

FAYETTE COUNTY LEGISLATIVE BODY

MARCH 26, 2019

BE IT REMEMBERED that the Fayette County Legislative Body met in regular session on the 26th day of March at the Bill G Kelley Criminal Justice Complex in Somerville, Tennessee. Present and presiding was Mayor Rhea Taylor. Also, present were James R. “Bobby” Riles, Sheriff; Sue W. Culver, County Clerk, and the following County Commissioners:

Charles E. Dacus, Jr., Ben Farley, Willie German Jr, Tim Goodroe, Bill Kelley, Terry Leggett, David Lillard, Sylvester Logan, Jim Norton, Claude Oglesby, Kevin J. Powers, Dale Reaves, Steve Reeves, Elizabeth Rice, Ray Seals, Robert Sills, Bill Walker, and Larry Watkins.

A quorum was declared with eighteen Commissioners present. Commissioner Johnny Walker was absent.

The floor was opened to the public for comments on non-agenda items. Mrs. Cynthia Appling who lives in the Orr Road area addressed the Board regarding the potholes on Orr Road and other roads in the neighborhood. She requested that the roads be paved and that the potholes not be filled with chip and seal. She stated that chip and seal would be out of the hole by the end of the day. She gave a petition with 136 signatures to Mayor Taylor to be turned over to Public Works, and she was advised to talk to Mr. Dowdy at the Public Works Department regarding the repaving of the road. With no one else coming forth, the floor was closed.

Commissioner Lillard moved to approve the minutes from February 26, 2019. The motion was seconded by Commissioner Powers and passed unanimously.

Commissioner Watkins moved to approve the following as Notaries Public: Loretta Denise Bell, E. Ann Blackmore, Elaine R. Carpenter, Kathi Crawford, David L. Douglas, Tammy D. Dowdy, Tammy Glover, Shanna N. Greer, Margaret E. Hill, Alongee M. Hilliard, Carolyn Kinas, Mary Mathis, Virginia Modlin, Tina Nolen, Andrew Phelps, Sharon Darsaw Puryear, William David Reeves, Stacie M. Spray, Elizabeth M. Wagerman, and JoAnn Wiles.

The motion was seconded by Commissioner Farley and passed unanimously.

Commissioner Leggett placed Ronnie Dale Wilkins name in nomination to replace Andy Avery, who resigned from the Public Works Board last month. With no other nominations being made Commissioner Goodroe moved that all nominations cease and Mr. Wilkins be elected by acclamation. The motion was seconded by Commissioner Robert Sills and passed unanimously.

Chairman Taylor placed Mike Van Story and Blake Neill in nomination for the open position on the Board of Zoning Appeals. Commissioner German moved to approve their appointment, Commissioner Norton seconded the motion which passed unanimously.

Chairman Taylor stated that financial reports were included in Commissioners’ packets and any questions should be addressed with the appropriate official. He then reported for the County Mayor’s Office. The first item he reported was that the audit report for Fayette County

has been completed, and there were no findings in any department. This next Saturday will be free disposal of small amounts of hazardous household waste from 8 AM until noon. The Sales tax increase passed for the city of Oakland. Once the election results are certified they will be sent to Nashville, it will probably take a couple of months to go into effect so that the Town of Oakland can start collecting any money from the sales tax referendum. The new Leadership Fayette Class was in attendance. The Mayor stated that Commissioner Powers was working on a challenge for litter pick-up in the county where residents are encouraged to go out and pick up trash from the roadside, then take a picture of themselves and put it on facebook. The winner will receive a \$10 or \$15 gift card from Sonic or McDonalds. The adopt-A-Highway program does not seem to be working.

No reports were given for the Sheriff's Department, Board of Education, Juvenile Court, Board of Public Works, Trustee, or Planning and Development.

Commissioner Farley reported for the Development Commitment which met on March 11, 2019, with John Pitner, Director of Planning and Development to discuss requested changes in the Blight Ordinance for Fayette County. The changes would allow easier service to the property owner and make the process smoother without involving the courts initially. Initial costs were also discussed. Approximately \$25000 is needed for two clean-up projects. The motion to approve the blight regulation was made by Commissioner Farley, It was seconded by Commissioner Robert Sills and passed unanimously.

