

FAYETTE COUNTY LEGISLATIVE BODY  
July 25, 2023

**BE IT REMEMBERED** that the Fayette County Legislative Body met in regular session on July 25, 2023, at the Bill G. Kelley Justice Complex in Somerville, Tennessee. Present and presiding was the County Mayor, Rhea Taylor. Also, present and presiding were the Sherriff, James R. “Bobby” Riles, Shana N. Burch, Fayette County Clerk, and the following County Commissioners: Terry Canady, David Crislip, Tim Goodroe, Steve Laskoski, Terry Leggett, Claude Oglesby, Tommy Perkins, Mike Reeves, Steve Reeves, Matt Rhea, Elizabeth Rice, Betty Salmon, Ray Seals, Robert Sills, Larry Watkins, David Webb, and Adrian Wiggins. Commissioners Win Moore and Jim Norton were absent.

A quorum was declared with seventeen (17) Commissioner’s present and two (2) Commissioner’s absent.

Commissioner Tommy Perkins gave the invocation.

The floor was open for non – agenda items. Mr. H. Ray Wilson at 160 Brockford in Eads addressed the board about the old Fayette County US Railroad. Mr. Wilson worked 38 years with the railroad in Memphis and retired in 2004. Mr. Wilson is inquiring about the M.C. Railroad that ran across the front of the Fayette County Justice Complex years ago. Mr. Wilson was inquiring about old photographs or data from anybody that may have had relatives or knew somebody that worked for the railroad. Ms. Hattie Wilson at 1130 Leach Drive of Somerville, addressed the board with two (2) points. Her first point was that there were a lot of new faces and some of the commissioners had very soft voices, that name tags needed to be present so that the citizens that came to the meeting would know who said what and how they voted. Second point, she lives across from WT Contracting, a sand business down from East Jr. High School. She has learned and continues to learn about the comprehensive plan for the county and the different townships. She thanked the commissioners for the good work that they do for the county. Mickey White at 205 Casey Drive in Rossville addressed the board about the web site for the county to be updated about the county meetings, videos, and start zooming for people that cannot make it in time. With no one else coming forward the floor was closed.

Next on the agenda was the approval of the June 2023 minutes. Commissioner Leggett made the motion to approve, with the pages that were missing being added. The motion was seconded by Commissioner Perkins. Commissioner Wiggins pointed out that a couple of votes were cut off, with the corrections being made and the pages added to the minutes were approved.

Commissioner Steve Reeves made the motion to approve the following as notaries: Matthew T. Black, Allison Clay, Z’Squita A. Gillespie, Lacy Harden, Elizabeth Leigh McDonald, Barbara J. Mitchell, Melissa Moore, Donna O’Neal, Michael V. Peeney, Carl Pope, Lynn B. Sparks,

and Angela Thornton. The motion was seconded by Commissioner Robert Sills and passed unanimously.

Next on the agenda was the financial reports, which the chairman stated that these are the year-end reports, which included the Register of Deeds, General Session Court, County Clerk, Mr. McNab put a summary in for the end of June 2023 and on the table is the year-end report. For any questions, please get with the appropriate official.

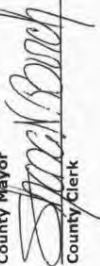
**Fayette County, Tennessee**  
**Office of The Register Of Deeds**  
**Annual Financial Report**  
**For The Period Of 07/01/2022 - 06/30/2023**

Account Description	Beginning Balance	Adjustments	Receipts	Transfers In	Disbursements	Transfers Out	Commission Transfers	Ending Balance
MORTGAGE TAX	0.00	0.00	571883.33	0.00	558158.05	0.00	13725.28	0.00
CONVEYANCE TAX	0.00	0.00	1777504.74	0.00	1734844.70	0.00	42660.04	0.00
DP FEES	0.00	0.00	16108.00	0.00	16108.00	0.00	0.00	0.00
REGISTER'S FEES	0.00	0.00	3143.00	0.00	3143.00	0.00	0.00	0.00
RECORDING FEES	-537.00	0.00	220921.26	0.00	277232.58	0.00	-56385.32	-611.00
LATE FEES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS FEES	0.00	0.00	821.25	0.00	821.25	0.00	0.00	0.00
REFUNDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OVER/SHORT	0.00	0.00	542.00	0.00	542.00	0.00	0.00	0.00
ESCROW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CR/DB CARD FEES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTALS:</b>	<b>-537.00</b>	<b>0.00</b>	<b>2590923.58</b>	<b>0.00</b>	<b>2590849.58</b>	<b>0.00</b>	<b>0.00</b>	<b>-611.00</b>
<b>SUMMARY OF ASSETS:</b>								
CASH ON HAND	312.00							312.00
CASH IN BANK	0.00							0.00
ACCOUNTS RECEIVABLE	225.00							299.00
<b>TOTALS:</b>	<b>537.00</b>							<b>611.00</b>

This report is submitted in accordance with requirements of Sections 5-8-505 and /or 67-5-1902, as amended, Tennessee Code Annotated, and to the best of my knowledge, information and belief accurately reflect transactions of this office for the period 07/01/2022 through 06/30/2023.


  
 Register of Deeds      Date: 07/06/23


  
 County Mayor      Date: 7/6/23


  
 County Clerk      Date: 7/10/23

Fayette Co General Sessions Court  
Annual Financial Report  
For The Year Ended June 30, 2023

Date: 7/13/2023 8:56:43AM  
User: heather

Acct #	Description	Beginning Balance	Adjustments	Receipts	Disbursements	Commission Transfers	Ending Balance
<b>Fund: 904 General Sessions Court Clerk</b>							
<b>23000 Due To State Of Tennessee</b>							
23111	Litigation Tax	0.00	1,319.88	152,839.67	-144,795.01	-9,364.54	0.00
23180	Criminal Injuries Compensation Tax	0.00	9.00	5,655.00	-5,475.00	-189.00	0.00
23220	Game And Fish Fines And Costs	0.00	0.00	133.00	-130.50	-2.50	0.00
23300	Secretary Of State - Notary Commissions	0.00	-20.00	180.00	-160.00	0.00	0.00
23400	Department Of Safety	0.00	264.25	134,644.68	-128,163.48	-6,745.45	0.00
23600	Tenn Bureau Of Investigation	0.00	18.00	1,238.75	-1,193.89	-62.86	0.00
23800	Motor Vehicle Enforcement	0.00	0.00	2,240.25	-2,128.24	-112.01	0.00
23900	Other Funds Due State	0.00	90.00	4,005.25	-3,890.48	-504.77	0.00
	<b>Totals:</b>	0.00	1,701.13	300,936.60	-285,936.60	-16,701.13	0.00
<b>24000 Due To County Trustee</b>							
24140	Litigation Tax - General	0.00	-1,037.75	244,775.16	-227,288.09	-16,449.32	0.00
24310	County Fines	0.00	441.75	23,211.00	-22,470.10	-1,182.65	0.00
24330	Drug Fines	0.00	29.85	6,279.00	-5,993.40	-315.45	0.00
24331	Drug Court Fee	0.00	70.00	2,794.75	-2,721.51	-143.24	0.00
24340	County Game And Fish Fines	0.00	0.00	25.00	-22.50	-2.50	0.00
24360	Officers Costs	0.00	-70.25	40,888.00	-38,776.87	-2,040.88	0.00
24370	Jail Fees	0.00	-12.00	2,016.00	-1,903.80	-100.20	0.00
24380	District Attorney General Fees	0.00	-75.00	823.00	-712.49	-37.51	0.00
24490	Other Collections	0.00	2,132.25	62,902.24	-61,542.93	-3,491.56	0.00
	<b>Totals:</b>	0.00	1,478.85	383,716.15	-361,431.69	-23,763.31	0.00
<b>25000 Due To Cities</b>							
25210	City Fines	0.00	-39.00	14,103.75	-13,361.52	-703.23	0.00
25220	Drug Fines	0.00	-125.00	11,352.00	-10,665.65	-561.35	0.00
25230	Officers Costs	0.00	-115.00	3,623.75	-3,333.31	-173.44	0.00
	<b>Totals:</b>	0.00	-279.00	29,079.50	-27,360.48	-1,440.02	0.00
<b>26000 Due To Litigants, Heirs And Others</b>							
26100	Court Funds And Costs	27,135.64	57,923.63	422,791.12	-491,193.52	0.00	16,656.87
26200	Officers Costs - Non-County	84.00	-237.00	3,448.00	-3,231.00	0.00	64.00
26400	Deposits	25,838.75	-52,995.85	78,737.10	0.00	0.00	51,600.00
	<b>Totals:</b>	53,058.39	4,690.78	504,966.22	-494,424.52	0.00	68,320.87
<b>28000 Other Credits</b>							
29900	Fee/commission/Account	0.00	-408.54	176,202.70	-217,698.62	41,904.46	0.00
	<b>Totals:</b>	0.00	-408.54	176,202.70	-217,698.62	41,904.46	0.00

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Fayette Co General Sessions Court  
Annual Financial Report  
For The Year Ended June 30, 2023

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<b>Fund Totals:</b>	53,058.39	7,183.22	1,394,931.17	-1,386,851.91	0.00	568,320.87
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Date: 7/13/2023 8:56:43AM  
User: heather

Fayette Co General Sessions Court  
Annual Financial Report  
For The Year Ended June 30, 2023

Summary of Assets:		
Cash In Bank	\$53,058.39	\$68,320.87
Cash On Hand	\$0.00	\$0.00
<b>Totals:</b>	<b>\$53,058.39</b>	<b>\$68,320.87</b>

This report is submitted in accordance with requirements of Section 5-8-505 and/or 67-5-1902, Tennessee Code Annotated, and to the best of my knowledge and belief accurately reflects transactions of this office for the year ended June 30, 2023.

*E. Dillman*  
(Signature)

*Circuit Court Clerk*  
(Title)

*7-13-23*  
(Date)



FAYETTE COUNTY CLERK  
 GENERAL LEDGER - FINANCIAL REPORT  
 YEAR FORMAT

FISCAL YEAR 2023 - PERIOD ENDING 06/30/2023

ACCT	DESCRIPTION	BEGINNING BALANCE	GENERAL	RECEIPTS	DISBURSEMENTS	COMMISSIONS	TRANSFERS IN	TRANSFERS OUT	ENDING BALANCE
24296	Racetrack Renewal Fee	.00	.00	.00	.00	.00	.00	.00	.00
24400	OTHER COUNTY COLLECTIONS	.00	.00	1,515.00	1,515.00	.00	.00	.00	.00
24492	HELPING SCHOOLS	.00	.00	827.40	827.40	.00	.00	.00	.00
	*** SUB-TOTAL ***	.00	280.00	3,354,753.81	3,350,722.72	3,757.09	.00	.00	.00
26000	DUE TO LITIGANTS, HEIRS, & OTHERS	.00	.00	.00	.00	.00	.00	.00	.00
26010	ML Specialty Certificate	.00	.00	2,608.02	2,608.02	.00	.00	.00	.00
26315	CONTRIBUTIONS - ORGAN DONOR PR	.00	.00	.00	.00	.00	.00	.00	.00
26400	DEPOSITS	.00	.00	.00	.00	.00	.00	.00	.00
26401	CREDIT CARD FEES - BIS	.00	.00	14,650.50	14,650.50	.00	.00	.00	.00
26405	CREDIT CARD - BANK	.00	.00	64,062.92	64,062.92	.00	.00	.00	.00
26901	GENEOLOGY RESEARCH	.00	.00	.00	.00	.00	.00	.00	.00
26920	NOTARY SEALS	.00	.00	.00	.00	.00	.00	.00	.00
26930	POSTAL CHARGES	.00	.00	.00	.00	.00	.00	.00	.00
26991	OVERPAYMENT/REFUND	.00	233.52	16,239.28	18,005.76	.00	.00	.00	.00
26999	OVER & SHORT	.00	285.77	.00	-285.77	.00	.00	.00	.00
	*** SUB-TOTAL ***	.00	519.29	99,560.72	99,041.43	.00	.00	.00	.00
39700	FEE & COMMISSION ACCOUNT	.00	95.31	391,237.63	557,797.98	-183,220.12	.00	.00	-105,812.09
49900	CLERK'S FEES/COMMISSIONS	.00	-3.00	6,441.00	6,444.00	.00	.00	.00	.00
29901	COMPUTER CLERK FEE	.00	.00	8,668.90	8,668.90	.00	.00	.00	.00
29902	TONER & PAPER FEES	.00	.00	4,270.00	4,270.00	.00	.00	.00	.00
29955	EIVS NOTICE COUNTY	.00	.00	35,284.00	35,284.00	.00	.00	.00	.00
29957	EARMARK TITLE LOCAL 3	.00	92.31	445,901.53	603,795.98	-174,551.22	.00	.00	-105,812.09
	*** SUB-TOTAL ***	-89,247.63	974.60	8,505,711.61	8,488,418.55	.00	.00	.00	-106,215.19

FAYETTE COUNTY CLERK  
 GENERAL LEDGER - FINANCIAL REPORT  
 YEAR FORMAT  
 FISCAL YEAR 2023 - PERIOD ENDING 06/30/2023

ACCT DESCRIPTION	BEGINNING BALANCE	GENERAL	RECEIPTS	DISBURSEMENTS	COMMISSIONS	TRANSFERS IN	TRANSFERS OUT	ENDING BALANCE
SUMMARY OF ASSETS:								
CASH ON HAND	4,000.00							4,000.00
CREDIT CARD	.00							.00
CREDIT CARD CHARGES-MTOT	.00							.00
CASH - TRUSTMARK NATIONAL BANK	48,758.97							43,425.93
CASH - BANK OF FAYETTE	.00							21,460.27
CREDIT CARD	35,672.75							36,697.23
RETURNED CHECKS	1,495.01							691.76
HOTEL RECEIVABLE	.00							.00
TITLE GIFT VOUCHER	.00							.00
RENEWAL GIFT VOUCHER	.00							.00
*** TOTAL ***	89,896.73							108,215.19

THIS REPORT IS SUBMITTED IN ACCORDANCE WITH REQUIREMENTS OF SECTION 5-8-505, AND/OR 87-9-1902, TENNESSEE CODE ANNOTATED, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF ACCURATELY REFLECTS TRANSACTIONS OF THIS OFFICE FOR THE PERIOD ENDING JUNE 30, 2023.

