

FAYETTE COUNTY LEGISLATIVE BODY

September 06, 2005

FILE COPY

BE IT RMEMEBERED That pursuant to call in the following words and figures, to-wit:

"I, Rhea Taylor, 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 Commission to convene on Tuesday, September 06, 2005, at 7:00 PM in the upstairs courtroom of the Fayette County Courthouse ion Somerville, Tennessee, for the following purposes:

1. Report from special Committee on Schools and Budget
2. Adoption of 2005/06 Budget
3. Adoption of Non-Profit Contributions for 2005/06
4. Adoption of Property Tax Rate
5. Overall Budget Resolution

This the 26th day of August, 2005"

A true copy of said above having been delivered to each Commissioner of Fayette County, Tennessee, and published in a local newspaper at least five days before the September 06th, 2005 date: **A SPECIAL MEETING OF THE FAYETTE COUNTY LEGISLATIVE BODY** was begun and held in and for Fayette County, in Somerville, Tennessee on Tuesday, September 06, 2005, at 7:00 PM; present and presiding the Honorable Rhea Taylor; also present, Dell T. Graham, County Clerk, and the following Commissioners: Joann C. Allen, Steve Anderson, Joe B. Burnette, Jr., Christopher L. Campbell, Bob Doll, Lee "Sissy" Dowdle, John F. Dowdy, Willie German, Jr., Ronnie Graves, Ronnie Harris, David H. Lillard, Sr., George McCloud, Claude D. Oglesby, Jr., Gordon M. Tomlin, Myles Wilson and Allen Yancey, Jr.

Absent: Commissioners Thomas Howell Fowler, Myles Leifer and Sylvester Logan.

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

Chairman Taylor reviewed the purpose of this Special Call Meeting.

Commissioner Doll analyzed the proposed budget of the School Board.
Commissioner Wilson responded.

Chairman Taylor then presented the School Budget as presented by the review committee as appointed at the August 2005 meeting of this Board.

Motion was then made by Commissioner Doll, seconded by Commissioner Lillard to fund the School at an additional \$283,400 as detailed on Page 4 of the handout - \$3,981,868 of current property taxes, by which they will continue to receive 72.04 cents of property taxes. After discussion, the following Roll Call Vote was taken. Voting "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, German, Graves, Lillard and McCloud. (9)

Voting "NO": Commissioners Dowdle, Dowdy, Harris, Oglesby, Tomlin, Wilson and Yancey. (7)

Said motion failed.

Motion was then made by Commissioner Dowdle, seconded by Commissioner Dowdy to adopt the **General Purpose School Fund** Budget as presented by the assigned committee. Voting "YES": Commissioners Dowdle, Dowdy, Harris, Oglesby, Wilson and Yancey. (6)

Voting "NO": Commissioners Allen, Anderson, Burnette, Campbell, Doll, German, Graves, Lillard, McCloud and Tomlin. (10)

Said motion failed.

Chairman Taylor called for a fifteen minute recess.

Meeting back in session.

Motion was made by Commissioner Tomlin and seconded by Commissioner Burnette to set the **General Purpose School Fund** by raising the local taxes amount by \$483,500 which will raise the total to \$6,318,764. This would make no change in the property tax rate, with the School Board making necessary expenditure changes to meet approved revenues. Roll Call Vote was taken. Voting "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, German, Graves, Harris, Lillard, McCloud, Oglesby, Tomlin and Yancey. (15)

Voting "NO": None.

Passing: Commissioner Wilson.

Said motion carried.

The **General Fund Budget** was then presented.

Commissioner Dowdle asked to reconsider Item 51500/Election Commission on a \$23,000 budget cut made on the staff of the Election Commission.

Motion was then made by Commissioner Doll, seconded by Commissioner McClous to accept the General Fund Budget as presented. Upon Roll Call Vote the following voted "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, German, Graves, Harris, Lillard, McCloud, Oglesby, Tomlin and Yancey. (15)

Voting "NO": Commissioner Wilson.

Said motion carried.

Motion was then made by Commissioner Harris, seconded by Commissioner Dowdy to adopt the appropriations for various funds, departments, institutions, offices and agencies. Upon Roll Call Vote, the following voted "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, German, Graves, Harris, Lillard, McCloud, Oglesby, Tomlin and Yancey. (15)

Voting "NO": Commissioner Wilson.

