

August 16, 2017

Mayor Virgil F. Holder	P
Commissioner Paul Don King	P
Commissioner Ronnie Lancaster	A
Commissioner Samantha Rector	P
Commissioner Jimmy P. Haley Jr.	P

The Board of Mayor and City Commissioners met in a special called meeting on Wednesday, August 16, 2017.

A **Motion** was made by Commissioner Rector, seconded by Commissioner King, to pass on first (1<sup>st</sup>) reading **Ordinance #780** (An Ordinance Amending the Annual Operating Budget & Capital Program of South Pittsburg, TN, for Fiscal Year 2017-2018). Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner King, yes; Mayor Holder, yes. Four voted aye.

A **Motion** was made by Commissioner Rector, seconded by Commissioner Haley, to pass **Resolution #982** (A Resolution to Authorize a Joint Venture's Participation in the Tennessee Consolidated Retirement System in Accordance with Tennessee Code Annotated Title 8, Chapters 34-37). Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner King, yes; Mayor Holder, yes. Four voted aye.

A **Motion** was made by Commissioner Rector, seconded by Commissioner Haley, to approve the **Maintenance of Effort Agreement (2017-2018)**. Roll call vote: Commissioner Rector, yes; Commissioner Haley, yes; Commissioner King, yes; Mayor Holder, yes. Four voted aye.

A **Motion** to adjourn was made by Commissioner Haley, seconded by Commissioner Rector. Roll call vote: Commissioner Haley, yes; Commissioner Rector, yes; Commissioner King, yes; Mayor Holder, yes. Four voted aye.

Respectfully submitted,

Mayor Virgil F. Holder  
Diane Beavers, City Recorder

**ORDINANCE NO. 780**

**AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET & CAPITAL PROGRAM OF SOUTH PITTSBURG, TENNESSEE FOR FISCAL YEAR 2017-2018**

**WHEREAS,** the budget process is one of the most important activities undertaken by governments for the public welfare with the budget process being used to make program, service and capital decisions and allocate scarce resources to programs, services and capital; and

**WHEREAS,** *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows the governing body to amend the annual budget and capital program ordinance in the same manner as any other ordinance may be amended; and

**WHEREAS,** *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds first be appropriated before being expended and that only funds that are available may be appropriated;

**WHEREAS,** the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of their source except in accordance with a budget ordinance, and that the governing body shall not make any appropriation in excess of estimated available funds; and

**WHEREAS,** the budget and capital program ordinance is the legal document whereby the governing body appropriates funds and thereby gives the legal authority for expenditures of the City as required by state law.

**Now, therefore, be it ordained by the Board of Mayor and Commissioners of South Pittsburg, Tennessee, that:**

**Section 1:** The following sources will be to amend the budget to accommodate increases and decreases in revenues, expenditures, and capital projects during the 2017-2018 fiscal year:

<b>General Fund 110</b>	<b>Beginning</b>	<b>Amendment</b>	<b>Ending</b>
REVENUES			
Miscellaneous Revenues-36974	\$140,200	(\$4,000)	\$136,200
EXPENDITURES			
Library-44800-266	\$2,500	\$4,000	\$6,500

- Section 2:** After adoption by this governing body, this amendment will be presented to the Director of Local Finance as required by *Tennessee Code Annotated* Title 9 Chapter 21 Section 403 for continuing approval of a balanced budget.
- Section 3:** All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.
- Section 4:** If any section, clause, provision or portion of this ordinance is held to be invalid or un-constitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision or portion of this ordinance.
- Section 5:** This Ordinance shall take effect at the earliest date allowed by law, the public welfare requiring it.

**PASSED AND APPROVED** by the Board of Mayor and Commissioners on the second and final reading on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF SOUTH PITTSBURG, TENNESSEE**

By: \_\_\_\_\_  
Virgil F. Holder, Mayor

**ATTEST:**

\_\_\_\_\_  
Diane Beavers, City Recorder

First Reading: August 16, 2017

Public Hearing: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**Tennessee Consolidated  
Retirement System**  
(Marion County Library Board- City of South  
Pittsburg)