(Signature) *Wendy Cery* (Date) July 13, 2023  
 (Title)

This report is to be filed with the County Executive and County Clerk.



June 2023

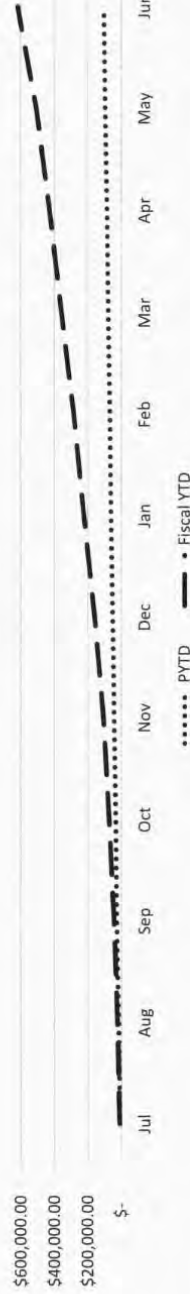
Cash on Hand	\$	500.00
Cash in Banks	\$	13,702,970.85
Investments	\$	36,063,869.98
	\$	<u>49,767,340.83</u>



	Cash Balance (Not Fund Balance)
101 - General Fund	\$ 14,761,614.02
116 - Solid Waste Fund	\$ 1,923,365.49
122 - Drug Control Fund	\$ 583,195.37
125 - AFT Fund	\$ 1,056,791.40
131 - Public Works Fund	\$ 5,494,401.88
141 - General Purpose School Fund	\$ 7,587,171.18
142 - School Federal Projects Fund	\$ 83,082.64
143 - Central Cafeteria Fund	\$ 1,068,835.76
151 - Debt Service Fund	\$ 4,377,289.16
171 - Capital Projects Fund	\$ 11,742,359.19
172 - Community Development Fund	\$ 20.00
175 - HUD Grant Projects Fund	\$ 723,380.94
180 - Other Capital Projects Fund	\$ -
189 - Other Capital Projects Fund	\$ 135,792.66

	Interest Earned					
	PY MTD	PY ROI	PYTD	MTD	ROI	Fiscal YTD
Jul	\$9,082.35	0.0282%	\$ 9,082.35	\$ 11,211.37	0.0239%	\$ 11,211.37
Aug	\$8,315.51	0.0218%	\$ 17,397.86	\$ 11,937.77	0.0262%	\$ 23,149.14
Sep	\$8,023.42	0.0211%	\$ 25,421.28	\$ 18,039.59	0.0334%	\$ 41,188.73
Oct	\$8,332.50	0.0219%	\$ 33,753.78	\$ 30,272.65	0.0534%	\$ 71,461.38
Nov	\$8,056.86	0.0209%	\$ 41,810.64	\$ 34,023.47	0.0589%	\$ 105,484.85
Dec	\$8,816.21	0.0199%	\$ 50,626.85	\$ 52,471.08	0.0747%	\$ 157,955.93
Jan	\$9,121.03	0.0211%	\$ 59,747.88	\$ 65,426.38	0.0875%	\$ 223,382.31
Feb	\$8,085.00	0.0179%	\$ 67,832.88	\$ 59,903.44	0.0798%	\$ 283,285.75
Mar	\$8,736.45	0.0181%	\$ 76,569.33	\$ 73,367.35	0.1103%	\$ 356,653.10
Apr	\$8,931.80	0.0192%	\$ 85,501.13	\$ 72,132.86	0.1441%	\$ 428,785.96
May	\$8,839.80	0.0182%	\$ 94,340.93	\$ 77,291.15	0.0948%	\$ 506,077.11
Jun	\$8,972.37	0.0193%	\$103,313.30	\$112,370.23	0.1465%	\$ 618,447.34

Interest Earned



Dept Description	Beginning Balance	Adjustments	Receipts	Transfers In	Disbursements	Transfers Out	Commissions	Ending Balance
101 County General Fund	-14,476,307.28	-194,083.72	-33,100,338.68	0.00	32,668,285.50	0.00	340,830.16	-14,761,614.02
112 Courthouse & Jail Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
116 Solid Waste/Sanitation	-1,589,162.74	-0.89	-1,813,945.87	0.00	1,463,820.59	0.00	15,923.42	-1,923,365.49
122 Drug Control	-363,208.91	0.00	-323,513.93	0.00	100,867.78	0.00	2,659.69	-583,195.37
125 Adequate Facilities Tax/Dev Tax	-1,206,111.11	0.00	-839,071.00	0.00	980,000.00	0.00	8,390.71	-1,056,791.40
131 Highway/Public Works	-5,273,692.79	357.48	-6,537,971.68	0.00	6,253,220.24	0.00	63,684.87	-5,494,401.88
132 Bridge	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
141 General Purpose School	-6,791,275.72	-2,810.47	-31,984,192.45	0.00	30,966,575.77	0.00	224,531.69	-7,587,171.18
142 School Federal Projects	-55,735.29	0.00	-9,366,364.29	0.00	9,339,016.94	0.00	0.00	-83,082.64
143 Central Cafeteria	-901,823.02	0.00	-2,409,299.39	0.00	2,242,286.65	0.00	0.00	-1,068,835.76
151 General Debt Service	-3,826,190.65	0.00	-3,298,711.03	0.00	2,724,195.00	0.00	23,417.52	4,377,289.16
171 General Capital Projects	-4,078,940.46	0.00	-10,302,903.00	0.00	2,639,484.27	0.00	0.00	-11,742,359.19
172 Community Development/Industrial Park	-20.00	0.00	0.00	0.00	0.00	0.00	0.00	-20.00
175 HUD Grant Project	-3,000,000.94	0.00	-780,000.00	0.00	3,056,620.00	0.00	0.00	-723,380.94





User:  
Date/Time:

Fayette County Trustee  
YTD RDB Report  
Thru June 2023

Template Name: LGC  
Created By:

Summary Of Assets	Beginning Balance	Ending Balance
11110 Petty Cash	0.00	0.00
11120 Cash On Hand	500.00	500.00
11130 Cash In Bank	41,021,501.63	43,657,968.55
11300 Investments	5,108,296.09	6,108,872.28
11410 Accounts Receivable	-287.00	0.00
11440 Due From Other Funds	0.00	0.00
14310 Undistributed Warrants	0.00	0.00
	<u>46,130,010.72</u>	<u>49,767,340.83</u>

This Report is Submitted In Accordance With Requirements Of Section 8-8-505, And/Or 67-5-1902, Tennessee Code Annotated, And to The Best Of My Knowledge And Belief Accurately Reflects Transactions Of This Office For The Year Ended June 2023.

  
(Signature)

County Trustee  
(Title)

7/7/23  
(Date)

There were no new reports for the Sheriff's Department, Board of Education, Juvenile Court, Board of Public Works, or the Planning and Development.

The Chairman reported for the mayor's office. He stated that the large storm that came through knocked out most of the county with electricity and tree damage. The numbers have been collected, with the FEMA damage, it looks like the county will be declared as disaster, but it may take several more months before that is official since there was no loss of life and immediate economic distress. For the residents of the county, if you have trees that have been cut up, the landfill is accepting them for no charge, which is being tracked so that FEMA can reimburse the county. Animal shelter bids have been received, the architect is reviewing it to bring back a number, which looks to be on budget, it will be another week due to construction management. It has fifteen (15) different parts to it and each one has a different vendor. Economic Development interviews are being held.

Charles McNab reported for the Trustee's office. He stated that this past fiscal year, \$618,000.00 in interest has been collected which is an increase of over \$500,000.00, which can be used to support the county and not have to raise the tax rate.

The Development Committee did not meet.

Commissioner Goodroe reported for the Health and Welfare Committee which met on July 10, 2023. The committee discussed the ambulance report, ambulance equipment sale request, solid waste equipment sale request and the Drug Free Fayette to establish an advisory board.

## **HEALTH AND WELFARE COMMITTEE**

### **Minutes July 10, 2023**

#### **Present**

Leggett

Reeves, S

Goodroe

Perkins

Crislip

Canady

- 1) Ambulance Report
  - Total Revenue for the Ambulance Service ended the year at \$2,181,000.
  - This month there were 17 times without an ambulance and no times with a call holding.
  - For the year, there were 259 times when no ambulances were available and, of those times, 24 times had a call waiting on an ambulance.
  - At 100% of the way through the budget, revenue is at 104% and expenditures are at 91%.
  - Wait times at the Emergency Rooms are increasing because the hospitals are full.
- 2) Ambulance – Equipment Sale Request
  - Glenn Miller, Fayette County Ambulance Director, asked that he be allowed to sell two old ambulances and old fire rescue truck. He will look at the Sheriff's sale and possibly Gov Deals, an online auction firm.
  - After discussion, the committee voted to recommend approval on a motion by Reeves, S, and seconded by Perkins.
- 3) Solid Waste - Equipment Sale Request
  - Terry Chambers, Fayette County Solid Waste Director, asked that he be allowed to sell a track loader. He is looking to place it in a local auction performed by Ferge Auctions.
  - After discussion, the committee voted to recommend approval on a motion by Leggett, seconded by Perkins.
- 4) Drug Free Fayette
  - Mayor Taylor presented to the committee the outline of a Drug Free Fayette, which would use current opioid lawsuit settlement funds plus grants to operate programs and educational activities for all of Fayette County. The first step would be the establishment of an advisory board to oversee the program. He presented the following names as the initial members, with others to come later:
    1. Mark Davidson, District Attorney General
    2. Amy Weirick, Assistant District Attorney General
    3. Dr. Versie Hamlett, Fayette County Public Schools Superintendent
    4. Wesley Holmes, Fayette County Public Schools Chief of Staff
    5. Bobby Riles, Fayette County Sheriff
    6. Tina Glover, Fayette County Chamber of Commerce Executive Director
    7. David Douglas, Fayette County General Sessions Judge
    8. Rhea Taylor, Fayette County Mayor
  - After discussion, the committee voted to recommend the members and the establishment of a Drug Free Fayette Advisory Committee, on a motion by Perkins, seconded by Leggett.

Meeting adjourned.

Commissioner Goodroe made the motion to approve the sale request of two ambulances and a fire rescue truck. The motion was seconded by Commissioner Leggett and passed unanimously.

**From:** [Glenn Miller](#)  
**To:** [taylor@fayettekn.us](mailto:taylor@fayettekn.us)  
**Subject:** Vehicles Requested to Sale  
**Date:** Monday, July 10, 2023 3:17:48 PM

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2008 GM 3500 HQ TYPE1 AMBULANCE VIN 1GBJC34658E180770 344,955 miles

2012 GM4500 DURAMAX TYPE 3 AMBULANCE VIN 1GB6G5CL1C1185378 175,683 miles

1990 GM PU VIN 1GTDK14K5LZ593992 95,358 miles miles

Commissioner Goodroe made the motion to approve the sale request from Solid Waste of a track loader. The motion was seconded by Commissioner Mike Reeves and passed unanimously.





FAYETTE COUNTY SOLID WASTE  
11675 HWY 76 SOUTH  
P.O. BOX 62  
SOMERVILLE, TN 38068  
901-465-5230

7/3/2023

To: Mayor Taylor/ Health and Welfare Committee/ County  
Commission

Solid Waste Department is requesting permission to sell 953-C  
Track loader (BBX02642). We would like to put it in Bailey Ferges  
Auction on July 29,2023.

