

## FAYETTE COUNTY LEGISLATIVE BODY

September 11, 2014

**BE IT REMEMBERED** that the Fayette County Legislative Body met in a Special Called Session at the Bill G. Kelley Criminal Justice Complex in Somerville, Tennessee, on the 11<sup>th</sup> day of September, 2014. Present and presiding was Chairman Rhea Taylor. Also present were the following: Sue W. Culver, Fayette County Clerk; Ray Garcia with the Fayette County Sheriff's Department, and the following County Commissioners: Charles Brewer, Sr; Homer S. Bunker; Odis Cox; Charles E. "Chuck" Dacus, Ben Farley, Willie German, Jr.; Tim Goodroe; Reggie Howard; Bill Kelley; Terry Leggett; David Lillard, Sr; Sylvester Logan; Claude Oglesby; Steve Reeves; Ray Seals; Bill Walker; Larry Watkins; and Myles Wilson.

A quorum was declared with eighteen (18) Commissioners present. Commissioner Ed Allen was absent.

Chairman Taylor opened the meeting by moving the last item on the agenda to the top of the agenda. Lee "Sissy" Dowdle addressed the Board regarding relinquishing the fee status of the Office of the Register of Deeds. Commissioner Logan moved to pass the following County General Fund Budget Amendment adding the salaries of the Register of Deeds and her employees to the budget system for the next year. The motion was seconded by Commissioner Kelley and passed unanimously.

**RESOLUTION**

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in special session on this 11<sup>th</sup> day of September, 2014, it being called pursuant to the provisions of Section 5-5-105 of the Tennessee Code Annotated, official edition.

That the General Fund #101 Budget Amendment be amended in the following words and figures, to wit:

**COUNTY GENERAL FUND  
BUDGET AMENDMENT  
F/Y 14/15  
September, 2014**

<u>Adjustment to Revenue Accounts:</u>	DECREASE	INCREASE
45180 Excess Fees – Register	\$ 50,000.00	
Subtotal-45180	\$ 50,000.00	
45580 Fees In-Lieu-of Salary – Register		\$ 211,100.00
Subtotal-45580		\$ 211,100.00
<b>TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS:</b>	<b>\$ 50,000.00</b>	<b>\$ 211,100.00</b>
<u>Adjustment to Expenditure Accounts:</u>	INCREASE	DECREASE
51600 Register of Deeds		
101 County Official	\$ 70,263.00	
103 Assistant	33,116.00	
106 Deputies	29,252.00	
169 Part-Time Personnel	\$ 27,598.00	
Subtotal-51600	\$ 160,229.00	
<b>TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:</b>	<b>\$ 160,229.00</b>	
Prior Estimated Expenditures		\$ 14,786,127.00
Total Estimated Expenditures this Amendment		\$ 14,946,356.00
Projected Fund Balance before Amendment		\$ 3,635,766.00
Change in Fund Balance this Amendment		\$ 871.00
Estimated Ending Fund Balance as of June 30, 2015		\$ 3,636,637.00

Chairman Taylor then stated that the County Commission asked him to put together a Hospital Committee to gather information to bring back regarding ways to keep Methodist Fayette Hospital open. The Committee is made up of Commissioners Reeves and Leggett, Somerville Mayor Bob Turner, Oakland Mayor Chris Goodman, Mr. Doug Swink, and Libby McKnight. Commissioner Leggett stated that one thing that came out in the meeting was the need for a medical planning consultant to advise the

Committee and the Commission as to the steps that need to be taken. Chairman Taylor introduced an email from the Hospital Administrator, Mr. William Kenley, regarding the hospital's needs in order to stay open, which he stated would be \$500,000 per year. The Hospital funding will be at least 1 million for the years 2015 and 2016. There was a great deal of discussion as to whether the Hospital would remain at the same location or move to the western end of the County. Commissioner Leggett stated that he believes that the County needs some expert advice on this matter, as was discussed in the Hospital Committee meetings. He made a motion for the County to issue a Request for Information to get help in making the decision. The Hospital is asking the County to make a commitment for \$500,000 per year for a period of six (6) years. The motion was seconded by Commissioner Howard and passed unanimously as follows:

#### PROPOSED RESOLUTION FOR EMERGENCY MEDICAL CARE CONSULTATION

Resolve to allow the County Mayor to contact medical planning consultants to issue a Request for Information (RFI) concerning emergency medical care strategic planning in Fayette County. The RFI will request detailed plans concerning three levels/progressions of healthcare service for the citizens of Fayette County. The plans are to include, but are not limited to, the following: hospital emergency room or minor/major emergency clinic(s) and recommended locations; ambulance service and how/where based; paramedics. The RFI shall be reviewed and approved by the Hospital Committee prior to release. The Hospital Committee shall bring back a recommendation to the County Commission for a contract for consultation after reviewing the respondents.