**CITY OF SOUTH PITTSBURG, TENNESSEE  
RESOLUTION # 982**

**A RESOLUTION TO AUTHORIZE A JOINT VENTURE'S  
PARTICIPATION IN THE TENNESSEE CONSOLIDATED  
RETIREMENT SYSTEM IN ACCORDANCE WITH TENNESSEE CODE  
ANNOTATED TITLE 8, CHAPTERS 34-37**

**WHEREAS**, *Tennessee Code Annotated* Section 8-35-201 provides that any governing body of a joint venture between one or more political subdivisions of this State may by resolution authorize the employees of the joint venture to participate in the Tennessee Consolidated Retirement System ("TCRS") subject to the approval of the TCRS Board of Trustees; provided that each political subdivision of the State which is represented in the joint venture passes a resolution guaranteeing the payment of its prorated share of any outstanding liability so incurred by the participation; and

**WHEREAS**, the Board of Trustees of the Marion County Library Board ("Joint Venture") has passed a resolution authorizing its employees to become members of TCRS under the provisions of state law, and under the following terms and conditions:

- A. **TYPE PLAN.** The Joint Venture adopts the following type plan: Regular Defined Benefit Plan;
- B. **EMPLOYEE CONTRIBUTIONS.** The Employees shall contribute: 5% of the employees' earnable compensation;
- C. **COST-OF-LIVING INCREASES FOR RETIREES.** The Joint Venture shall: PROVIDE cost-of-living increases for its retirees;
- D. **ELIGIBILITY OF PART-TIME EMPLOYEES.** The Joint Venture shall: NOT allow its part-time employees to participate in TCRS;

E. **PRIOR SERVICE.** For each employee employed with the Joint Venture on the effective date of the Joint Venture's participation in TCRS, the Joint Venture shall: NOT allow its employees to establish any prior service credit with the Joint Venture; and

**WHEREAS**, the effective date of participation shall be on October 1, 2017, or on such later date as determined by the TCRS Board of Trustees, and the initial employer contribution rate will be **6.86 %**, which is based on the estimated lump sum accrued liability of **\$ 3,476.00**; and

**WHEREAS**, the City of South Pittsburg is represented in such Joint Venture and desires to allow all the employees of the Joint Venture to participate in TCRS under the above terms and conditions, or under such other terms and conditions as the governing body of the Joint Venture may adopt pursuant to the laws governing TCRS; provided, however, this governing body must approve by resolution any such action that would increase the liabilities of either the Joint Venture or the Political Subdivision; and

**WHEREAS**, the liability for participation and costs of administration shall be the sole responsibility of the Joint Venture and all public entities responsible for the direct funding of the Joint Venture and not the State of Tennessee; and

**WHEREAS**, the Joint Venture has passed a budget amendment appropriating the funds necessary to meet such liability and the same is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** that the City Commission of the City of South Pittsburg hereby authorizes all the employees of the Joint Venture to become eligible to participate in TCRS in accordance with the above terms and conditions subject to the approval of the TCRS Board of Trustees, and hereby guarantees the payment of its prorated share of any outstanding liability so incurred by the above-referenced action of the Joint Venture. It is acknowledged and understood that pursuant to Tennessee Code Annotated, Section 8-35-111 neither the Joint Venture nor the Political Subdivision shall make employer contributions to any other retirement or deferred compensation plans on behalf of any employee who participates in TCRS pursuant to this Resolution wherein the total combined employer contributions to such plans exceed 3% of the employee's salary, unless the Local Government Hybrid Plan or the State Employee and Teacher Hybrid Plan is adopted by the Joint Venture for such employee.

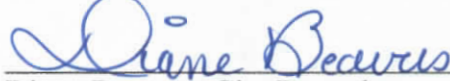
ADOPTED this 16th day of August, 2017.

THE CITY OF SOUTH PITTSBURG, TENNESSEE

By:

  
Virgil F. Holder, Mayor

ATTESTED:



Diane Beavers, City Recorder

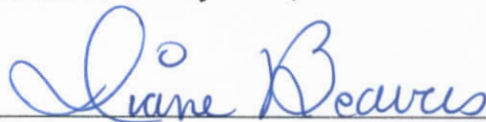
DATE PASSED: August 16, 2017

STATE OF TENNESSEE

COUNTY OF MARION

I, Diane Beavers, City Recorder, as Clerk of the City Commission of the City of South Pittsburg, Tennessee do hereby certify that this is a true and exact copy of the foregoing Resolution that was approved and adopted in accordance with applicable law at a meeting held on the 16<sup>th</sup> day of August, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand, and the seal of the City of South Pittsburg.