A handwritten signature in black ink, appearing to read "Terry Hunter". The signature is written in a cursive style with a long horizontal stroke at the end.

Commissioner Goodroe made the motion to approve the Drug Free Fayette County  
Advisory Board. The motion was seconded by Commissioner Leggett and passed unanimously.

## **Drug Free Fayette**

### **Advisory Board**

Jul-23

<b><u>First Name</u></b>	<b><u>Last Name</u></b>	<b><u>Salutory</u></b>	<b><u>Organization</u></b>	<b><u>Position</u></b>
Mark	Davidson		District Attorney General's Office	District Attorney General
Amy	Weirich		District Attorney General's Office	Assistnat DA
Versie	Hamlett	Dr.	Fayette County Public Schools	Superintendent
Wesley	Holmes		Fayette County Public Schools	Chief of Staff
Bobby	Riles		Fayette County Sheriff's Office	Sheriff
Tina	Glover		Fayette County Chamber of Commerce	Executive Director
Rhea	Taylor		Fayette County Mayor's Office	County Mayor
David	Douglas		General Sessions Court	Judge

The Personnel Committee did not meet.

The Education Committee did not meet.

Commissioner Rice reported for the Criminal Justice and Public Safety Committee, which met on July 25, 2023. The committee approved a budget amendment for the sheriff's department, the sheriff wishes to transfer an employee that has been working in the jail, in a supervisory position to supervising inmates on picking up litter in the county, with no change to the fund balance. Commissioner Rice made the motion for approval. The motion was seconded by Commissioner Oglesby and passed unanimously.

**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 25th day of July, 2023, 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 23/24  
Jul-23**

<u>Adjustment to Expenditure Accounts:</u>	<u>DECREASE</u>	<u>INCREASE</u>
<b>54210 Jail</b>		
205 Employee And Dependent Insurance	\$ 26,172.00	
<b>Subtotal-54210</b>	<b>\$ 26,172.00</b>	<b>\$ -</b>
<b>55720 Sanitation Education/Information</b>		
141 Foreman		\$ 23,440.00
201 Social Security		\$ 1,456.00
204 State Retirement		\$ 937.00
212 Employer Medicare		\$ 339.00
<b>Subtotal-55720</b>	<b>\$ -</b>	<b>\$ 26,172.00</b>
<b>Prior Estimated Expenditures</b>		<b>\$ 25,643,449.00</b>
<b>Total Estimated Expenditures this Amendment</b>		<b>\$ 25,643,449.00</b>
<b>Projected Fund Balance before Amendment</b>		<b>\$ 6,974,716.00</b>
<b>Change in Fund Balance this Amendment</b>		<b>\$ -</b>
<b>Estimated Ending Fund Balance as of June 30, 2024</b>		<b>\$ 6,974,716.00</b>

The Budget Committee did not meet.

The chairman presented the board with Sheriff's Personnel/ Human Resources Policy.



**FAYETTE COUNTY  
SHERIFF'S OFFICE**  
SHERIFF BOBBY RILES

**PERSONNEL / HUMAN RESOURCES POLICY**

<b>Effective Date:</b> August 15, 2023		<b>Number of Pages:</b> 29 + Appendix Table
<input type="checkbox"/> <b>New</b>	<input type="checkbox"/> <b>Rescinds</b>	<b>Revised Dates:</b> September 2016 September 2020 September 2021
<input checked="" type="checkbox"/> <b>Amended</b>		October 2022 August 2023

I. EMPLOYMENT INFORMATION

A. Employment At Will

1. No policy, benefit, or procedure contained herein creates an employment contract for any period of time. All employees will be considered employment-at-will. Employees may be terminated for failure to satisfactorily perform their duties or simply at the will of the employer, but they shall not be terminated for a discriminatory or illegal purpose.
2. There will be a probation period for each employee that shall last at least one year. During this time employees will be closely supervised in order to be become familiar with duties and responsibilities. This probation period may be extended at the discretion of the Sheriff.
3. All new hires not currently vested in the Tennessee Consolidated Retirement System shall have a 5% reduction in their agreed upon pay during their first six months of employment.

B. Personnel Files

1. An individualized personnel file will be maintained on each employee. It is the responsibility of each employee to provide accurate information to the employer. Employees are also responsible for reporting to the employer any changes in the information, which they have previously provided.

C. Immigration Papers

1. Upon initial employment, all employees are required to attest that they are lawfully eligible to work in the United States. Employees are further required to provide the employer copies of documents proving this eligibility.

D. Fair Labor Standards Act

1. Communications officers, detention officers, office staff, maintenance staff , and other non-law enforcement personnel will be paid on an hourly basis which covers all hours worked up to forty (40) during each workweek. The workweek will begin at 12:00 a.m. on Saturday and end at 11:59 p.m. on Friday. These employees will receive overtime compensation (in the form of overtime pay or compensatory time) for any hours worked over forty (40) in a workweek. No overtime will be earned until the employee has worked on the job over forty (40) hours for his/her workweek (vacation leave, sick leave, holiday hours, or any other form of paid leave shall not count towards the overtime threshold). An employee who works overtime will receive compensation at a rate of time and one-half. The Sheriff shall, at his discretion, choose whether compensation will be in the form of overtime pay or compensatory time in lieu of overtime pay. All employees shall have the understanding prior to performing work that compensatory time may be given in lieu of overtime pay. The employee's regular hourly pay rate will be multiplied by one and one half to determine the overtime rate of pay which will be paid for all hours actually worked over forty (40). Compensatory time will be calculated at a rate of time and one-half for all hours actually worked over forty (40) in a workweek. No additional overtime compensation will be given for hours worked under forty (40).
2. All law-enforcement employees will be paid on a 14-day pay period according to Fair Labor Standards Act law enforcement (7k) exemptions. A workweek will begin at 12:00 a.m. on Saturday and end at 11:59 p.m. on Friday. These employees will receive overtime compensation (in the form of overtime pay or compensatory time) for any hours worked over eighty-six (86) in a 14 day work period (vacation leave, sick leave, holiday hours, or any other form of paid leave shall not count towards the overtime threshold). The Sheriff shall, at his discretion, choose whether compensation will be in the form of overtime pay or compensatory time in lieu of overtime pay. All employees shall have the understanding prior to performing work that compensatory time may be given in lieu of overtime pay. An employee who works overtime will receive compensation at a rate of time and one-half. The employee's regular hourly pay rate will be multiplied by one and one half to determine the overtime rate of pay which will be paid for all hours actually worked over eighty six (86) in a fourteen day period. Compensatory time will be calculated at a rate of time and one-half for all hours actually worked over eighty six (86) in a fourteen day period. See #5 below regarding special funded overtime details.
3. Employees designated as salaried employees shall be paid a biweekly salary which covers all hours worked up to (40) in each workweek for non-law enforcement employees or 86 hours in a 14 day work period for law enforcement (7k exempt) employees. The workweek will begin at 12:00 a.m. on Saturday and end at 11:59 p.m. on Friday. Salaried employees will receive overtime compensation (in the form of overtime pay or compensatory time) for any hours worked over forty (40) in a workweek or eighty six (86) in a 14 day work period for 7k exempt law enforcement employees. The Sheriff shall, at his discretion, choose whether compensation will be in the form of overtime pay or compensatory time in lieu of overtime pay. All employees shall have the understanding prior to performing work that compensatory time may be given in lieu of overtime pay. An employee who works overtime will receive compensation at a rate of time and one-half. Salaried employees will not receive overtime compensation if their job description meets the tests set forth in the Fair

Labor Standards Act overtime exemption requirements. To be overtime exempt an employee must (a) be paid at least \$684 per week, and (b) be paid on a salary basis, and also (c) perform exempt job duties which require that the employee regularly supervises two or more other employees, **AND** has management as the primary duty of the position **AND** has some genuine input into the job status of other employees such as hiring, firing, promotions, or assignments. See #5 below regarding special funded overtime details.

- 4. No employee can accrue more than forty (40) hours of compensatory time unless approved by the Sheriff. The use of compensatory time is subject to the approval by the employer. Such approval will not be denied unless undue disruption to the office or department will occur.
- 5. Law enforcement employees working a detail designated as a grant funded or private funded reimbursement overtime detail shall be paid at a rate of at least time and one-half for all hours claimed. Use of sick, vacation, or any other type of absence or leave hours during the pay period shall not prevent law enforcement employees from being paid at the rate of at least time and one-half for grant funded or private funded reimbursement overtime details. Nothing in this policy shall prevent a grant or private funded overtime detail contract or agreement from allowing employees to be paid at a rate higher than time and one-half so long as the rates are specified in the contract or agreement and the reimbursement of those payments by Fayette County Government is allowable.

E. Holidays

- 1. Employees of the Fayette County Sheriff's Office will be eligible to receive thirteen (14) paid holidays per year. Generally, the following holidays will be declared official holidays and all employees will automatically receive 8 hours of regular paid compensation for these holidays during the month in which they occur:

New Years Day	January 1
Martin Luther King, Jr. Day	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Friday after Thanksgiving <small>(observed in lieu of Columbus Day)</small>	4 <sup>th</sup> Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Years Eve	December 31

(See # 5 below for holiday observance policy if holiday falls on weekend.)

2. All full-time employees shall automatically receive 8 hours of holiday pay compensation paid at the employee's regular rate for each of the observed holidays. These hours shall be reported on the employee's timesheet under the holiday hours column. This 8 hours of compensation will be paid regardless of whether the employee is on his or her regular day off, on paid vacation leave, on scheduled sick leave, or on administrative paid leave (including suspension with pay). Holiday hours **will not** be paid to any employee who is on disciplinary suspension without pay. Holiday hours **will not** be paid to any employee who uses unscheduled sick leave on the last scheduled work day prior to the holiday, on the actual day of the holiday, or on the first scheduled work day following the holiday. Holiday hours shall not count as on the job hours when calculating overtime.
3. Office staff, maintenance staff, salaried employees, and any other staff designated by the Sheriff as non-essential shall be excused from reporting to work on designated holidays (see #4 and #5 below). The employee's timesheet shall reflect zero (0) regular hours for that date and 8 holiday hours in the appropriate columns. In the event that one of these excused employees is required to report for duty on a holiday, he/she shall be compensated at his/her regular rate of pay for all hours worked on the holiday which will be reported in the regular hours column of the employee's timesheet. This compensation shall be in addition to the automatic 8 holiday hours the employee receives.
4. Law Enforcement, Communications Officers, Detention Officers, and any other essential positions may be required to work on holidays as per their regular schedule. If an essential employee is scheduled to work on a holiday, he/she shall be compensated at his/her regular rate of pay, which will be reported in the hours worked column of the employee's timesheet. This compensation shall be in addition to the automatic 8 holiday hours the employee receives which shall be reported under the holiday hours column.
5. Holiday hours will be paid on the corresponding days according to the yearly holiday schedule published by the Sheriff. These holidays are generally observed on the day of the holiday, except when a holiday falls on a weekend, in which case the holiday schedule may reflect the holiday being observed on an alternate date Monday-Friday.
6. For office staff, maintenance staff, salaried employees, and any other staff excused from reporting for work on holidays – if that employee is regularly scheduled to work on a Saturday or Sunday that is the actual holiday, the employee may request approval to take off on the actual holiday but will be required to work on the weekday where that holiday is observed instead. This ensures that the employee will only receive the same amount of paid holidays as all other employees. (e.g. Salaried employee's RDO's are Thursday and Friday, July 4 falls on Sunday, the observed holiday is on Monday for most M-F office staff. If the employee wishes to be off on the actual date of July 4, this may be approved but the employee will be required to work that Monday when everyone else is observing the holiday, otherwise the employee would be receiving an extra day off compared to other employees).
7. To be eligible to receive holiday pay, an employee must be active full-time on the payroll during the month in which the holiday(s) occur. If an employee is out on paid leave and has exhausted all forms of paid leave (ex. sick or vacation) during a pay period and will not be receiving any form of paid compensation for that month, that employee will not be eligible to receive paid holidays for that pay period. Holiday pay will not be prorated, and an employee terminating employment will not be eligible to receive holiday pay for holidays occurring during months which the employee was not actively on the payroll.

10. An employee's hire or advancement to a particular level in this pay scale table shall not solely be limited by the guidelines set out in 1-9 of this section. The Sheriff, at his discretion, may choose to hire or advance an individual to any level in the pay scale which is deemed appropriate based upon factors including but not limited to experience, job knowledge, or job duties contingent upon funding being available in the current fiscal year's budget to support such.
11. Any Cost of Living Adjustment percentages or rates agreed upon by the County Legislative Body for employees shall be applied universally to each paygrade in the pay scale table and shall apply to all employees regardless of date of hire.

