

September 8, 2009

BE IT REMEMBERED that the Hickman County Legislative Body met in special called session, on this 8th day of September, 2009 at the Justice Center in Centerville, Tn. Mark McFarlin Chairman, Andrea Totty, County Clerk, presided. Present were Frankye Ward, Mickey Bunn, Steve Hethcote, Danny Clark, Charles Booker, Ricky Murray, Jim Rice, Wayne Richey, Kenneth Underhill, James Hassell, Billy Blackwell, Ronald Gammons, Robert O. Atkinson, Shirley Mayberry, Keith Nash, Ronnie Sullivan, Robert Capps, Lloyd Mangrum and Michael Wayne Thomasson were present. Lynette Harris was absent {20 present 1 absent}.

AGENDA

Motion was made by Ronald Gammon and seconded by Steve Hethcote to approve the following agenda. Motion was passed by voice vote.

The Hickman County Legislative Body shall meet in special called session at 7:00 p.m. on Tuesday September 8, 2009 at the Hickman County Justice Center. The meeting is open to the public , but as this is a called session, only items listed on the agenda below may be discussed, ~~t~~o consider overriding the mayors veto on Resolution 09-37 & 09-38. Persons requiring special assistance to attend said meeting should contact the County Mayor's office at 931-729-2492 at least 48 hours prior to the meeting.

AGENDA

- 1) *Call to Order by Clerk*
- 2) *Roll Call*
- 3) *Prayer and Pledge*
- 4) *Consideration of overriding Mayor's veto of 09-37  
To meet Maintenance of Effort( General Purpose  
School Fund 141)  
A) Amending 40161-40210 Local Option Sales Tax  
From: \$1,200,000.00 To: \$1,255,000.00  
B) Amending 40161-40270 Business Tax  
From: \$20,000.00 To: \$30,000.00  
C) Authorization of Finance Office to Adjust 40161-  
40210 to \$1,255,000.00 and 40161-40270 to  
\$30,000.00 respectively*
- 5) *Consideration of Overriding Mayors veto of 09-38*
- 6) *Announcements*
- 7) *Adjournment*

*Respectfully Submitted:*

*Mark McFarlin, Chairman*

## OVERRIDING MAYORS VETO OF RESOLUTION 09-37 AND RESOLUTION 09-38

Motion was made Keith Nash and seconded by Ronald Gammons to override mayor's veto on Resolution 09-37 and Resolution 09-38.

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### AMEND TO VOTE ON VETO IN TWO PARTS

Motion was made by Steve Hethcote and seconded by Kenneth Underhill to amend by voting on Resolution 09-37 & 09-38 veto into two parts in order to consider the presented budget. Upon roll call vote 20 commissioners voted yes. Lynette Harris was absent {20 yes 1 absent}. Motion passed.

### AMEND THE BUDGET

Motion was made by Keith Nash and seconded by Ronald Gammons to amend the budget as outlined in section A, B, C listed on the agenda. Upon roll call vote 20 commissioners voted yes. Lynette Harris was absent {20 yes 1 absent}. Motion passed.

## OVERRIDING MAYORS VETO OF RESOLUTION 09-37 AND RESOLUTION 09-38

Motion was made Keith Nash and seconded by Ronald Gammons to override mayor's veto on Resolution 09-37 and Resolution 09-38 as amended. Upon roll call vote 17 commissioners voted yes. James Hassell, Shirley Mayberry and Mickey Bunn voted no. Lynette Harris was absent { 17 yes 3 no 1 absent}. Motion passed.

## HICKMAN COUNTY, TENNESSEE

### RESOLUTION NO. 09-37

#### A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF HICKMAN COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010

**SECTION 1: BE IT RESOLVED**, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session on the 20<sup>th</sup> day of August, 2009, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Hickman County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the county's debt maturing during the fiscal year beginning July 1, 2009 and ending on June 30, 2010, according to the following schedule:

#### GENERAL FUND

51100 County Commission	\$	58,400
51210 Board of Equalization		3,500
51220 Beer Board		600
51300 County Mayor		104,589
51400 County Attorney		10,000
51500 Election Commission		150,868
51600 Register of Deeds		130,390
51720 Planning		90,438
51800 County Buildings		160,477
51810 Other Facilities		411,000
51900 Other General Administration		30,660
51910 Preservation of Records		29,082
52100 Accounting and Budgeting		224,794
52300 Property Assessor's Office		212,413
52400 County Trustee's Office		150,731
52500 County Clerk's Office		224,030
53100 Circuit Court		258,007
53300 General Sessions Court		183,031
53400 Chancery Court		132,848
53700 Judicial Commissioners		28,664
54110 Sheriff's Department		1,437,523
54210 Jail		989,960
54310 Fire Prevention and Control		2,000
54410 Civil Defense		170,028
54420 Rescue Squad		10,000
54610 County Coroner/Medical Examiner		26,400
55110 Local Health Center		49,001
55170 Alcohol and Drug Programs		15,765
55190 Other Local Health Services		267,800
55310 Regional Mental Health Centers		2,500