After a great deal of discussion, Commissioner Bunker revised the following Resolution for levying an additional sales and use tax in Fayette County. Mayor Henry Coats addressed the Board regarding the plans for the additional tax levy in the City of Pipeston, stating that the City plans to buy an ambulance at a cost of \$140,000, to be housed at the City of Rossville to service that area of the County. Commissioner Bunker moved to approve the following resolution regarding putting a sales tax increase referendum on the ballot for the November election, with the revisions previously discussed. Commissioner Howard seconded the motion, which passed with the following roll call vote:

Voting "YES" : Commissioners Brewer, Dacus, Farley, German, Goodroe, Kelley, Lillard, Reeves, Walker, and Wilson (10)

Voting "NO"; Commissioners Bunker, Cox, Howard, Leggett, Logan, Oglesby, Seals, and Watkins (8)

**RESOLUTION FOR LEVYING AN ADDITIONAL SALES AND USE TAX  
IN FAYETTE COUNTY**

BE IT RESOLVED by the Board of County Commissioners of Fayette County, Tennessee:

SECTION 1. The resolution of the Board of County Commissioners of Fayette County, Tennessee, imposing a local sales and use tax as authorized under the provisions of *Tennessee Code Annotated*, Section 67-6-701, et seq., adopted by the Board of County Commissioners at a special called meeting of record on September 11, 2014, is amended to levy a local sales and use tax at a rate of two and three quarters percent (2.75%), not to exceed the maximum percentage as stated in the 1963 Local Option Revenue Act, *Tennessee Code Annotated*, Section 67-6-702, as amended, except as limited or modified by statute.

SECTION 2. The Board of County Commissioners request that the Fayette County Election Commission hold a referendum election as authorized by *Tennessee Code Annotated*, Section 67-6-701, et seq. within the time required by law as authorized by *Tennessee Code Annotated* 2-3-204, with the following question:

"Shall the Resolution passed pursuant to T.C.A. 67-6-701 et seq. by the Fayette County Commission, published in a newspaper of general circulation, which increases the local sales tax rate from 2.25% to 2.75%, and designates the proceeds to be used for emergency healthcare including, but not limited to, ambulance service, emergency medical care and/or medical facilities and which shall terminate after six (6) years from the date it becomes affective, become operative?"

SECTION 3. If a majority of those voting in the election required by *Tennessee Code Annotated*, Section 67-6-706, vote for the increase in the tax imposed by this resolution, collection of the increased tax levied by this resolution shall begin on the first day of the month occurring thirty (30) or more days after the county election commission makes its official canvass of the election returns.

SECTION 4. The Department of Revenue of the State of Tennessee shall collect the additional tax imposed by this Resolution concurrent with the collection of the state tax and the local tax now being collected for Fayette County, in accordance with rules and regulations promulgated by the Department.

SECTION 5. Suits for the recovery of any tax illegally assessed or collected shall be brought against the Tennessee Commissioner of Revenue.

SECTION 6. A certified copy of this resolution shall be transmitted to the Department of Revenue by the County Clerk forthwith and shall be published one time in a newspaper of general circulation in Fayette County prior to the election called for in Section 2 hereof.

Adopted this 11<sup>th</sup> day of September, 2014.

APPROVED: ATTEST:

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County Mayor

\_\_\_\_\_  
County Clerk

Chairman Taylor stated that if the referendum for the County fails then Piperton can hold a special election to raise the city sales tax in six months.

Chairman Taylor announced that on September 26, the higher Education Committee has a bus tour going to Parsons. The bus leaves at 8:30 A.M. and will return around 3 P.M., for information to interested parties.

With no further business before the Board the meeting was adjourned.

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Rhea Taylor , County Mayor

ATTEST:

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Sue W. Culver, County Clerk