Said motion carried, same being as follows:

**A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF
FAYETTE COUNTY, TENNESSEE, FOR THE
YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee, assembled in special called session on the 6th day of September, 2005, 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, 2005 and ending June 30, 2006, according to the following schedule:

GENERAL FUND

51100	County Commission	\$	61,336
51220	Beer Board		917
51300	County Mayor		81,116
51400	County Attorney		45,869
51500	Election Commission (Including Voter Registration)		127,475
51600	Register of Deeds		50,723
51710	Development		150,887
51730	Building		106,244
51800	County Buildings		181,657
51810	Other Facilities		9,800
51900	Other General Administration		28,000
52100	Accounting and Budgeting		127,468
52300	Property Assessor's Office		203,933
52400	County Trustee's Office		159,199
52500	County Clerk's Office		201,305
53100	Circuit Court		146,890
53300	General Sessions Court		127,517
53310	General Sessions Judge		126,248
53320	Juvenile Court Clerk		33,728
53400	Chancery Court		161,333
53500	Juvenile Court		80,354
53600	District Attorney General		5,483
54110	Sheriff's Department		1,705,544
54150	Drug Enforcement		137,023
54210	Jail		1,085,646
54220	Workhouse		31,184
54310	Fire Prevention and Control		473,660
54410	Civil Defense		133,545
54420	Rescue Squad		23,350
54610	County Coroner/Medical Examiner		20,000
54900	Other Public Safety		150,563
55110	Local Health Center		50,394
55120	Rabies and Animal Control		77,745
55130	Ambulance/Emergency Medical Services		1,139,397
55160	Dental Health Program		363,600
55180	Crippled Children Services		2,216
55190	Other Local Health Services		17,000
55390	Appropriation to State		25,761
55520	Aid to Dependent Children		2,750
55590	Other Local Welfare Services		9,000
55720	Sanitation Education/Information		52,571
56300	Senior Citizens Assistance		30,000
56500	Libraries		125,702
57100	Agriculture Extension Service		95,308
57500	Soil Conservation		53,128
58120	Industrial Development		1,500
58220	Airport		56,600
58300	Veteran's Services		6,800
58400	Other Charges		234,465
58500	Contributions to Other Agencies		44,321
58600	Employee Benefits		988,458
58900	Miscellaneous		1,000
	Total General Fund	\$	9,355,713

SOLID WASTE/SANITATION FUND

55732	Convenience Centers	\$	245,500
55754	Landfill Operation and Maintenance		479,245
	Total Solid Waste/Sanitation Fund	\$	724,745

DRUG CONTROL FUND

54150	Drug Enforcement	\$	35,000
	Total Drug Control Fund	\$	35,000

HIGHWAY/PUBLIC WORKS FUND

61000	Administration	\$	149,529
62000	Highway and Bridge Maintenance		1,248,699
63100	Operation and Maintenance of Equipment		417,096
65000	Other Charges		194,210
66000	Employee Benefits		593,761
68000	Capital Outlay		2,561,000
91200	Highway & Street Capital Projects		60,000
	Total Highway/Public Works Fund	\$	5,224,295

GENERAL PURPOSE SCHOOL FUND

71100	Regular instruction Program	\$	9,786,261
71200	Special Education Program		1,818,669
71300	Vocational Education Program		860,184
71600	Adult Education Program		44,572
72110	Attendance		75,915
72120	Health Services		85,968
72130	Other Student Support		490,168
72210	Regular Instruction Program		801,621
72220	Special Education Program		251,374
72230	Vocational Education Program		329,816
72260	Adult Programs		165,777
72310	Board of Education		485,694
72320	Director of Schools		233,008
72410	Office of the Principal		1,191,065
72510	Fiscal Services		179,975
72610	Operation of Plant		1,479,980
72620	Maintenance of Plant		563,079
72710	Transportation		1,521,246
72810	Central and Other		146,066
73300	Community Services		35,690
73400	Early Childhood Education		449,883
76100	Regular Capital Outlay		149,000
82130	Principal - Education		179,151
82230	Interest - Education		<u>11,832</u>
Total General Purpose School Fund		\$	<u>21,335,994</u>

SCHOOL FEDERAL PROJECTS FUND

71100	Regular Instruction Program	\$	1,905,848
71200	Special Education Program		862,580
71300	Vocational Education Program		103,769
72130	Other Student Support		58,993
72210	Regular Instruction Program		679,283
72220	Special Education Program		215,909
72230	Vocational Education Program		3,439
72710	Transportation		<u>104,000</u>
Total School Federal Projects Fund		\$	<u>3,933,821</u>

CENTRAL CAFETERIA FUND

73100	Food Service	\$	<u>2,071,107</u>
Total Central Cafeteria Fund		\$	<u>2,071,107</u>

GENERAL DEBT SERVICE FUND

81100	General Debt Service	\$	17,000
82130	Principal - Education	\$	665,000
82210	Interest - General Government		330,094
82230	Education Debt Service		686,426
Total General Debt Service Fund		\$	<u>1,698,520</u>

SECTION 2. BE IT 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 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 the law.

BE IT FURTHER RESOLVED, that if any fee officials, as enumerated in Section 8-22-101, Tennessee Code Annotated, operate under provisions of Section 8-22-104, Tennessee Code Annotated, provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget, except for amendments to the budget for funds under supervision of the director of schools, shall be approved as provided in Section 5-9-407, Tennessee Code Annotated. The director of schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commissioners for transfers between major categories as required by law.