57100 Agriculture Extension Service	48,627
57500 Soil Conservation	29,995
58110 Tourism	500
58120 Industrial Development	30,278
58190 Other Economic and Community Development	1,000
58400 Other Charges	499,900
58600 Employee Benefits	1,515,000
58900 Miscellaneous	99,050
Transfers to Other Funds	<u>653,475</u>
Total General Fund	\$ 8,450,824

PUBLIC LIBRARY FUND

56500 Libraries	\$ 238,862
Total Public Library Fund	\$ 238,862

AMBULANCE SERVICE FUND

55130 Ambulance/Emergency Medical Services	\$ 1,237,408
Total Ambulance Service Fund	\$ 1,237,408

DRUG CONTROL FUND

54150 Drug Enforcement	\$ 6,000.00
Total Drug Control Fund	\$ 6,000.00

ADEQUATE FACILITIES TAX FUND

51730 Adequate Facilities - Trustees Commission	\$ 1,460
Total Adequate Facilities Tax Fund	\$ 1,460

HIGHWAY/PUBLIC WORKS FUND

61000 Administration	\$ 184,527
62000 Highway and Bridge Maintenance	1,221,130
63100 Operation and Maintenance of Equipment	454,940
65000 Other Charges	85,120
66000 Employee Benefits	579,325
68000 Capital Outlay	1,164,274
Transfers to Other Funds	<u>31,121</u>
Total Highway/Public Works Fund	\$ 3,720,437

GENERAL PURPOSE SCHOOL FUND

<u>71000 Instruction</u>	
71100 Regular Instruction Program	\$ 13,226,130
71150 Alternative Instruction Program	154,300
71200 Special Education Program	2,228,725
71300 Vocational Education Program	1,265,000
71600 Adult Education Program	82,630
<u>72000 Support Services</u>	
72110 Attendance	146,910
72120 Health Services	221,500
72130 Other Student Support	848,200
72210 Regular Instruction Program	960,000
72215 Alternative Instruction Program	500
72220 Special Education Program	99,250
72230 Vocational Education Program	90,600
72260 Adult Programs	73,730
72310 Board of Education	469,500
72320 Director of Schools	247,800
72410 Office of the Principal	914,200
72610 Operation of Plant	2,334,000
72620 Maintenance of Plant	1,342,340
72710 Transportation	1,549,150
72810 Central and Other	235,000
<u>73000 Operation of Non-Instructional Services</u>	
73100 Food Service	22,000
73300 Community Services	153,600
73400 Early Childhood Education	406,170
<u>76000 Capital Outlay</u>	
76100 Regular Capital Outlay	\$ 750,000
Total General Purpose School Fund	\$ 27,821,235

CENTRAL CAFETERIA FUND

73100 Food Services	\$ 2,128,000
Total Central Cafeteria Fund	\$ 2,128,000

GENERAL DEBT SERVICE FUND

82110 Principal - General Government	\$ 396,295
82120 Principal - Highway and Streets	31,250
82130 Principal - Education	811,000
82210 Interest - General Government	444,601
82220 Interest - Highway and Street	13,380
82230 Interest - Education	1,022,900
82310 Other - General Government	43,015
82330 Other - Education	109,317
99100 Transfers to Other Funds	\$ 491,258
Total General Debt Service Fund	\$ 3,363,016

EDUCATION DEBT SERVICE FUND

82130 Principal - Educational	\$	476,000
82230 Interest - Educational		262,506
82310 Other Debt Service - General		3,000
82330 Other Debt Service - Educational	\$	21,150
Total Education Debt Service Fund	\$	762,656

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SOLID WASTE DISPOSAL FUND

55710 Sanitation Management	\$	1,085,101
64000 Litter and Trash Collection		37,378
Total Solid Waste Disposal Fund	\$	1,122,479

**SECTION 2: BE IT FURTHER RESOLVED**, that the budget for the School Federal Projects Fund shall be the budget approved for separate projects within the fund by the Tennessee Department of Education.