PROVISIONS FOR THE HEALTH AND SAFETY
OF PRIVATELY-OWNED REAL PROPERTY

Section 1 – Enforcement and Review

- (a) Enforcement of these provisions shall be the duty of the Fayette County Building Commissioner and such personnel under his supervision as he may designate.
- (b) Appeal of the Building Commissioner's enforcement actions shall be reviewed by a Hearing Officer, who shall be selected by lot drawn by the appellant from among the members of the Fayette County Board of Zoning Appeals. If there is more than one appeal to be decided at a hearing the Hearing Officer for all the appeals shall be the appeals board member selected by the appellant whose appeal is the first submitted. For sitting as Hearing Officer an appeals board member shall receive the same compensation as for an appeals board meeting.

Section 2 – Property Standards

- (a) Definitions. Except as specifically defined herein all words used in these provisions shall have their customary dictionary definition where not inconsistent with the context of their use. Words used in the present tense shall include the future. The singular number shall include the plural and plural the singular.
 - (1) "Accumulation of debris, trash, litter, or garbage" means a state in which a significant quantity of solid waste products, decomposing matter, or personal property that has been discarded, damaged or which has little or no economic value or practical use is located on the property such that one or more of the following conditions results: the accumulation contributes to the infestation of the property by insects, rodents or other vermin; the accumulation creates an attractive nuisance or other danger to children; the debris, trash, litter or garbage spreads to adjacent properties by natural action of wind or water; the accumulation produces offensive odors that affect reasonable enjoyment of adjacent properties; the accumulation creates a risk to the health and safety of occupants of the property or other residents of the county; or the accumulation noticeably depresses the value of adjacent properties.
 - (2) "Agriculture," as defined in Tennessee Code Annotated Section 1-3-105(2)(A), means one or more of the following: the land, buildings and machinery used in the commercial production of farm products and nursery stock; the activity carried on in connection with the commercial production of farm products and nursery stock; recreational and educational activities on land used for the commercial production of farm products and nursery stock.
 - (3) "Dilapidated building or structure" means a structure that is unfit for human occupation or use due to conditions in or around such structure that are dangerous or injurious to the health or safety of the occupants of such structure, the occupants of neighboring structures or to the health or safety of other residents of the county, assuming ordinary sensibilities of a reasonable person; such conditions may include but are not limited to: defects within the structure increasing the hazard of fire, accidents or other calamities; disrepair; structural defects; and unsanitary conditions.
 - (4) "Owner" means the owner of record of the real property as identified in the records of the register of deeds or assessor of property.
 - (5) "Structure" means a building or construct intended for human occupation or use for residential, commercial, industrial, or storage purposes; the term includes, but is not

limited to, houses, garages, commercial and industrial buildings, shops, storage buildings, and sheds; the term does not include structures built solely for occupation by animals.

(b) Regulations.

- (1) It shall be a violation of this resolution for any owner of property to create, maintain or permit to be maintained on property the accumulation of debris, trash, litter, or garbage so as to endanger the health, safety or welfare of other persons.
- (2) It shall be a violation of this resolution for any owner of property to create, maintain or permit to be maintained on property a vacant dilapidated structure that endangers the health, safety or welfare of other persons.
- (3) Where two (2) occupied structures are located within 500 feet of one another, it shall be a violation of this resolution for any owner of property within 500 feet of either structure to permit grass to grow to an excessive height within 500 feet of either structure; grass not at least twelve (12) inches high shall not be considered to be of "excessive height."

Section 3 - Owner Responsibilities

It is the obligation of any owner of property to maintain such property so as not to endanger the health, safety or welfare of others and to comply with the terms of these regulations. If a tract does not comply with the above-stated regulations, the property owner is responsible and liable regardless whether such condition was caused by a tenant, leaseholder or other person.