G. Longevity Pay

The County Commission adopted a policy to pay a stipend for years of service. The following criteria must be met to receive the stipend:

1. A full-time employee working a minimum of 35 hours per week.
2. Longevity pay shall be calculated:
  - a. For each complete year of service ending on October 31st of each budget year, beginning with five (5) years minimum unbroken full-time service
  - b. Payment of \$200.00 per year up to fifteen (15) years or \$3,000.00 maximum.
3. To be eligible for the minimum \$500.00 payment, the employee's full-time employment start date must be on, or prior to, November 30th of their hire year.
4. Elected officials are not eligible.

H. "Whistle Blower" and Unlawful Termination Protection for Employees

The State of Tennessee has instituted laws to protect employees from being terminated for alerting the proper authorities concerning fraud and abuse, or from being coerced into remaining silent about fraud and abuse. Also included is protection for certain employee activities that occur when not at work. The appropriate section of law is TCA 50-1-304, and is current with the 2016 legislative session.

II. EMPLOYEE LEAVE

A. Absenteeism

1. Regular job attendance and reporting to work on time are expected of all Sheriff's Office employees because the office's operations must function efficiently. To facilitate these goals, the Sheriff has implemented an occurrence-based, progressive discipline policy to minimize absenteeism.
2. An "absence," for the purpose of this policy, is defined as an unscheduled absence for more than four hours during a workday. An absence does not include use of vacation time or sick leave that has been approved in advance by an employee's supervisor.



3. This absenteeism policy applies to all employees, even to employees who have sufficient vacation time or sick time to otherwise cover an absence. The fact that an employee may have vacation time available to him or her will not retroactively cover an employee's unexcused absence.
4. This policy does not apply to absences approved as FMLA leave, military leave, worker's compensation leave, any legally federal or state mandated leave, or any other specially designated leave (as per the Sheriff's authority in section II.- Q. - 6). The fact that an employee has accumulated sick or vacation time to cover an absence will not prevent such absence from becoming an occurrence unless the absence falls into one of these specific categories.
5. Each absence constitutes one (1) "occurrence" under the policy. An absence of two (2) or more consecutive days for the same reason counts as only one (1) occurrence.
6. The guidelines for occurrence-based, progressive discipline are not based on a fixed fiscal or calendar year, but rather on a rolling six-month cycle. (Example: an absence on 9/1/18 is reviewed back to 3/1/18).
7. An employee who has any occurrence during any probationary period shall receive a verbal warning from the employee's supervisor. A probationary employee who has a second occurrence shall be called to appear before the Sheriff's Command Staff and shall receive a written warning which shall serve as a "final warning". Three occurrences during an employee's probationary period may be grounds for termination. This rule shall also apply to any employee who has been returned to probation status as a disciplinary step.
8. An non-probationary employee who accumulates four (4) occurrences in any rolling six-month period shall be called to appear before the Sheriff's Command Staff and will receive a verbal warning. A record of this verbal warning will be kept in the employee's personnel file.
9. A non-probationary employee who accumulates an additional occurrence (for a total of five (5) occurrences) in a rolling six-month period shall be called to appear before the Sheriff's Command Staff and will receive a written warning. A copy of this written warning will be kept in the employee's personnel file.
10. A non-probationary employee who accumulates yet another occurrence (for a total of six (6) occurrences) in a rolling six-month period shall be called to appear before the Sheriff's Command Staff and will receive a one-day suspension without pay. This shall serve as a "final warning". A record of this suspension will be kept in the employee's personnel file.
11. A non-probationary employee who accumulates yet another occurrence (for a total of seven (7) occurrences) in a rolling six-month period will be terminated.

B. Sick Leave Accrual

1. In order for Fayette County Sheriff's Office to maintain and provide the highest level of service to the community, employee attendance is absolutely necessary.
2. Sick leave shall be considered a benefit and privilege and not a right. It is a common misconception that because an employee has a certain number of sick leave hours accrued, the employee has the right to take those hours of leave for any reason. Sick leave days are not personal days for use at will by an

employee. Employees may only use sick leave for the purposes allowed per this policy.

3. Full time employees will receive full pay during incapacity caused by illness if sick leave is taken.
4. Sick leave is earned at the rate of 8 hours per month.
5. There is no maximum accumulation of sick leave credits. Sick leave has no cash value. In the event of retirement, all unused sick leave will be credited toward time of service and used to calculate retirement benefits.
6. If an employee is in a paid status for one-half of the month or more, he/she will be credited with 8 hours sick leave for the month. Otherwise, he/she will not accrue any time for the month.

C. Use of Sick Leave

1. An employee may utilize sick leave allowances for absences due to his/her own illness or injury.
2. Sick leave may be used during an illness of mother, father, wife, husband, or children.
3. Sick leave may also be used for appointments with a licensed doctor, dentist, or recognized practitioners.
4. When appropriate, a partial sick day may be used rather than a full day.
5. In case of an unscheduled absence due to illness or injury that would prevent an employee from reporting to work at their scheduled time, employees are required to notify their immediate supervisor at least **two hours** prior to the start of their shift. The time an employee calls is important in preparing for the shift's workload. The employee should also inform the supervisor how long the absence is expected to last.
6. Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and the time be changed to sick leave. Such request, however, must be justified by means of a doctor's statement upon return to work.
7. No employee may give or loan sick leave to another employee. Employees are strongly encouraged to use sick leave benefits sparingly as well as to explore the short-term and long-term disability insurance products offered through payroll deduction.
8. Any non-emergency surgery will be discussed with the employer before the surgery is scheduled.
9. An employee shall notify their supervisor and file a sick leave request for scheduled absences (e.g. for scheduled appointments) at least 48 hours in advance of the date and time requested. Any request with less than 48 hours notice shall be considered an unscheduled absence.
10. Since sick leave is not personal time and shall only be granted for the express purposes listed in this policy, employees taking sick leave are to remain at home during the period of sick leave except for personal needs related to the reason for being on sick leave. Exceptions to this requirement would be if an employee needs medical treatment, is attending appointments with a licensed doctor, dentist or recognized practitioner or at a pharmacy retrieving prescriptions or if an employee receives written permission from the Sheriff to travel.
11. The Sheriff reserves the right to verify that employees are at home during the use of sick leave by conducting a home visit. Employees not at home during the use

of sick leave may have such leave denied and the absence will be considered leave without pay and the employee shall be subject to disciplinary action. In the event that an employee is attending a doctor visit during a sick leave / home check verification, it shall be the responsibility of the employee to provide proof of such.

12. Employees shall not be permitted to work any other form of outside employment during the use of sick leave unless expressly permitted to do so by the Sheriff.
13. Employees may not use sick leave in the event they choose not to travel to work due to inclement weather or other hazardous conditions.
14. Evidence of abuse of sick leave benefit will result in the leave being unpaid and shall be grounds for disciplinary action or termination. Evidence of abuse of sick leave may include but not be limited to:
  - a. Social media posts indicating that an employee was not at home during the time of leave except as provided for by #10 above.
  - b. Observance of an employee away from home except as provided for by #10 above.
  - c. Evidence of an employee attending recreational activities or other employment while on sick leave.
  - d. Employee has a vacation request denied and calls in sick on those days without a doctor's statement confirming the employee's incapacitation for work during that period.

D. Documentation of Sick Leave

1. Employees are required to notify the employer as early as possible on the first day of their sick leave absence.
2. An employee may take part of a day as sick leave when doctor, dental, or optical appointments are required for the employee or his/her children.
3. Sick leave may be taken in multiples of not less than one-half days.
4. Paystubs or any materials which refer to sick leave in terms of "days" shall be considered to reference 8 hour days and any employee working 10 or 12 hour schedules shall calculate the use of those days accordingly (e.g. a 10 hour employee would use 5 "days" of vacation leave to equal 40 hrs.)
5. An employee who claims three consecutive days or more of sick leave shall furnish a doctor's statement upon the employee's next shift that they return to work. The doctor's statement should provide that the employee has been incapacitated for work for the period of his/her absence, and that he/she is again physically AND mentally able to perform his/her duties.
6. An employee may be required to furnish a doctor's statement for the use of any sick leave, even if such leave is does not fall consecutively as per #4 above, if there is suspicion that the employee is abusing the sick leave benefit. Grounds for suspicion of abuse of the sick leave benefit shall include but not be limited to:
  - a. Employee takes the day off sick before, on, or after a holiday
  - b. Employee calls in sick on the same days each week, month or year

- c. Employee has a vacation request denied and calls in sick on those days
- d. Employee has an unusual number of sick days occurring on days consecutive to the employee's regular days off
- e. Excessive use of sick leave during periods of progressive discipline or immediately prior to retirement
- f. Sick leave taken when standard work assignment is cancelled for that day (e.g. S.R.O. or Court Officer calls in sick to avoid a patrol assignment for that day)
- g. Sick leave taken when difficult or "undesirable" assignments are scheduled (e.g. prisoner transports, hospital guard assignments)
- h. "Seasonal absences" associated with given times of the year (e.g. hunting season) or holidays
- i. Employee otherwise creates suspicion or shows an unusual pattern of sick leave use

7. In situations where an employee is on leave due to a serious health condition preventing the performance of his or her job duties, an employee may be required to provide, as a condition of the employee's restoration to their position, a medical fitness-for-duty certification. A fitness-for-duty certification is a medical examination from a health care provider of a current employee to determine whether the employee is physically or psychologically able to return to work and perform the essential functions of the job. This requirement must be uniform and consistently applied to all employees taking leave under similar circumstances. Fitness-for-duty examinations shall be at the expense of the Sheriff's Office. Circumstances which may require a fitness-for-duty certification include:

- a. Reasonable belief that the employee's condition may prevent the employee from performing the job's essential functions
- b. Reasonable belief that the employee poses a direct threat to his or her own safety or the safety of others

E. Exhaustion of Sick leave

- 1. Employees who have used all of their accumulated sick leave will not receive financial compensation for additional days needed due to illness or injury unless the employee has any accumulated vacation time or compensatory time remaining.
- 2. The employee may request that additional sick leave be credited against the remaining vacation or compensatory time.
- 3. Employees who have exhausted all available sick leave, vacation time, and compensatory time and do not immediately return to duty will be subject to termination for failure to report for duty.
- 4. Accumulated sick leave shall not be used for worker's compensation benefits.

F. Family Medical Leave Act

1. Family Medical Leave time will be taken due to employee or eligible family member's illness or eligible condition. Sick leave will be used simultaneously until exhausted when Family Medical Leave is authorized.
2. Eligible employees are those who have been employed for at least twelve months, who have provided at least 1250 hours of service during twelve months before leave is requested, and who at a work site where at least fifty employees are on the payroll (either at that site or within a seventy-five mile radius).
3. Parent is defined as a mother or father of an employee, or an adult who had day to day responsibility for caring for the employee during his or her childhood years in place of the natural parents.
4. Son or daughter or child is defined as the biological, adopted, or foster child, a stepchild, legal ward, or child of a person standing in the position of parents, who are under the age of 18 years. Children who are 18 years or older qualify, if they are incapable of self-care because of mental or physical disability.
5. Serious health condition is defined as an illness, injury, impairment, or physical or mental condition involving either in-patient care or continuing treatment by a health care provider. Examples of serious health conditions include but are not limited to heart attacks, heart conditions requiring heart bypass or valve operations, most cancers, back operations requiring extensive therapy or surgical procedures, strokes, respiratory conditions, spinal injuries, severe arthritis, etc.
6. An eligible employee may take up to twelve weeks of unpaid leave in a twelve month period for the birth of a child or the placement of a child for adoption or foster care. Under the Tennessee Maternity Leave act, a female may take additional four weeks of unpaid leave if the three month advance notice is in compliance. Leave may also be taken to care for a child, spouse, or parents who have a serious health condition.
7. The right to take leave applies equally to male and female employees who are eligible.
8. Unpaid leave for the purposes of care for a newborn child or a newly adopted or foster care child must be taken before the end of the first twelve months following the date of birth or placement.
9. An expectant mother may take unpaid medical leave upon the birth of the child, or prior to the birth of her child for necessary medical care and if her condition renders her unable to work. Similarly, for adoption or foster care, leave may be taken upon the placement if absence from work is required for the placement to proceed.
10. An employee may take unpaid leave to care for a parent or spouse of any age who, because of serious mental or physical condition, is in the hospital or other health care facility. An employee may also take leave to care for a spouse or parent of any age who is unable to care for his or her own basic hygiene, nutritional needs, or safety. Examples include a parent or spouse whose daily living activities are impaired by such conditions as Alzheimer's disease, stroke, who is recovering from major surgery, or who is in the final stages of terminal illness.
11. Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for

alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

12. Eligible employees may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.
13. Eligible employees, who are unable to perform the functions of the position held because of a serious health condition, may request up to twelve weeks unpaid leave. The term serious health condition is intended to cover conditions or illnesses that affect an employee's health to the extent that he or she may be absent from work on reoccurring bases or for more than a few days with treatment or recovery.
14. Employees requesting medical leave due to their own illness or injury must simultaneously exhaust any sick leave, annual leave, personal days, or vacation days. The combination of sick leave, annual leave, floating holidays, and unpaid leave may not exceed twelve weeks. An employee who fails to return at the end of an approved leave of absence shall be considered to have resigned at the end of the leave of absence, but may be eligible for rehire in the full and complete discretion of the Sheriff.
15. During periods of unpaid leave, an employee will not accrue any additional seniority or similar employment benefits during the leave.
16. If spouses are employed by the same employer and wish to take leave for the care of a new child or a sick parent their aggregate leave is limited to twelve weeks. For example, if the person takes eight weeks of leave to care for the child, the mother will be entitled to four weeks leave, for a total of twelve weeks of leave.
17. An eligible employee must provide the employer at least thirty days advance notice of the need for leave for birth, adoption, or planned medical treatment, when the need for leave is foreseeable. This thirty day advance notice is not required in cases of medical emergency or other unforeseeable events, such as premature birth, or sudden changes in a patient's condition that require a change in scheduled medical treatment.
18. Parents who are awaiting the adoption of a child and are given little notice of the availability of a child may also be exempt from this thirty day notice.
19. The employer reserves the right to verify an employee's request for family medical leave.
20. If an employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the employer requires that the request be supported by certification issued by the health care provider of the eligible employee or the family member as appropriate. If the employer has reason to question the original certification, the employer may, at the employer's expense, require a second opinion from a different health care provider chose by the employer. The employer on a regular basis may not employ that health care

provider. If a resolution of the conflict cannot be obtained by a second opinion, a third opinion may be obtained from another provider and that opinion will be final and binding.