**SECTION 3: BE IT FURTHER RESOLVED**, that the Typical School System Federal Projects Fund for the No Child Left Behind Act (NCLB), Individuals with Disabilities Education Act (IDEA), Carl Perkins Vocational projects shall be approved for the separate projects within the fund by the Typical School System Board of Education.

**SECTION 4: BE IT FURTHER RESOLVED**, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff and their officially authorized deputies and assistants may severally be entitled to receive under State laws heretofore or hereafter enacted. Expenditures out of commissions, and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register and Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.

**SECTION 5: BE IT FURTHER RESOLVED**, that if any fee officials, enumerated in §8-22-101, Tennessee Code Annotated, operate under provisions of §8-22-104, Tennessee Code Annotated, provisions of the preceding paragraph shall not apply to those particular officials.

**SECTION 6: BE IT FURTHER RESOLVED**, that any amendment to the budget, except for amendments to the budget for funds under supervision of the director of schools, shall be approved as provided in §5-9-407, Tennessee Code Annotated. The director of schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commissioners for transfers between major categories as required by law. One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one with each divisional or department head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

**SECTION 7: BE IT FURTHER RESOLVED**, that any amendment to the budget other than Fund 141 and 143, shall be approved as provided in §5-21-112 and §5-21-113, Tennessee Code Annotated. One copy of each amendment shall be filed with the county clerk, one copy with the chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfer within a certain fund.

**SECTION 8: BE IT FURTHER RESOLVED**, that any appropriations made by this Resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of, but not in addition to, said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department for the fiscal year ending June 30, 2008. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

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

**SECTION 10: BE IT FURTHER RESOLVED**, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Board of County Commissioners and the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the fiscal year 2008-2009 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund for which the loan is made. The loan shall be paid out of revenue from the fund for which the money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2010.

**SECTION 11: BE IT FURTHER RESOLVED**, that the delinquent County property taxes for the year 2008 and prior years and the interest and penalty thereon collected during the year ending June 30, 2010, shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2008 up to the amount appropriated in each category. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 12: BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect at the end of the fiscal year at June 30, 2010.

SECTION 13: BE IT FURTHER RESOLVED, that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 14: BE IT FURTHER RESOLVED, that this Resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2009. This Resolution shall be spread upon the minutes of the Board of County Commissioners.

SPONSORS:

Ronald Gammons      Darryl Clark


BOARD ACTION: 11 Aye 9 Nay      Pass 1 Absent

ADOPTED:

Mark McFarlin  
 Mark McFarlin, Chairman

ATTEST:

Andrea Totty  
 Andrea Totty, County Clerk



APPROVED:

Steve Gregory  
 Steve Gregory, County Mayor

DISAPPROVED:

Steve Gregory  
 Steve Gregory, County Mayor

DATE: \_\_\_\_\_

DATE: 8-28-09

ATTACHMENT: Summary Statement of Proposed Operation

**HICKMAN COUNTY, TENNESSEE**

**RESOLUTION NO. 09-38**

FIXING THE TAX LEVY IN HICKMAN COUNTY, TENNESSEE  
 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2009

SECTION 1: BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session on this 20<sup>th</sup> day of August, 2009, that the combined property tax rate for Hickman County, Tennessee, for the fiscal year beginning of July 1, 2009, shall be \$ 2.3984 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conforms to the following levies:

General	\$ 1.1118
Highway/Public Works	\$ 0.0655
General Purpose School	\$ 0.9225
General Debt Service	\$ 0.2986
<b>Total</b>	<b>\$ 2.3984</b>

SECTION 2: BE IT FURTHER RESOLVED, that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General, Highway/Public Works, General Purpose School, and General Debt Service Funds on the basis of the 2009 tax rate.

SECTION 3: BE IT FURTHER RESOLVED, that all resolutions of the Hickman County Legislative Body which are in direct conflict with this resolution are hereby repealed.

SECTION 4: BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners of Hickman County, Tennessee.

SPONSORS:

Ronald Gammons      Darryl Clark

BOARD ACTION: 13 Aye 8 Nay      Pass      Absent

ADOPTED:

Mark McFarlin  
 Mark McFarlin, Chairman

ATTEST:

Andrea Totty  
 Andrea Totty, County Clerk



APPROVED:

Steve Gregory  
 Steve Gregory, County Mayor

DISAPPROVED:

Steve Gregory  
 Steve Gregory, County Mayor

DATE: \_\_\_\_\_

DATE: 8-28-09

**ADJOURN**

Motion was made by Steve Hethcote and seconded by Ronald Gammons to adjourn.  
 Motion was passed by voice vote.