Section 4 - Identification and Priority of Violations

- (a) Whenever the Building Commissioner can observe a violation from a county road, or whenever a petition is filed with the Building Commissioner by owners or tenants of at least three (3) occupied structures lying within 500 feet of the boundary of the property in question alleging that a violation of any of these regulations exist and the Building Commissioner has confirmed such violation, the Building Commissioner may undertake enforcement action.
- (b) In his enforcement of these regulations the building commissioner shall prioritize by the following criteria: 1 - hazards and dangerous nuisances on abandoned property, such as uncovered swimming pools and appliances without doors removed; 2 - repeat offenders; 3 - occurrences in violation of these regulations in subdivisions of at least five (5) lots that do not have covenants prohibiting the occurrence; 4 - occurrences in violation of these regulations in subdivisions of at least five (5) lots that do have covenants prohibiting the occurrence; 5 - none of the above.
- (c) The building commissioner in administering these regulations is charged in all cases to keep an attitude of service toward the poor, who suffer more by blight than any other segment of the community. To assist and protect those most vulnerable citizens is the principal motive for these provisions, which the building commissioner will ever keep in mind in his exercise of authority under this Resolution. He is not to be drawn into practices that fundamentally amount to dispossessing the poor or shoving them out of sight, which perhaps may best be prevented by routinely deliberating the criteria of Section 4(b) in view of relative impacts.

Section 5 - Notice of Violation

- (a) The Building Commissioner shall provide notice of violation of these regulations by personal

service upon the owner(s) or by United States Certified Mail, Return Receipt Requested, addressed to the last known address of the owner(s) of record. The notice of violation shall be written in plain language and shall include, but not be limited to, the following elements:

- (1) A summary of the requirements of these regulations and a brief statement of the violation including the date the violation was noted;
 - (2) A statement of Tennessee Code Annotated Section 5-1-115 and an explanation of the consequences and penalty of failing to remedy the violation;
 - (3) A statement of the person, office, address, and telephone number of the authority giving notice;
 - (4) A statement of deadline and the actions necessary to permanently remedy the violation together with a cost estimate for the work, which shall be in conformity with the standards of cost in the community; and
 - (5) A statement of where the property owner(s) may return a copy of the notice of violation indicating the desire for a hearing.
- (b) If the whereabouts of the owner(s) is unknown and cannot be determined by the Building Commissioner in the exercise of due diligence or if for any reason notice by Certified Mail, Return Receipt Requested, cannot be obtained, the Building Commissioner, after making affidavit to that effect, may then serve constructive notice of violation upon the owner(s) by an appropriate publication for two (2) weeks in one (1) newspaper of local circulation. A copy of the first published notice of violation promptly shall be posted in a conspicuous place on the subject property and photographed. The affidavit promptly then shall be filed for record in the county register's office, exhibiting both the personal service notice of violation and the photographed constructive notice, along with either the Building Commissioner's written declaration that personal service was unsuccessful or a copy of the return envelope, and such filing shall have the same force and effect as other lis pendens notices provided by law. If compliance does not occur within five (5) days after the recordation, then the second constructive notice of violation shall be published and, after ten (10) days of continued noncompliance, the Building Commissioner shall act in accordance with Section 7(a) to remedy the condition.

Section 6 – Compliance and Appeals

- (a) Upon receipt of the notice of violation, the property owner within ten (10) days shall either remedy the violation or request a hearing before the authority established in Section 1 of these regulations, provided that if the owner is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, steam, liquids, sewerage, gas, or other materials the owner shall have twenty (20) days to remedy the violation, excluding Saturdays, Sundays and legal holidays.
- (b) If the property owner timely requests a hearing as provided herein, the Hearing Officer shall, within a reasonable time, hold a hearing on the issue of the appropriateness and/or cost of the measures required to remedy the condition. The time period specified herein to remedy a violation shall be stayed pending review by the Hearing Officer. Failure to timely request a hearing shall, without exception, constitute a waiver of the right to a hearing.

The hearing shall be conducted as an initial hearing with the burden of proof being with the Building Commissioner, who must demonstrate that the violation exists by a preponderance of the evidence. At the conclusion of the hearing, the Hearing Officer may: 1) dismiss the notice of violation and such notice shall become ineffective; 2) affirm the notice of violation; 3) modify the notice of violation; or 4) grant a continuance at the request of either party if the

Hearing Officer considers the continuance appropriate.