21. The certification must contain the date on which the serious health condition began, its probable direction, and appropriate medical facts regarding the condition. The certification must also state the employee's need to care for the son, daughter, spouse, or parent and must include an estimate of the amount of time the employee is needed to care for the family member.
22. Medical certification shall be treated as confidential and privileged information.
23. An employee will be required to report periodically to the employer of the status and the intention of the employee to return to work.
24. Employees who have taken unpaid leave under this policy must furnish the employer with a medical certification from the employee's health care provider that the employee is able to resume work before return is granted.
25. The employer shall maintain health insurance benefits, paid by the employer for the employee during periods of unpaid leave without interruption. The employee must pay any payment for family coverage premiums, or other payroll deductibles for insurance policies or the benefits may not be continued.
26. The employer has the right to recover from the employee all health insurance premiums paid during the unpaid leave if the employee fails to return to work after leave. Employees who fail to return to work because they are unable to perform the functions of their job because of their own serious health condition or because of the continued necessity of caring for a seriously ill family member may be exempt from the recapture provision.
27. Leave taken under this policy does not constitute a qualifying event that entitles an employee to COBRA insurance coverage. However, the qualifying event triggering COBRA coverage may occur when it becomes clearly known that an employee will not be returning to work, and therefore ceases to be entitled to leave under this policy.
28. Leave taken under this policy can be taken intermittently or on a reduced leave schedule when medically necessary as certified by the health care provider. Intermittent leave or reduced leave schedules for routine care of a new child may be taken only with the approval of the employer. The employee and the employer must mutually agree upon the schedule.
29. The employer may temporarily transfer employees on intermittent or reduced leave schedules to an equivalent alternative position that may better accommodate the intermittent or reduced leave schedule.
30. Intermittent or reduced leave may be spread over a period of time longer than twelve weeks total leave in one twelve month period.
31. Employees who are granted leave under this policy shall be reinstated to an equivalent or the same position held prior to the commencement of their leave.
32. Certain highly compensated employees, who are salaried and among the ten percent highest paid employees may be denied restoration. Restoration may be denied if (a) the employer shows that such a denial is necessary to prevent substantial and grievous injury to the employer's operations, (b) the employer notifies the employee that it intends to deny restoration on such basis at the time the employer determines that such injury would occur, and (c) in any case which the leave has commenced, the employee elects not to return to work within a reasonable period of time after receiving such notice.

- 33. The twelve month period during which an employee is entitled to twelve weeks of Family Medical Leave is calculated as a "rolling" 12-month period measured backward from the date an employee first uses any FMLA leave. With this method, the process would be to "count or look backwards" for 12 months each time an employee takes FMLA leave, and the remaining leave entitlement would be the balance of the 12 weeks that has not been used during the immediately preceding 12 months.

G. Leave for Adoption, Pregnancy, Childbirth and Nursing an Infant (T.C.A. 4-21-408)

- 1. Employees who have been employed for at least twelve (12) consecutive months as full-time employees, as determined at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing an infant, where applicable, referred to as "leave" in this section. With regard to adoption, the four-month period shall begin at the time an employee receives custody of the child.
- 2. Employees who give at least three (3) months' advance notice of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.
- 3. Employees who are prevented from giving three (3) months' advance notice because of a medical emergency that necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice. Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) month's advance notice.
- 4. An employee may utilize accrued but unused sick leave, vacation leave, or compensatory time to remain on a paid status during leave under this section. Any leave taken after those accrued days have expired shall be without pay. Leave under this section shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, or programs for which she was eligible for at the date of her leave, any other benefits or rights of her employment incident to her employment position; provided, however, that the employer need not provide for the cost of any benefits, plans, or programs during the period of leave unless such employer so provides for all employees on leave of absence.
- 5. The employer need not provide for the cost of any benefits, plans, or programs during the period of leave under this section unless such employer so provides for all employees on leave of absence.
- 6. If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this part for failure to reinstate the employee at the end of the leave period.
- 7. The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively



pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave.

8. Whenever the employer shall determine that the employee will not be reinstated at the end of the leave because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

#### H. Bereavement Leave

1. In the case of death in the employee's immediate family (father, mother, husband, wife, child, stepchild, grandchild, brother, sister, mother-in-law, father-in-law, or grandparent of the employee) the employee will be given two working days of paid leave which will not be charged to vacation or sick leave. If the employee has accumulated sick leave, the employee may take an additional three days of sick leave to extend bereavement leave for an immediate family member.
2. For any other blood relative or close friend, the employee may take one day of accumulated sick leave if available.

#### I. Jury and Court Duty

1. It is desirous for all employees to fulfill to serve as members of juries or to testify when called in both federal and state courts. Therefore, the following procedures shall regulate when an employee is called for jury duty or subpoenaed to court.
2. The employee will be granted a leave of absence when the employee is subpoenaed or directed by property authority to appear in federal or state court as a witness or juror.
3. The employee will receive his regular compensation during the time he/she is serving as a juror.
4. The employee must refund to his employer all compensation of fees that he receives for serving as a juror during normal working hours.
5. If the employee is relieved from court or jury duty during working hours, the employee must report back to his/her employer.
6. The above provisions concerning compensation for time in court do not apply if the employee is involved in private litigation. On these occasions the employee must take vacation leave or leave without pay.

#### J. In the Line of Duty Injury Leave

1. Any employee sustaining an injury or an illness during the course and scope of his employment which is determined to be compensable under the provisions of the Worker's Compensation Law shall be entitled to receive in the line of duty injury leave. This leave shall not be counted against any accrued sick leave that the employee has accumulated. The provisions of the Worker's Compensation Law will determine benefits that are receivable by the employee.

K. Military Leave

1. This section is written with the express purpose of compliance with The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) as well as Tennessee Code Annotated 8-33-101 through T.C.A. 8-33-110 which addresses employees in military service.
2. Full-time employees who are, or may become, members of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave or vacation, impairment of efficiency rating, or any other rights or benefits to which otherwise entitled, for all periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders. An officer or employee while on such leave shall be paid salary or compensation for a period, or periods, not exceeding twenty (20) working days in any one (1) calendar year.
3. After the twenty (20) working days of paid compensation has been exhausted, members of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard, may use up to five (5) days of sick leave in lieu of annual leave for the purposes of not having to take leave without pay.
4. In addition to the leave of absence provided for in part 1 of this section, employees who are members of the Tennessee army and air national guard on active state duty or the Tennessee state guard and civil air patrol shall be entitled to an unpaid leave of absence from their respective duties, without loss of time, pay not specifically related to leave of absence time, regular leave or vacation or impairment of efficiency rating for all periods of service during which under competent orders they are engaged in the performance of duty or training in the service of this state, including the performance of duties in an emergency.
5. An employee on unpaid military leave status may use vacation time in order to receive compensation, however employees are not required to use vacation time.
6. Any person who is restored to a position in accordance with T.C.A. 8-33-101 through T.C.A. 8-33-108 shall not be discharged from such position without cause within one (1) year after such restoration, and shall, without limiting such person's rights conferred by this or other sections, be considered as having been on furlough or leave of absence during the period of military duty. Such person shall be restored without loss of seniority (including, upon promotion or other advancement following completion of any period of employment required therefor, a seniority date in the advanced position which will place such person ahead of all persons previously junior to such person who advanced to the position during the absence in armed forces). The employee shall also be entitled on reinstatement to participate in insurance (including retirement, pension plans, and medical insurance) and other benefits dependent on length of employment, including vacation privilege and severance pay. The employee shall be protected against reduction in seniority, status, or pay during employment, except as such reduction may be made for all employees whose employment situations are similar.
7. All employees shall be granted a leave of absence for the purpose of being inducted or otherwise entering military duty. If not accepted for such duty, the employee shall be reinstated in such position without loss of seniority or status or reduction in rate of pay. During such period, the employee shall for all purposes be considered to have rendered service and to have been compensated therefor at the employee's regular rate of pay.

8. Upon the employee's return from military service such employee shall be re-employed within a reasonable period of time in the same position or a similar position as he would have, had he/she remained on employment status, provided he/she is still qualified to perform the duties of his/her former position upon completion of military service and provided his tour of duty has not exceeded five (5) years.
9. Upon the employee's return from military service, the employee must report back to work within the following guidelines:
  - a. 1-30 days of service: Report next scheduled work day after safe travel and 8 hours rest
  - b. 31-180 days of service: Report within 14 days after completion of service
  - c. 181+ days of service: Report within 90 days after completion of service
10. Employees who are members of any reserve component of the armed forces of the United States, including members of the Tennessee army and air national guard must provide advanced notification to the Sheriff's Office by submitting a request for military leave to attend any training, schooling or other military service. The employee cannot simply fail to show up for work because of a military obligation. Advanced notice shall be at least 30 days prior when possible or immediately upon activation or notification if less than 30 days. A copy of the employee's military orders, if available, shall be attached.
11. If an employee is in a paid status for one-half of the month or more, he/she will be credited with 8 hours sick leave and 8 hours of vacation leave for the month. Otherwise, he/she will not accrue any leave time for the month.

L. Extended Leave – Law Enforcement Powers

1. Law Enforcement employees who are on extended leave are considered to be on a non-enforcement status and are relieved of all law enforcement powers and authority until they return to duty. Any law enforcement officer on non-enforcement status shall not wear Sheriff's Office uniform or display their badge or identification.
2. Any period of leave beyond 3 consecutive days of leave, other than pre-approved vacation leave, may be considered extended leave for the purposes of this section.

M. Vacation Leave Accrual

1. Vacation time will be accrued by regular full-time members of the department calculated on the basis of 8 hours per month (for vacation purposes one week is defined as five work days.)
2. Any vacation time in excess of 120 hours at the end of a calendar year shall be automatically credited to the sick time the employee has accumulated to be applied towards retirement.
3. No employees may give or loan vacation to another employee, unless used for a serious sickness or serious injury.

