, motion was made by Commissioner Robison, seconded by Commissioner Kelley, and unanimously carried by the Board adopting the following Resolution making appropriations for various departments: \*\*

A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,  
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF  
FAYETTE COUNTY, TENNESSEE, FOR THE  
YEAR BEGINNING JULY 1, 1996 AND ENDING JUNE 30, 1997.

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee, assembled in called session on the 5th day of August, 1996, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Fayette County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 1996 and ending June 30, 1997, according to the following schedule:

GENERAL FUND

51100	County Commission	\$	101,513
51220	Beet Board		1,450
51300	County Executive		74,406
51500	Election Commission (Including Voter Registration)		141,967
51600	Register of Deeds		9,373
51710	Development		139,004
51900	County Buildings		180,554
51900	Other General Administration		32,492
52100	Accounting and Budgeting		110,300
52300	Property Assessor's Office		179,050
52400	County Trustee's Office		113,917
52500	County Clerk's Office		173,043
53100	Circuit Court		113,140
53300	General Sessions Court		93,090
53310	General Sessions Judge		63,645
53400	Chancery Court		136,300
53500	Juvenile Court		65,435
54110	Sheriff's Department		956,580
54150	Drug Enforcement		58,740
54210	Jail		660,341
54220	Workhouse		23,067
54310	Fire Prevention and Control		235,100
54410	Civil Defense		29,755
54420	Rescue Squad		31,064

54610	County Coroner/Medical Examiner	10,000
54900	Other Public Safety	105,570
55110	Local Health Center	73,000
55120	Rabies and Animal Control	46,200
55130	Ambulance Service	304,119
55160	Dental Health Program	143,672
55180	Crippled Children Services	2,216
55190	Other Local Health Services	15,050
55310	Regional Mental Health Center	7,500
55520	Aid to Dependent Children	2,000
55590	Other Local Welfare Services	5,465
55720	Sanitation Education/Information	30,079
56300	Senior Citizens Assistance	40,000
56500	Libraries	72,710
56700	Fairs and Fete Boards	7,000
57100	Agriculture Extension Service	74,915
57500	Soil Conservation	30,062
58120	Industrial Development	44,215
58210	Public Transportation	5,173
58220	Airport	20,467
58300	Veterans' Services	950
58400	Other Charges	97,440
58500	Contributions to Other Agencies	13,012
58600	Employee Benefits	432,046
58900	Miscellaneous	1,000
Total General Fund		\$ 5,425,607

SOLID WASTE/SANITATION FUND

55710	Sanitation Management	\$ 0
55732	Convenience Centers	215,000
55754	Landfill Operation and Maintenance	594,783
Total Solid Waste/Sanitation Fund		\$ 813,783

HIGHWAY/PUBLIC WORKS FUND

61000	Administration	\$ 114,517
62000	Highway and Bridge Maintenance	1,250,002
63100	Operation and Maintenance of Equipment	400,501
65000	Other Charges	107,000
66000	Employee Benefits	365,000
68000	Capital Outlay	2,043,000
91200	Highway & Street Capital Projects	10,500
Total Highway/Public Works Fund		\$ 4,389,000

GENERAL PURPOSE SCHOOL FUND

71100	Regular Instruction Program	\$ 7,522,233
71200	Special Education Program	1,437,561
71300	Vocational Education Program	640,061
71400	Student Body Education Program	1,050
71600	Adult Education Program	72,524
72110	Attendance	56,993
72120	Health Services	43,969
72130	Other Student Support	266,542
72210	Regular Instruction Program	634,143
72220	Special Education Program	196,105
72230	Vocational Education Program	102,511
72260	Adult Programs	70,016
72310	Board of Education	304,216
72320	Office of the Superintendent	103,344
72410	Office of the Principal	711,593
72510	Fiscal Services	116,112
72610	Operation of Plant	1,050,741
72620	Maintenance of Plant	446,977
72710	Transportation	1,565,362
72810	Central and Other	109,704
73300	Community Services	14,303
76100	Regular Capital Outlay	147,079
	Transfers to Other Funds	351,247
Total General Purpose School Fund		\$ 16,035,966