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, is made in lieu of 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 amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies the 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, 2006. 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, actually to be provided during the year in which the expenditure 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 mayor and county clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the state director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the year 2005-2006 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each 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 mayor and countersigned by the county clerk and shall mature and be paid in full without renewal no later than June 30, 2006.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent county property taxes for the year ending 2004 and prior years and the interest and penalty thereon collected during the year ending June 30, 2006, shall be apportioned to the various county funds according to the subdivision of the tax levy for the year 2005. The clerk and master and the trustee are hereby authorized and directed to make such apportionment 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, 2006.

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, 2005. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 6th day of September, 2005.

Motion was made by Commissioner Graves, seconded by Commissioner German to approve appropriations for non-profit charitable organizations as submitted. Upon Roll Call Vote, the following voted "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, German, Graves, Harris, Lillard, Oglesby, Tomlin and Yancey. (14)

Voting "NO:" Commissioners McCloud and Wilson. (2)

Said motion carried, same being as follows:

**A RESOLUTION MAKING APPROPRIATIONS TO NONPROFIT
CHARITABLE ORGANIZATIONS OF FAYETTE COUNTY,
TENNESSEE, FOR THE YEAR BEGINNING JULY 1ST, 2005,
AND ENDING JUNE 30TH, 2006**

WHEREAS, Section 5-9-109, TCA, authorizes the Fayette County Legislative Body to make appropriations to various nonprofit charitable organizations, and,
WHEREAS, the Fayette County Legislative Body recognizes the various nonprofit charitable organizations providing services in Fayette County have great need of funds to carry on their nonprofit charitable work.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fayette County on this 6th day of September, 2005.

SECTION 1. That One Hundred Three Thousand Three Hundred Twenty One Dollars (\$103,321) be appropriated to nonprofit organizations in Fayette County as reflected below.

<u>ACCT NO</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
51900-320	Fayette County Chamber of Commerce	\$ 26,800.00
51900-320	Oakland Chamber of Commerce	3,200.00
55190-310	Easter Seals	12,000.00
55190-310	Jackson Area Council on Alcoholism and Drug Dependency	00.00
55590-339	Tennessee Opportunity Programs, Inc.	00.00
55190-310	Fayette County Citizens for Progress	2,000.00
56300-339	Fayette County Commission on Aging	21,500.00
55190-310	Jack Gean Shelter for Women	00.00
58500-310	Delta Human Resource Agency	14,321.00
58500-310	Youth Town	00.00
58500-316	Dewitt Community Coalition	10,500.00
55590-316	Fayette Cares	7,500.00
58500-310	Aging Commission of the Mid-South	2,500.00
55900-316	MIFA	3,000.00

BE IT FURTHER RESOLVED, that all appropriations enumerated in Section 1 above are subject to the following conditions:

1. That the nonprofit organizations to which funds are appropriated shall file with the County Clerk and the disbursing officials a copy of any annual report of its business affairs and transactions and the proposed use of the County's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the chief financial officer of such nonprofit organization in accordance with Section 5-9-109 (c), TCA.
2. That said funds must only be used by the named nonprofit charitable organizations in furtherance of their nonprofit purposes benefiting the general welfare of the residents of Fayette County.
3. That it is the expressed interest of the County Commission of Fayette County in providing these funds to the above named charitable organizations to be fully in compliance with Chapter 0390-2-7 of the Rules of the Comptroller of the Treasury, and Section 5-9-109, TCA, and any and all other laws which may apply to county appropriations to nonprofit organizations and so this appropriation is made subject to compliance with any and all these laws and regulations.

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 1st, 2005. This Resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 6th day of September, 2005.

Motion was made by Commissioner Tomlin, seconded by Commissioner Burnette to approve the presented Resolution setting the Tax Rate for Fayette County for the year beginning July 10, 2005. Upon Roll Call Vote, the following voted "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, German, Graves, Harris, Lillard, McCloud, Oglesby, Tomlin and Yancey. (15)

Voting "NO": Commissioner Wilson.

Said motion carried approving the following Resolution:

**RESOLUTION FIXING THE TAX LEVY IN
FAYETTE COUNTY, TENNESSEE
FOR THE YEAR BEGINNING JULY 1, 2005**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee, assembled in regular session on this 6th day of September, 2005, that the combined property tax rate for Fayette County, Tennessee for the year beginning July 1, 2005, shall be \$1.74 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:

<u>Fund</u>	<u>Rate</u>
General	\$ 0.8304
Highway/Public Works	0.0973
General Purpose School	0.7204
General Debt Service	<u>0.0919</u>
Total	\$ 1.7400

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 herein levied shall accrue 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 takes effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 6th day of September, 2005.

Motion was then made by Commissioner Burnette, seconded by Commissioner Anderson to approve the **overall budget** for the fiscal year 2005/06 which includes a 3% cost-of-living raise. Upon Roll Call Vote the following voted "YES": Commissioners Allen, Anderson, Burnette, Campbell, Doll, Dowdle, Dowdy, German, Graves, Harris, Lillard, McCloud, Oglesby, Tomlin and Yancey. (15)

Voting "NO": Commissioner Wilson.

Said motion carried.

Thereupon, said meeting adjourned.



RHEA TAYLOR - Chairman

ATTEST:



Dell T. Graham, County Clerk