N. Request for Vacation Leave

1. A vacation calendar will be posted electronically. Members may sign up for up to 120 hours of vacation leave during this time if they wish to reserve a particular time period.
2. Employees may not sign up for vacation leave prior to ninety days (90) before the dates of the actual leave being requested unless authorized to do so by the Sheriff.
3. Vacation leave will be granted on a first come first served basis.
4. No more than one member per shift of the Uniformed Patrol Division will be allowed vacation leave during the same time. In all other divisions, only one member of that division will be allowed vacation leave during a given time. Only one supervisor in each division will be allowed vacation leave during a given time. Command Staff excluded from this restriction with approval of the Sheriff.
5. Vacation time shall only be taken at the rate of one week per request unless otherwise approved by the Sheriff. Only one vacation request (one week) will be allowed per one month period unless approved by the Sheriff.
6. Employees shall not be allowed to request vacation leave until after their first year of employment has been completed. An employee who hires on with a pre-planned vacation or necessary leave at their time of hire shall notify the Sheriff in writing immediately to request special approval of such during their first year of service. An employee who fails to notify the Sheriff of a pre-planned vacation or necessary leave at the time of hire shall be grounds for denial of that request if it is made at any other time during the first year of employment.
7. Any employee who is on a probation status shall not be allowed to request vacation. The Sheriff may cancel or deny any prior approved vacation requests for an employee who has been returned to probation status as a disciplinary step.
8. Vacation requests shall be submitted electronically in the agencies records management software 30 days in advance of the proposed date of leave. The division commander shall conduct a manpower assessment and approve or disapprove the request by making notes in the electronic request.
9. Vacation leave requests submitted later than 30 days prior to the proposed date of leave may be summarily disapproved and no reason for disapproval shall be required.
10. The Sheriff's Command Staff shall review the vacation requests during weekly Command Staff meetings and make final determination regarding approval or denial which shall be entered into the electronic request form. Requests not approved shall state the reason for disapproval.
11. Paystubs or any materials which refer to vacation leave in terms of "days" shall be considered to reference 8 hour days and any employee working 10 or 12 hour schedules shall calculate the use of those days accordingly (e.g. a 10 hour employee would use 5 "days" of vacation leave to equal 40 hrs.)

O. Applicability of Vacation Leave

1. All vacation leave is subject to the guidelines set forth by the Sheriff.

P. Cancellation of Vacation Leave

1. Every member taking authorized vacation leave shall be subject to be ordered to report for duty at any time.
2. Scheduled vacation leave shall be subject to cancellation by the Sheriff or division commander at any time if manpower requirements dictate such necessity.

Q. Disposition of Accrued Vacation Leave Upon Termination

1. Except as otherwise provided and subject to the limitation stated in this section, upon termination of the employment, the employee shall be paid for all accrued but unused vacation time he or she may have as of his or her last working day. Also, each terminating employee shall be paid a prorated portion of unaccrued vacation leave. Payment shall be, at the option of the employer either by terminal leave or by lump sum payment. In either event, or whether termination is voluntary or involuntary, the discretion to determine the employee's last working day is reserved to the Sheriff.
2. Terminal leave is that period during which an employee remains on the payroll beyond his or her last working day until all of his or her accrued annual leave has been exhausted.
3. If an employee is paid for his or her accrued but unused annual leave by terminal leave, the date on which his or her annual leave is exhausted shall be the official day of termination.
4. During a period of terminal leave, an employee shall not earn additional annual or sick leave and shall not be eligible for use of sick leave, and shall not be eligible for any salary increase. However, an employee shall receive credit for any official holidays occurring during a period of terminal leave.
5. If a terminating employee elects to be paid for his or her accrued but unused annual leave by lump sum payment, the employee's last working day shall be the official date of termination.
6. Payment for accrued annual leave under this section shall not be limited to the maximum accumulation amount which may be carried forward from one calendar year to the next if the last working day occurs prior to January 1 (even if the terminal leave period extends beyond January 1.)
7. An employee who is dismissed for gross misconduct or who resigns to avoid dismissal for gross misconduct shall not be entitled to any compensation for accrued but unused vacation leave at the time of dismissal.
8. All personnel entitled to accrue vacation leave may request use of vacation leave at the specified time by application to the discretion of the Sheriff, who is responsible for planning the work under his or her control, and should be approved only at such times as the employee can best be spared.

R. Inclement Weather / Hazardous Conditions

1. Every employee must make a personal judgment about safety in traveling to and from work during inclement weather or other hazardous conditions. The Sheriff's Office has multiple essential positions which must be staffed 24 hours per day 365 days per year (including but not limited to patrol, dispatch and jail positions) regardless of inclement weather or hazardous conditions. With that in mind, employees are expected to report for work and to plan ahead to anticipate any difficulties that might be encountered.

2. The Sheriff may designate the office as closed for non-essential administrative office staff during periods of inclement weather or other hazardous conditions. In the event the Sheriff designates the office as closed, non-essential administrative office staff may be absent from the office with pay for their normal scheduled hours without having those hours charged against their vacation leave.
3. Sworn law enforcement employees in the Patrol and C.I.D. Divisions that are provided with take-home vehicles are required to work their assigned shifts despite inclement weather or hazardous conditions. In the event of inclement weather or other hazardous conditions the Sheriff may arrange for transportation of essential employees in the jail or dispatch to and from the office by members of the Patrol, C.I.D. Division or other division of the agency.
4. If the office is open during inclement weather and an employee chooses not to travel to work, the time will be charged to the employee's vacation. Should vacation not be available for the individual employee, the time will be considered leave without pay.
5. Employees may not use sick leave in the event they choose not to travel to work due to inclement weather or other hazardous conditions if the office is declared open or the employee is in an essential position.
6. The Sheriff may designate events other than weather related events as hazardous conditions for the purpose of this section. Other events can include but not be limited to: pandemic, terrorist attack, any natural or manmade disaster, any declared state of emergency.
8. When the Sheriff has declared an event or situation as a hazardous condition, the Sheriff shall have the authority to suspend, waive or temporarily alter any rules, regulations or procedures found in this or any agency policy handbook in the interest of providing the most efficient service to the public while best maintaining the health and safety of all employees.

S. Part-Time Employees Not Included / Leave Benefits

1. A part-time / temporary employee designation will be used for those employees whose regular assigned work schedule includes no more than thirty hours per week. The sick/vacation/bereavement leave benefits set out in this policy are intended to apply only to full-time employees (unless otherwise specifically noted). These rules and regulations are not intended to establish paid leave of any kind for part-time/temporary employees.

III. DRUG / ALCOHOL FREE WORKPLACE POLICY

- A. The Fayette County Sheriff's Office is a drug and alcohol free workplace. Fayette County recognizes that alcohol and drug abuse in the workplace has become a major concern. We believe that by reducing drug and alcohol use we will improve the safety, health, and productivity of the employees. The object of the county's alcohol and drug policy is to provide a safe and healthy work place for all employees, to comply with federal and state health and safety regulations, and to prevent accidents.

- B. All employees are subject to pre-employment drug / alcohol testing requirements as well as random drug / alcohol screens as per the Fayette County Drug and Alcohol Free Workplace Policy.
- C. A copy of this policy is maintained in its entirety by the Sheriff's Office and shall be available for review by employees.
- D. Each employee is responsible for becoming familiar with this policy. All employees shall sign an acknowledgement that they are familiar with the drug and alcohol free workplace policy and will follow the guidelines set forth in this policy.

#### IV. DEPARTMENTAL VEHICLE POLICY

- A. Each Sheriff's Office employee who has been assigned a take home vehicle must strictly adhere to the following rules of conduct:
  - 1. With the exception of de minimis personal use, Sheriff's Office vehicles will be used for official Sheriff's Office business only.
  - 2. Sheriff's Office employees are subject to be called to duty during times of emergency or manpower shortages. Both law enforcement and non-law enforcement employees assigned a take home vehicle shall be required to commute to and from work in their Sheriff's Office vehicle due to this always "on-call" status.
  - 3. Employees are responsible for the security of the vehicle and its contents while on and off-duty.
  - 4. Unattended vehicles will be locked at all times. When vehicles are not in use, keys must be removed and vehicles locked.
  - 5. Unauthorized individuals are not to operate any Sheriff's Office vehicle at any time.
  - 6. No vehicle shall be driven while consuming alcohol nor may any alcoholic beverages be transported in the vehicle except that which is seized as evidence.
  - 7. All accidents (on or off the road), whether at fault or not at fault, shall be reported to the Sheriff or his designee as soon as possible. Accidents shall be immediately reported to the proper jurisdictional law enforcement agency.
  - 8. Employees will follow all traffic laws while operating his/her assigned vehicle except when responding to an emergency call and then following T.C.A. 55-8-108.
  - 9. Seat belts shall be used while the vehicle is in motion except when officer safety dictates otherwise.
  - 10. Unauthorized bumper stickers or window stickers are not permitted.
  - 11. Vehicles are subject to random inspection and or searches at any time without notice.
  - 12. All Sheriff's Office vehicles shall be kept clean and in orderly condition.
  - 13. All Sheriff's Office vehicles shall be maintained in good mechanical order.

14. Employees will use the most direct route while travelling to and from home.

- B. Employees who are assigned a Sheriff's Office vehicle and are required to drive them to and from work are permitted to carry as passengers members of their households and those non-members of their households listed below, to the following destinations when the employee has no other reasonable convenient means of transporting those people. Such use shall be considered de minimis use:
1. Members of the employee's household may be transported:
    - a. To and from school and work, using the most direct route to those destinations, when the employee himself or herself is driving to and from work or carrying out legitimate and necessary Sheriff's Office business.
    - b. To and from babysitters, childcare centers, residences and businesses of family members, friends and neighbors; or any other reasonable destination where safety, security, comfort, and well-being of the officer's household members will be secured or promoted when the officer is required to respond to a call to perform legitimate and necessary Sheriff's Office business.
- C. The Sheriff may authorize the personal use of unmarked police vehicles under the following circumstances:
1. Personal use must be incident to use for law-enforcement purposes; i.e., no vacation use.
  2. The vehicle must be used by a full-time law enforcement officer; i.e. officer authorized to carry firearms, execute warrants, and make arrests. The officer must regularly carry firearms, except when it is not possible to do so because of the requirements of undercover work.
- D. The use of marked and unmarked vehicles by law enforcement officers, including the use to commute to and from home and duty station, shall be considered qualified non-personal use and therefore a working condition benefit which will be excluded from the employee's wages as a fringe benefit for tax computation purposes.
- E. Take home vehicles provided to non-law enforcement members shall use the I.R.S. Commuting Valuation Rule whereby the employee shall report fringe benefit use of the vehicle in the value of \$1.50 for each one way commute between home and duty station and/or duty station to home.

## V. PROHIBITED ACTIONS

- A. Harassment (Sexual, Ethnic, Racial, Or Religious)
1. In order to maintain a quality working environment for all employees or potential employees of this Department so that they may work free from intimidation, humiliation, insult, or be subject to offensive, physical or verbal abuse or actions of a sexual, ethnic, racial or religious nature, the Fayette County Sheriff's Office adopts this policy against sexual, ethnic, racial or religious harassment or otherwise defined as unwanted conduct.



2. Sexual, ethnic, racial or religious harassment is an offense, first against this Sheriff's Office, and second, an offense against any specific employee or group of employees. Offenses refer to physical or verbal actions that have the purpose or effect of creating a hostile, offensive, or intimidating working environment that have sexual, ethnic, racial or religious basis. Examples would include, but are not limited to physical contact of a sexual nature; sexual, ethnic, racial or religious related jokes, comments, insults, cartoons, innuendo, or personal contact or mannerisms that could be construed as intentionally offensive in these described areas.
3. It is this Department's position to take affirmative action to prevent such unwarranted and unwanted conduct from occurring and to deal with all such reported incidents in a fair, impartial and expeditious manner. All complaints or incidents will be investigated on a case-by-case basis. In those instances where a violation has been shown to occur, immediate action will be taken to remedy the situation and to prevent its recurrence.
4. All persons who violate this policy will be subjected to disciplinary procedures up to and including discharge.
5. It is each employee's responsibility to help to eliminate all forms of prohibited harassment and unwanted conduct. It will be every supervisor's responsibility to prevent such behavior from occurring within his work jurisdiction.
6. Employees filing a complaint under this policy shall be free to do so without fear of reprisal, retaliation, or further harassment.
7. Procedure concerning harassment complaints:
  - a. A member of the Sheriff's Office should clearly tell the offending party to stop the offensive conduct because it is perceived to be in violation of this order. The rationale behind this is to ensure that the potential offender realizes the conduct is being perceived as offensive and not just as harmless activity.
  - b. If the unwanted conduct continues, the offended employee should contact his/her supervisor.
  - c. Employees are free to contact their supervisor directly, without notifying the offending party.
  - d. Due to the nature of harassment complaints and the possibility that a supervisor may be involved, member wishing to make a harassment complaint may make direct contact with the divisional commander of the party involved or the Sheriff.
  - e. In the event that complaint shall be made against the Sheriff, the complaint shall be filed with County Mayor for investigation.
  - f. Formal complaints should be documented in writing and signed by the individual filing the complaint, but are not required to be in writing.
  - g. The supervisor or individual conducting the investigation shall file a written report detailing the investigation, the findings of the investigation, and the corrective action taken against the offending party if the complaint is founded.