SCHOOL FEDERAL PROJECTS FUND

71100	Regular Instruction Program	\$	933,255
71200	Special Education Program		217,335
71300	Vocational Education Program		135,257
72120	Health Services		27,596
72130	Other Student Support		113,405
72210	Regular Instruction Program		107,713
72220	Special Education Program		49,307
72610	Operation of Plant		31,203
72620	Maintenance of Plant		5,000
72710	Transportation		50,453
	Transfers to Other Funds		30,237
	Total School Federal Projects Fund	\$	1,780,071

CENTRAL CAFETERIA FUND

73100	Food Service	\$	1,659,505
	Transfers to Other Funds		11,000
	Total Central Cafeteria Fund	\$	1,670,505

GENERAL DEBT SERVICE FUND

01100	General Government Debt Service	\$	16,700
01300	Education Debt Service		634,012
	Total General Debt Service Fund	\$	650,712

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff and their officially authorized deputies and assistants may severally be entitled to receive under State laws heretofore or hereafter enacted. Expenditures out of commissions, and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register and the Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED, that if any fee officials, as enumerated in Section 0-22-101, ICA, operate under provisions of Section 0-22-104, ICA, provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget shall be approved as provided in Section 5-9-401, ICA.

One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED, that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute in made in law or but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amount authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the year ending June 30, 1997. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, notably to be provided during the year in which the appropriation is to be made, to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Section 9-21-403, TCA.

SECTION 6. BE IT FURTHER RESOLVED, that the County Executive and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenues for the year 1996 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Executive and countersigned by the County Clerk and shall mature and be paid in full without demand not later than June 30, 1997.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 1996 and prior years and the interest and penalty thereon collected during the year ending June 30, 1997 shall be appropriated to the various County funds according to the subdivision of the tax levy for the year 1996. The Clerk and Master and the Treasurer are hereby authorized and directed to make such appropriation accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect at the end of the year at June 30, 1997.

SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which has heretofore been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 1996. This resolution shall be spread upon the adoption of the Board of County Commissioners.

Passed this 8th day of August, 1996.

Notice was then made by Commissioner Harris, seconded by Commissioner Kelley to adopt the following Resolution fixing the tax levy in Fayette County for the fiscal year beginning July 1, 1996:

RESOLUTION FIXING THE TAX LEVY IN  
 FAYETTE COUNTY, TENNESSEE  
 FOR THE YEAR BEGINNING JULY 1, 1996

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee, assembled in special session on this 6th day of August, 1996, that the combined property tax rate for Fayette County, Tennessee for the year beginning July 1, 1996, shall be \$2.69 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

Fund	Rate
General	\$0.752
Highway/Public Works	0.430
General Purpose School	1.270
General Debt Service	0.230
Total	\$ 2.69

SECTION 2. BE IT FURTHER RESOLVED that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax hereby levied shall accrue to the General Fund. The proceeds of the motor vehicle tax authorized by Chapter 160 of the Private Acts of 1979, as amended, shall accrue to the following funds: 80% to the Highway/Public Works Fund and 20% to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Fayette County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage. The public officers resulting therefrom shall be deemed upon the adoption of the Board of County Commissioners.

Passed this 6th day of August, 1996.

Upon roll call vote, said motion failed to carry.

With the proposed tax rate not being set, and after much discussion, motion was made by Commissioner Fowler, seconded by Commissioner Taylor and unanimously carried by the Board that the setting of the tax rate for the year beginning July 1, 1996, be addressed at the next regular meeting of this Body.

Motion was then made by Commissioner Tomlin, seconded by Commissioner Thomas, and carried by roll call vote rescinding the Resolution making appropriations for various funds as previously adopted by the Board at this meeting. \*\*

Thereupon, said meeting adjourned.

JIM VOSS - Chairman  
 COUNTY MAYOR

ATTEST:

DeLL T. Graham, County Clerk