- (c) Concurrent with the request for a hearing the property owner shall pay a fee of two hundred dollars (\$200.00) to offset the cost of the hearing, provided this fee shall be fully refunded if the Hearing Officer's decision is to dismiss the violation.
- (d) Any person aggrieved by an act of the Hearing Officer under these regulations may seek judicial review under Tennessee Code Annotated, Title 27, Chapter 8, Part 1.

Section 7 – Remedies and Penalties

- (a) If the owner does not request a hearing within ten (10) days after receiving the notice of violation, the Building Commissioner whenever necessary to remedy the condition thereafter may cause such property to be repaired, altered or improved or be vacated and closed, removed or demolished without further notice. The Building Commissioner may contract with a private entity to perform the work or request such work be performed by a department or agency of the county. In contracting for such services from a private entity, the Building Commissioner shall comply with all applicable purchasing procedures of the county. All costs of such action, whether in administration of this Resolution or actual performance of the work, shall be in conformity with reasonable standards; and upon performance of the work, all costs of administration and actual performance shall, upon the filing of a notice with the office of the register of deeds, be a lien in favor of the county against the real property on which such cost was incurred, second only to liens of the state and county for taxes, any lien of the county for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing prior to the filing of such notice. The notice of lien shall identify the owner(s) of record of the real property, contain the property address, describe the property sufficiently to identify it, and recite the amount of the obligation secured by the lien, which amount shall be collected by the county trustee at the same time and in the same manner as property taxes are collected. A copy of the recorded notice of lien shall be mailed to the last known address of the owner(s) of record.
- (b) In the instance of a repeat offense where a lien once has been filed against a particular parcel and owner and subsequently paid, it shall not thereafter be necessary to accomplish the constructive notice procedures of Section 5(b) above (i.e., newspaper publication and on-site posting) should it not be possible to document receipt of notice by certified mail. Instead, the Building Commissioner need only make affidavit of the unsuccessful effort to serve notice by Certified Mail, Return Receipt Requested, and file such affidavit in the county register's office with the same force and effect as other lis pendens notices provided by law.
- (c) Pursuant to Tennessee Code Annotated Section 5-1-121 any owner of property found to be in violation of these regulations shall be subject to a monetary penalty of \$200.00 for a first offense and \$500.00 dollars for each subsequent offense on the same property. In addition, the prosecuting authority may seek reimbursement of all documented enforcement costs, including, but not limited to, attorney's fees, mailings, travel, and \$25.00/hour staff time.
- (d) Pursuant to Tennessee Code Annotated Section 5-1-123 such penalty may be enforced by the General Sessions Court of Fayette County. Action to impose such penalties through the General Sessions Court may be prosecuted by the Building Commissioner or by the County Attorney or by the Chairman of the County Legislative Body.

Section 8 – Exceptions

- (a) The provisions of Section 7(a) above permitting Fayette County to remedy a violation of these regulations and place a lien for the costs thereof on the subject property shall not apply to any parcel upon which an owner-occupied residence is located. Enforcement of these regulations in the case of owner-occupied property shall be accomplished solely by civil penalty imposed in General Sessions Court.
- (b) The county shall remove motor vehicles only in accordance with the provisions of Tennessee Code Annotated 55-16-101 and in accordance with the limitations of Tennessee Code Annotated 55-5-122.
- (c) These regulations shall not apply to any business operated pursuant to the Tennessee Solid Waste Disposal Act, Tennessee Code Annotated Section 68-211-101.
- (d) These regulations shall not apply to any agricultural building or agricultural enterprise.

Section 9 – Rules and Record Keeping

- (a) In addition to these regulations, the Building Commissioner may promulgate additional rules and procedures necessary for the administration of these regulations subject to approval by the County Legislative Body.
- (b) The Hearing Officer shall make a written record of his deliberations and decisions under Section 6(b) above and the Building Commissioner shall maintain it as a public record. The Building Commissioner also shall keep a public record of the following:
 - (1) all petitions filed with his office;
 - (2) the mileage driven in performing investigations;
 - (3) the address of any property cited for violation of these regulations;
 - (4) a copy of all notices to property owners cited for violation of these regulations and the expenses associated therewith;
 - (5) all requests for hearing received;
 - (6) all waivers of hearing and agreements to remedy violations;
 - (7) copies of all requests for judicial review and final decision of the judicial review.