**B. Abusive Conduct / Bullying**

1. The Fayette County Sheriff's Office is firmly committed to a workplace free from abusive conduct as defined herein. We strive to provide high quality products and services in an atmosphere of respect, collaboration, openness, safety and equality. All employees have the right to be treated with dignity and respect. All complaints of negative and inappropriate workplace behaviors will be taken seriously and followed through to resolution. Employees who file complaints will not suffer negative consequences for reporting others for inappropriate behavior.
2. This policy applies to all full-time and part-time employees of the Fayette County Sheriff's Office including interns. It does not apply to independent contractors, but other contract employees are included. This policy applies to any sponsored program, event or activity including, but not limited to, sponsored recreation programs and activities; and the performance by officers and employees of their employment related duties. The policy includes electronic communications by any employee.
3. Abusive conduct includes acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe that an employee was subject to an abusive work environment, which can include but is not limited to:
  - a. Repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets;
  - b. Verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; or
  - c. The sabotage or undermining of an employee's work performance in the workplace.
4. A single act generally will not constitute abusive conduct, unless such conduct is determined to be severe and egregious.
5. Abusive conduct does not include:
  - a. Disciplinary procedures in accordance with adopted policies of the Fayette County Sheriff's Office
  - b. Routine coaching and counseling, including feedback about and correction of work performance
  - c. Reasonable work assignments, including shift, post, and overtime assignments
  - d. Individual differences in styles of personal expression
  - e. Passionate, loud expression with no intent to harm others
  - f. Differences of opinion on work-related concerns
  - g. The non-abusive exercise of managerial prerogative
6. Supervisors and others in positions of authority have a particular responsibility to ensure that healthy and appropriate behaviors are exhibited at all times and that complaints to the contrary are addressed in a timely manner. Supervisors will:
  - a. provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with threatening or potentially violent situations;
  - b. provide good examples by treating all with courtesy and respect;

- c. ensure that all employees have access to and are aware of the abusive conduct prevention policy and explain the procedures to be followed if a complaint of inappropriate behavior at work is made;
- d. be vigilant for signs of inappropriate behaviors at work through observation and information seeking, and take action to resolve the behavior before it escalates;
- e. respond promptly, sensitively and confidentially to all situations where abusive behavior is observed or alleged to have occurred.

7. Employees shall treat all other employees with dignity and respect. No employee shall engage in threatening, violent, intimidating or other abusive conduct or behaviors. Employees are expected to assume personal responsibility to promote fairness and equity in the workplace and report any incidents of abusive conduct in accordance with this policy.

8. Employees should co-operate with preventative measures introduced by supervisors and recognize that a finding of unacceptable behaviors at work will be dealt with through appropriate disciplinary procedures.

9. Retaliation is a violation of this policy. Retaliation is any act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or individuals exercising rights under this policy.

10. All supervisors and employees are encouraged to undergo training on abusive conduct prevention conduct as directed by the Fayette County Sheriff's Office. Training should identify factors that contribute to a respectful workplace, familiarize participants with responsibilities under this policy, and provide steps to address an abusive conduct incident.

11. Reporting – How to report incidents of abusive conduct:

**Employees:** Any employee who feels he or she has been subjected to abusive conduct is encouraged to report the matter orally or in writing to a supervisor including his or her supervisor, manager, appointing authority, elected official, or to the human resources office. Employees should not feel obligated to report their complaints to their immediate supervisor first before bringing the matter to the attention of one of the representatives identified above.

Any employee seeking to file a complaint should ensure the complaint consists of precise details of each incident of abusive conduct including dates, times, locations and any witnesses. Formal complaints should be documented in writing, but are not required to be in writing.

**Witnesses:** An employee who witnesses or is made aware of behavior that may satisfy the definition of abusive conduct (as defined herein) should report any and all incidents as set forth herein.

**Supervisors:** Supervisors must timely report known incidents involving workplace abuse, intimidation, or violence to the [HR, appointing authority or investigator]. Supervisors and appointing authorities are required to take reasonable steps to protect the complainant, including, but not limited to, separation of employees involved.

The person complained against will be notified that an allegation has been made against him or her and informed of the investigative procedure.

12. Investigation - Investigations of abusive conduct shall be conducted as soon as practicable and in accordance with the policies and practices of the Fayette County Sheriff's Office. The objective of the investigation is to ascertain whether the behaviors complained of occurred, and therefore will include interviewing the complainant, accused, and witnesses with direct knowledge of the alleged behaviors. All interviews will be appropriately documented. The investigation will be conducted thoroughly, objectively, with sensitivity, and with due respect for all parties. The investigator will provide a copy of the investigative report to the appointing authority for further action. All affected parties will be informed of the investigation's outcome.
13. Corrective Action - In the event of a finding of abusive conduct, the employer will take immediate and appropriate corrective action. Remedies may be determined by weighing the severity and frequency of the incidences of abusive conduct and in accordance with existing disciplinary policies of the Fayette County Sheriff's Office.
14. Any employee who engages in conduct that violates this policy or who encourages such conduct by others will be subject to corrective action. Such corrective action may include but is not limited to participation in counseling, training, and disciplinary action up to and including termination, or changes in job duties or location.
15. Supervisory personnel who allow abusive conduct to continue or fail to take appropriate action upon learning of such conduct will be subject to corrective action. Such corrective action may include but is not limited to participation in counseling, training, or disciplinary action up to and including termination, or changes in job duties or location.
16. While the Fayette County Sheriff's Office encourages all employees to raise any concern(s) under this policy and procedure, the Fayette County Sheriff's Office recognizes that intentional or malicious false allegations can have a serious effect on innocent people. Individuals falsely accusing another of violations of this policy will be disciplined in accordance with the disciplinary policy of the Fayette County Sheriff's Office.
17. Any employees exhibiting continuing emotional or physical effects from the incident in question should be informed of established employee assistance programs or other available resources.
18. When abusive conduct has been confirmed, the employer will continue to keep the situation under review and may take additional corrective actions if necessary. Preventative measures may also be taken to reduce the reoccurrence of similar behavior or action.
19. Confidentiality - To the extent permitted by law, the Fayette County Sheriff's Office will maintain the confidentiality of each party involved in an abusive conduct investigation, complaint or charge, provided it does not interfere with the ability to investigate the allegations or to take corrective action. However, state law may prevent the employer from maintaining confidentiality of public records. Therefore, the Fayette County Sheriff's Office cannot guarantee confidentiality.

C. No Smoking Policy

1. There shall be no smoking in any enclosed building over which Fayette County Government has control. Each supervisor / elected official shall adhere to this policy and shall make every effort to enforce this regulation over the general public and their employees.

2. Any employee who violates this provision shall receive an initial reprimand from their supervisor / elected official, which shall be placed in their personnel file. A second violation shall result in forfeiture of one day's pay, and a report placed in their personnel file. A third violation will result in termination from employment.
3. All supervisors and elected officials are required to enforce this provision. Any elected official found violating this policy, either personally or by allowing the general public or their employees to violate this policy, waives any protection from the county and accepts personal responsibility of the fines the state law imposes.

D. Wireless Telecommunications Devices And Driving Prohibitions (T.C.A. 55-8-199)

1. A person, while operating a motor vehicle on any road or highway in this state, shall not physically hold or support, with any part of the person's body a wireless telecommunications device. "Wireless telecommunications device" means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or substantially similar portable wireless device that is used to initiate or receive communication, information, or data. "Wireless telecommunications device" does not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device, or in-vehicle security, navigation, autonomous technology, or remote diagnostics system.
2. This does not prohibit an employee from using an earpiece, headphone device, or device worn on a wrist to conduct a voice-based communication; or using only one (1) button on a wireless telecommunications device to initiate or terminate a voice communication; or operating a stand-alone electronic device. "Stand-alone electronic device" means a portable device other than a wireless telecommunications device that stores audio or video data files to be retrieved on demand by a user.
3. A person, while operating a motor vehicle on any road or highway in this state, shall not write, send, or read any text-based communication, including, but not limited to, a text message, instant message, email, or internet data on a wireless telecommunications device or stand-alone electronic device.
4. This does not prohibit an employee from using such devices to automatically convert a voice-based communication to be sent as a message in a written form; or for navigation of the motor vehicle through use of a device's global positioning system.
5. A person, while operating a motor vehicle on any road or highway in this state, shall not reach for a wireless telecommunications device or stand-alone electronic device in a manner that requires the driver to no longer be in a seated driving position or properly restrained by a safety belt.

6. A person, while operating a motor vehicle on any road or highway in this state, shall not watch a video or movie on a wireless telecommunications device or stand-alone electronic device other than viewing data related to the navigation of the motor vehicle.
7. A person, while operating a motor vehicle on any road or highway in this state, shall not record or broadcast video on a wireless telecommunications device or stand-alone electronic device. This does not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle. This section does not apply to law enforcement body camera or dash camera systems.
8. T.C.A. 55-8-199 does not apply to officers of this state or of any county, city, or town charged with the enforcement of the laws of this state, or federal law enforcement officers when in the actual discharge of their official duties.
9. T.C.A. 55-8-199 does not apply to persons who are lawfully stopped or parked in their motor vehicles or who lawfully leave standing their motor vehicles.

VI. TITLE VI COMPLIANCE

- A. Title VI covers all agencies receiving federal funds.
- B. No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under the direction of the Fayette County Sheriff's Office.
- C. Anyone who believes that the Fayette County Sheriff's Office has discriminated against someone on the basis of race, color, or national origin has a right to file a complaint within 180 days of the alleged discrimination.
- D. Title VI complaints may be filed with the Title VI coordinator, in writing, within 180 days of the alleged discrimination. Complaint forms may be obtained by contacting the Title VI coordinator.
- E. The Fayette County Sheriff's Office shall remain in compliance with all laws, rules, and regulations with regard to Title VI discrimination.

VII. REVIEW OF PROCESS

- A. The Sheriff's Command Staff shall conduct a periodic review of this policy to determine if it should be revised, cancelled or continued in its present form.

B. This policy shall remain in effect until revoked or superseded by competent authority.

\_\_\_\_\_  
Bobby Riles  
Sheriff

\_\_\_\_\_  
Date

Commissioner Oglesby reported for the Audit Committee which met on July 25, 2023. The committee discussed the 2022 audit findings from the Comptroller's office which consisted of four (4) findings. One in public works, two in schools, and one in the trustee which has already been taken care of. Management in each office concurred the findings and a corrective action

plan has been initiated. Commissioner Oglesby made the motion to approve. The motion was seconded by Commissioner Steve Reeves and passed unanimously.

## ***Summary of Audit Findings***

Annual Financial Report  
Fayette County, Tennessee  
For the Year Ended June 30, 2022

### ***Scope***

We have audited the basic financial statements of Fayette County as of and for the year ended June 30, 2022.

### ***Results***

Our report on Fayette County's financial statements is unmodified.

Our audit resulted in four findings and recommendations, which we have reviewed with Fayette County management. Detailed findings, recommendations, and management's responses are included in the Single Audit section of this report.

### ***Findings***

The following are summaries of the audit findings:

#### **OFFICE OF PUBLIC WORKS SUPERINTENDENT**

- ◆ The Highway/Public Works Fund required material audit adjustments for proper financial statement presentation.

---

#### **OFFICE OF DIRECTOR OF SCHOOLS**

- ◆ The School Federal Projects Fund had a cash overdraft of \$1,111,448 at June 30, 2022.
- ◆ Accounting records for capital assets were not closed and available for audit by August 31, 2022.

---

#### **OFFICE OF TRUSTEE**

- ◆ Bank statements were not accurately reconciled with the general ledger.





Fayette County, Tennessee  
Summary Schedule of Prior-year Findings  
For the Year Ended June 30, 2022

*Government Auditing Standards* require auditors to report the status of uncorrected findings from prior audits. In addition, OMB's Uniform Guidance requires auditees to report the status of all prior-year findings whether corrected or not. Presented below are financial statement findings along with their current status from the Annual Financial Report for Fayette County, Tennessee, for the year ended June 30, 2022.

***Prior-year Financial Statement Findings***

Fiscal Year	Page Number	Finding Number	Title of Finding	FAL Number	Current Status
<b><u>OFFICE OF DIRECTOR OF SCHOOLS</u></b>					
2021	212	2021-001	The General Purpose School and School Federal Projects funds required material audit adjustments for proper financial statement presentation.	N/A	Corrected
2021	213	2021-002	The school department has a material recurring audit finding.	N/A	Corrected
2021	213	2021-003	Budget amendments were posted in the School Federal Projects Fund that were not approved by the county commission and the board of education.	N/A	Corrected
2021	214	2021-004	Competitive bids were not solicited for the purchase of temperature kiosks and smart boards.	N/A	Corrected
<b><u>OFFICE OF TRUSTEE</u></b>					
2021	215	2021-005	Bank statements were not accurately reconciled with the general ledger.	N/A	Not Corrected - See Explanation on Corrective Action Plan
<b><u>OFFICE OF REGISTER OF DEEDS</u></b>					
2021	215	2021-006	Duties were not segregated adequately.	N/A	Corrected

***Prior-year Federal Awards Findings***

There were no prior-year federal award findings to report.