Section 10 – Effective Date

This Resolution shall become effective seven (7) days following its entire publication in the local Fayette Falcon newspaper, the public welfare requiring it.

Section 11 – Severability and Conflict with Other Resolutions

- (a) If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to that end, the provisions of this Resolution are declared to be severable.
- (b) All resolutions of the Board of County Commissioners of Fayette County, Tennessee, which conflict with this Resolution, if any, are hereby repealed.

Commissioner Steve Reeves reported for the Health & Welfare Committee which met on March 11, 2019, with Glenn Miller, Ambulance Director, and reviewed last month's activity.

Solid Waste has applied for and received a grant for large recycle containers. The paperwork has not been processed but the budget amendment discussed and voted on will allow purchase quickly when it is completed. On April 3,4,5 Spirit Architecture will be in the Sheriff's training room, holding meetings and working through suggestions.

Commissioner Lilliard reported that the Personnel Committee did not meet.

The Education Committee did not meet.

Commissioner Goodroe moved to do a feasibility study, based out of the Criminal Justice and Public Safety Committee , on cost to record County Commission meetings, post them on the County website, and even live-stream. This is so we can digitally market what we are trying to accomplish in the County. The motion was seconded and passed unanimously. The Mayor asked the Sheriff if he could get a ball park figure from some tech people in his office, and he agreed to do so and bring it back to the next Committee Meeting.

Commissioner Rice reported for the Criminal Justice/ Public Safety Committee which met on March 12,2019 and reviewed reports for January. The jail population has stabilized at about 179. Chief Hartfield, Fayette County Fire Chief reported on fire department activities. There was also a litter pick-up discussion.

Commissioner German reported for the Budget Committee which met on March 12, 2019. Commissioner German moved to approve the following Budget Amendment to Fund 101 to cover vacation payout. The motion was seconded by Commissioner Leggett and passed

unanimously.

10.3.6.2

RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 26th day of March, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

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

**COUNTY GENERAL FUND
BUDGET AMENDMENT
F/Y 18/19
March 2019**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
52300 Property Assessor's Office		
106 Deputy(ies)		\$ 800.00
Subtotal-52300		\$ 800.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:		\$ 800.00
Prior Estimated Expenditures		\$ 18,156,756.53
Total Estimated Expenditures this Amendment		\$ 18,157,556.53
Projected Fund Balance before Amendment		\$ 4,717,444.36
Change in Fund Balance this Amendment		(\$ 800.00)
Estimated Ending Fund Balance as of June 30, 2019		\$ 4,716,644.36

Commissioner German moved to approve the following Budget Amendment to Fund 101 for Blight Regulation Funding. The motion was seconded by Commissioner Powers and passed

unanimously.

10.3.6.3

RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 26th day of March, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

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

**COUNTY GENERAL FUND
BUDGET AMENDMENT
F/Y 18/19
March 2019**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
<u>54510</u> <u>Inspection & Regulation</u>		
399 Other Contracted Services		\$ 25,000.00
Subtotal-54510		\$ 25,000.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:		\$ 25,000.00
Prior Estimated Expenditures		\$ 18,156,756.53
Total Estimated Expenditures this Amendment		\$ 18,181,756.53
Projected Fund Balance before Amendment		\$ 4,717,444.36
Change in Fund Balance this Amendment		(\$ 25,000.00)
Estimated Ending Fund Balance as of June 30, 2019		\$ 4,692,444.36

Commissioner German moved to approve the following Budget Amendment to the Solid Waste Fund 116 for the grant for large recycle containers. The paper work is not finally processed but this amendment will allow purchase quickly when it is completed. The

motion was seconded by Commissioner Lillard and passed unanimously.