**FAYETTE COUNTY, TENNESSEE**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**For the Year Ended June 30, 2022**

**PART I, SUMMARY OF AUDITOR'S RESULTS**

**Financial Statements:**

- |  |            |
|--|------------|
| 1. Our report on the financial statements of Fayette County is unmodified. |            |
| 2. Internal Control Over Financial Reporting:                              |            |
| * Material weakness identified?  | <b>YES</b> |
| * Significant deficiency identified?                                       | <b>YES</b> |
| 3. Noncompliance material to the financial statements noted?               | <b>NO</b>  |

**Federal Awards:**

- |   |   |
|---|---|
| 4. Internal Control Over Major Federal Programs:  |   |
| * Material weakness identified?   | <b>NO</b>                               |
| * Significant deficiency identified?  | <b>NONE REPORTED</b>                    |
| 5. Type of report auditor issued on compliance for major programs.                                    | <b>UNMODIFIED</b>                       |
| 6. Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? | <b>NO</b>                               |
| 7. Identification of Major Federal Program:   |   |
| * Assistance Listing Number: 84.425   | COVID-19 - Education Stabilization Fund |
| 8. Dollar threshold used to distinguish between Type A and Type B Programs.                           | <b>\$750,000</b>                        |
| 9. Auditee qualified as low-risk auditee?   | <b>NO</b>                               |

## **PART II, FINDINGS RELATING TO THE FINANCIAL STATEMENTS**

Findings and recommendations, as a result of our audit, are presented below. We reviewed these findings and recommendations with management to provide an opportunity for their response. Written responses for all findings are paraphrased and presented following each finding and recommendation. Management's corrective action plans, whether related to the financial statements or federal awards, are presented separately in the Management's Corrective Action Plan in the Single Audit Section of this report. Findings relating specifically to the audit of federal awards, if any, are separately presented under Part III, Findings and Questioned Costs for Federal Awards.

### **OFFICE OF PUBLIC WORKS SUPERINTENDENT**

#### **FINDING 2022-001**

#### **THE HIGHWAY/PUBLIC WORKS FUND REQUIRED MATERIAL AUDIT ADJUSTMENTS FOR PROPER FINANCIAL STATEMENT PRESENTATION** (Internal Control – Material Weakness Under *Government Auditing Standards*)

At June 30, 2022, certain general ledger account balances in the Highway/Public Works Fund were not materially correct, and audit adjustments for accounts receivable and related deferred revenue totaling \$393,823 were required for the financial statements to be materially correct at year-end. Generally accepted accounting principles require the highway department to have adequate internal controls over the maintenance of its accounting records. Material audit adjustments were required because the department's financial reporting system did not prevent, detect, or correct potential misstatements in the accounting records. It is a strong indicator of a material weakness in internal controls if the highway department has ineffective controls over the maintenance of its accounting records, which are used to prepare the financial statements, including the related notes to the financial statements. This deficiency is the result of a lack of management oversight. We presented audit adjustments to management that they approved and posted to properly present the financial statements in this report.

#### **RECOMMENDATION**

Management should have appropriate processes in place to ensure its general ledgers are materially correct.

#### **MANAGEMENT'S RESPONSE – PUBLIC WORKS SUPERINTENDENT**

We concur with the finding and will ensure all accounts receivable and deferred revenues have been properly posted to the financial statements at year-end.

**OFFICE OF DIRECTOR OF SCHOOLS**

**FINDING 2022-002**

**THE SCHOOL FEDERAL PROJECTS FUND HAD A CASH OVERDRAFT OF \$1,111,448 AT JUNE 30, 2022**  
(Internal Control – Material Weakness Under *Government Auditing Standards*)

The School Federal Projects Fund had a cash overdraft of \$1,111,448 at June 30, 2022. This cash overdraft resulted from the issuance of checks exceeding cash on deposit with the county trustee. Sound business practices dictate that expenditures be held within available funds. The cash overdraft was liquidated subsequent to June 30, 2022.

**RECOMMENDATION**

The school department should not issue checks exceeding cash on deposit with the county trustee.

**MANAGEMENT'S RESPONSE – DIRECTOR OF SCHOOLS**

The district concurs with the finding with an explanation. The federal project funds are operated on a reimbursement basis. Documentation must be submitted in order to receive a reimbursement and therefore, checks must be written as support. We had two large payments due to vendors from our ESSER III (COVID Grant) project in June. One expenditure was for \$417,588 for buses. The second large expenditure was for \$693,200 as a payment toward the roofing project at Southwest Elementary. The district did not and does not have sufficient cash available in the School Federal Projects Fund to cover expenditures of this magnitude. Once the check is written for the purpose of reimbursement, it impacts the balance of funds in the Trustee's Office. The checks were not presented to the vendors for payment until funds were reimbursed and made available. In the future, funds from the General Purpose School Fund can be utilized temporarily to assist with expenditures and replaced after reimbursement.

**FINDING 2022-003**

**ACCOUNTING RECORDS FOR CAPITAL ASSETS WERE NOT CLOSED AND AVAILABLE FOR AUDIT BY AUGUST 31, 2022**  
(Noncompliance Under Government Auditing Standards)

Capital assets accounting records were not closed and available for audit by August 31, 2022, as required by Section 9-2-102, *Tennessee Code Annotated*. This statute provides that records should be available for audit no later than two months after the close of the June 30 fiscal year. The capital assets accounting records were made available to auditors on December 28, 2022. The failure to maintain accounting records on a current basis diminishes the usefulness of the financial records as a management tool, results in the loss of accounting controls, and increases the risk that errors will not be discovered and corrected timely. This deficiency can be attributed to a lack of management oversight.

RECOMMENDATION

Management should close its capital assets accounting records for the fiscal year ended June 30 and have those records available for audit by the following August 31.

MANAGEMENT'S RESPONSE – DIRECTOR OF SCHOOLS

I concur with the finding. The school department will work to ensure that all accounting records, including capital assets, are available for audit by August 31<sup>st</sup> following each fiscal year.

---

OFFICE OF TRUSTEE

FINDING 2022-004

**BANK STATEMENTS WERE NOT ACCURATELY RECONCILED WITH THE GENERAL LEDGER**

(Internal Control – Significant Deficiency Under *Government Auditing Standards*)

Bank statements were not accurately reconciled with the general ledger. The trustee attempted to reconcile the bank accounts; however, unidentified differences totaling \$48,840 were reflected on the reconciliation of two of the bank accounts at June 30, 2022. These unidentified reconciling differences had accumulated during the current- and prior-years. Sound business practices dictate that bank statements should be reconciled with the general ledger monthly, and any differences should be identified and corrected promptly. These deficiencies were the result of the trustee failing to accurately reconcile the accounts on a current basis. These deficiencies were also the result of management's failure to correct the finding noted in the prior-year audit report and management's failure to implement their corrective action plan.

RECOMMENDATION

Bank statements should be reconciled with the general ledger monthly, and any differences discovered should be identified and corrected promptly.

MANAGEMENT'S RESPONSE – CHARLES MCNAB, CURRENT TRUSTEE

I concur with the finding. Efforts are being made to identify the unreconciled amounts.

**PART III, FINDINGS AND QUESTIONED COSTS FOR FEDERAL AWARDS**

There were no findings and questioned costs related to federal awards for the year ended June 30, 2022.

**Fayette County, Tennessee**  
**Management's Corrective Action Plan**  
**For the Year Ended June 30, 2022**

We reviewed the financial statement and federal award findings and recommendations with management to provide an opportunity for their response as required by the auditee requirements within Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Management's corrective action plans for all financial statement findings and federal award findings are presented in this section and have been indexed below. The corrective action plans were prepared by management and have been presented as they were submitted.

Finding Number	Title of Finding	Corrective Action Plan Page Number
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**OFFICE OF PUBLIC WORKS SUPERINTENDENT**

2022-001	The Highway/Public Works Fund required material audit adjustments for proper financial statement presentation.	217
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**OFFICE OF DIRECTOR OF SCHOOLS**

2022-002	The School Federal Projects Fund had a cash overdraft of \$1,111,448 at June 30, 2022.	218
2022-003	Accounting records for capital assets were not closed and available for audit by August 31, 2022.	219

**OFFICE OF TRUSTEE**

2022-004	Bank statements were not accurately reconciled with the general ledger.	220
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**FAYETTE COUNTY PUBLIC WORKS DEPARTMENT**

115 YANCEY STREET  
P.O. BOX 579  
SOMERVILLE, TENNESSEE 38068

901-465-5222  
FAX 901-465-9105

**HANK FRANCK, Chairman**  
**WESLEY PARKS, Secretary**  
**WAYNE DOWDY, Superintendent**

**RONNIE WILKINS**  
**BILL McCLURE, JR**  
**JIM MAC RIKE**

**Corrective Action Plan**

**FINDING: THE HIGHWAY/PUBLIC WORKS FUND REQUIRED MATERIAL AUDIT ADJUSTMENTS FOR PROPER FINANCIAL STATEMENT PRESENTATION**

**Response and Corrective Action Plan Prepared by:**  
Wayne Dowdy, Public Works Superintendent

**Person Responsible for Implementing the Corrective Action:**  
Wayne Dowdy, Public Works Superintendent

**Anticipated Completion Date of Corrective Action:**  
June 30, 2023

**Repeat Finding:**  
No

**Planned Corrective Action:**  
We will make the proper accruals at year-end to ensure all accounts receivable and deferred revenues have been properly posted to the financial statements.

Signature: \_\_\_\_\_







# Fayette County Public Schools

Family • Collaboration • Perseverance • Service

Dr. Versie R. Hamlett  
Superintendent

## Corrective Action Plan

**FINDING:**

**THE SCHOOL FEDERAL PROJECTS FUND HAD A CASH OVERDRAFT OF \$1,111,448 AT JUNE 30, 2022**

**Response and Corrective Action Plan Prepared by:**  
Versie Hamlett, Director of Schools

**Person Responsible for Implementing the Corrective Action:**  
Versie Hamlett, Director of Schools and Vincent Harvell, Director of Finance

**Anticipated Completion Date of Corrective Action:**  
June 30, 2023

**Repeat Finding:**  
No

**Planned Corrective Action:**  
The school department will work to ensure that checks issued do not exceed cash on deposit with the county trustee.

Signature: \_\_\_\_\_



# Fayette County Public Schools

Family • Collaboration • Perseverance • Service

Dr. Versie R. Hamlett  
Superintendent

## Corrective Action Plan

**FINDING:**

**ACCOUNTING RECORDS FOR CAPITAL ASSETS WERE NOT CLOSED AND AVAILABLE FOR AUDIT BY AUGUST 31, 2022**

**Response and Corrective Action Plan Prepared by:**

Versie Hamlett, Director of Schools

**Person Responsible for Implementing the Corrective Action:**

Versie Hamlett, Director of Schools and Vincent Harvell, Director of Finance

**Anticipated Completion Date of Corrective Action:**

August 31, 2023

**Repeat Finding:**

No

**Planned Corrective Action:**

The school department will work to ensure that all accounting records, including capital assets, are available for audit by August 31 following each fiscal year

Signature: \_\_\_\_\_



# Fayette County Government

Charles A. McNab / County Trustee

## Corrective Action Plan

**FINDING:** BANK STATEMENTS WERE NOT ACCURATELY RECONCILED WITH THE GENERAL LEDGER

**Response and Corrective Action Plan Prepared by:**  
Charles McNab, Trustee

**Person Responsible for Implementing the Corrective Action:**  
Charles McNab, Trustee

**Anticipated Completion Date of Corrective Action:**  
June 30, 2023

**Repeat Finding:**  
Yes

**Reason Corrective Action was Not Taken in the Prior Year:**  
The previous Trustee was unable to isolate or identify the differences in the reconciliation.

**Planned Corrective Action:**  
The bank statements have been reconciled and an entry will be made to clear the differences.

Signature:

## **BEST PRACTICE**

Accounting literature describes a best practice as a recommended policy, procedure, or technique that aids management in improving financial performance. Historically, a best practice has consistently shown superior results over conventional methods.

The Division of Local Government Audit strongly believes that the item noted below is a best practice that should be adopted by the governing body as a means of significantly improving accountability and the quality of services provided to the citizens of Fayette County.

### **FAYETTE COUNTY SHOULD ADOPT A CENTRAL SYSTEM OF ACCOUNTING, BUDGETING, AND PURCHASING**

Fayette County does not have a central system of accounting, budgeting, and purchasing. Sound business practices dictate that establishing a central system would significantly improve internal controls over the accounting, budgeting, and purchasing processes. The absence of a central system of accounting, budgeting, and purchasing has been a management decision by the county commission resulting in decentralization and some duplication of effort. We recommend the adoption of the County Financial Management System of 1981 or a private act, which would provide for a central system of accounting, budgeting, and purchasing covering all county departments.

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

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Rhea Taylor, County Mayor

ATTEST:

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Shana N. Burch, County Clerk