10.3.6.4

RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 26th day of March, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the Solid Waste Fund #116 Budget be amended in the following words and figures, to wit:

**SOLID WASTE FUND
BUDGET AMENDMENT
FY 18/19
March, 2019**

<u>Adjustment to Revenue Accounts:</u>	<u>INCREASE</u>	<u>DECREASE</u>
46980 Other State Grant	\$ 14,300.00	
TOTAL INCREASE/DECREASE TO REVENUE ACCOUNTS:	\$ 14,300.00	
<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
55754 Landfill Operation & Maintenance		
733 Solid Waste Equipment		\$ 14,300.00
Subtotal-55754		\$ 14,300.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:		\$ 14,300.00
Prior Estimated Expenditures		\$ 1,109,268.00
Total Estimated Expenditures this Amendment		\$ 1,123,568.00
Projected Fund Balance before Amendment		\$ 833,549.00
Change in Fund Balance this Amendment		\$ 0.00
Estimated Ending Fund Balance as of June 30, 2019		\$ 833,549.00

Commissioner German moved to approve the following Budget Amendment to Fund 171- Bid Adjustment for the amount required as a match for the new ambulance. The motion

was seconded by Commissioner Robert Sills and passed unanimously.

10.3.0.3

RESOLUTION

BE IT RESOLVED, by the County Legislative Body and/or the Board of County Commissioners of Fayette County, Tennessee, in regular sessions on this 26th day of March, 2019, it being the fourth Tuesday of the month and the regular monthly meeting of the County Legislative Body in the Criminal Justice Center in Somerville, Tennessee.

That the General Fund #171 Budget be amended in the following words and figures, to wit:

**GENERAL CAPITAL PROJECTS FUND
BUDGET AMENDMENT
F/Y 18/19
March 2019**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
<u>55130 Ambulance Department</u>		
718 Motor Vehicles		<u>\$ 10,001.00</u>
Subtotal-55130		\$ 10,001.00
TOTAL INCREASE/DECREASE TO EXPENDITURE ACCOUNTS:		\$ 10,001.00
Prior Estimated Expenditures	\$	759,137.58
Total Estimated Expenditures this Amendment	\$	769,138.58
Projected Fund Balance before Amendment	\$	127,165.19
Change in Fund Balance this Amendment	(\$	10,001.00)
Estimated Ending Fund Balance as of June 30, 2019	\$	117,164.19

Commissioner German moved to approve the following Resolution Urging the General Assembly To Adopt An Equitable Distribution of Local Sales Tax Revenue From Out-Of-State-

Sellers. The motion was seconded by Commissioner Oglesby and passed unanimously.

10.3.6.6

**TO URGE THE GENERAL ASSEMBLY TO ADOPT AN EQUITABLE DISTRIBUTION
OF LOCAL SALES TAX REVENUE FROM OUT-OF-STATE SELLERS**

WHEREAS, county governments in Tennessee are the primary providers of numerous essential government services including, but not limited to, public K-12 education, jails and law enforcement, road building and maintenance, election administration, property assessment, solid waste disposal, and record keeping and administration for the various state courts; and

WHEREAS, county governments are limited by law regarding the forms of taxation and revenue generation which they are authorized to use, making the local sales tax an important source of revenue for counties; and

WHEREAS, the House Finance, Ways, and Means Committee asked the TACIR to study revenue sources of cities and counties in Tennessee and the services each provide; and

WHEREAS, representatives of counties and cities on the TACIR working group agree that the current distribution of the uniform local sales tax rate for out-of-state sellers is inequitable and should be eliminated; and

WHEREAS, the TACIR working group recommends that local sales tax revenue from out-of-state sellers be distributed based on the destination of the purchaser.

NOW, THEREFORE, BE IT RESOLVED by the Fayette County Legislative Body meeting in regular Session at the Bill G. Kelley Justice Complex in Somerville, Tennessee, on this 26th day of March, 2019, that the members of the General Assembly representing the people of Fayette County are strongly urged to work for the passage of legislation to provide for an equitable distribution of local sales tax revenue from out-of-state sellers by distributing the tax based on the destination of the purchase; and

BE IT FURTHER RESOLVED, that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Fayette County.

Adopted this 26th day of March 2019.

APPROVED: _____

Rhea Taylor, County Mayor

ATTEST: _____

Sue Culver, County Clerk

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

Rhea Taylor, County Mayor

ATTEST:

Sue Culver, County Clerk



Minutes
for
approval