Diane Beavers, as Clerk of the Board, as aforesaid



**2017-2018 PUBLIC LIBRARY MAINTENANCE OF EFFORT AGREEMENT**

**Office of the Secretary of State  
Tennessee State Library and Archives**

*Due to the Stones River Regional Office by October 31st*

Region: Stones River

County(ies): Marion

Library/Library System: Marion County Public Libraries

The Office of the Secretary of State, Tennessee State Library and Archives, Regional Office is hereby notified that public funds were appropriated and expended for library services in the fiscal year just completed. This amount will be matched or exceeded during the current fiscal year. In addition, the total number of library operating hours will be maintained, per the *Public Library Service Agreement*. The undersigned acknowledge that failure to meet MOE (Maintenance of Effort) may result in the loss of all regional services, including materials currently held at the local library(ies) paid for with State and Federal funds.

Public taxpayer funds appropriated and expended for operation of local libraries. Do not include capital or one-time appropriations or expenditures, or pass-through money appropriated by another County or City.

**A. Appropriated and Expended by the County(ies): Marion**

County(ies)	Appropriated FY 2015-16	Expended FY 2015-16	Appropriated FY 2016-17	Expended FY 2016-17	Appropriated FY 2017-18
Marion	\$150,524.00	\$148,798.00	\$151,139.00	\$151,139.00	\$154,139.00
<b>TOTAL</b>	\$150,524.00	\$148,798.00	\$151,139.00	\$0.00	\$0.00

**B. Appropriated and Expended by the City(ies): Jasper, South Pittsburg, Whitwell**

City(ies)	Appropriated FY 2015-16	Expended FY 2015-16	Appropriated FY 2016-17	Expended FY 2016-17	Appropriated FY 2017-18
Jasper	\$162,200.00	\$176,774.00	\$173,600.00	\$178,745.00	\$190,300.00
South Pittsburg	\$45,282.00	\$46,492.00	\$46,075.00	\$42,296.00	\$44,050.00
Whitwell	\$33,560.00	\$33,560.00	\$33,560.00	\$33,625.50	\$33,560.00
<b>TOTAL</b>	\$241,042.00	\$256,826.00	\$253,235.00	\$0.00	\$0.00

**C. Totals:**

	Appropriated FY 2015-16	Expended FY 2015-16	Appropriated FY 2016-17	Expended FY 2016-17	Appropriated FY 2017-18
<b>TOTAL</b>	\$391,566.00	\$405,624.00	\$404,374.00	\$0.00	\$0.00



**2017-2018 PUBLIC LIBRARY MAINTENANCE OF EFFORT AGREEMENT**

**Office of the Secretary of State  
Tennessee State Library and Archives**

Region: Stones River

County(ies): Marion

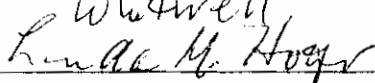
Library/Library System: Marion County Public Libraries

**D. Number of library operating hours in a normal week:**


Name of Library Building	Main or Branch Library	Number of Hours per Week FY 2015-16	Number of Hours per Week FY 2016-17	Number of Hours per Week FY 2017-18	Comments
Jasper Public Library	Main	43	45	45	
Beene-Pearson Public Library	Main	41	41	41	
Orena Humphreys Public Library	Main	40	40	40	
<b>Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	

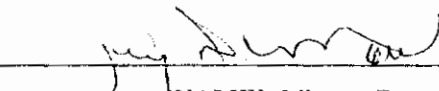
**E. Official Signatures:**

  
 \_\_\_\_\_  
 [NAME AND NAME OF COUNTY], County, Mayor

*Whitwell*  
 *8-11-17*  
 \_\_\_\_\_  
 [NAME AND NAME OF CITY/TOWN], Mayor Date

  
 \_\_\_\_\_  
 [NAME AND NAME OF CITY/TOWN], Mayor

 *9-13-17*  
 \_\_\_\_\_  
 [NAME AND NAME OF CITY/TOWN], Mayor Date

 *9/13/17*  
 \_\_\_\_\_  
 [NAME], Library Board Chair Date

For State Library Use Only	
Reviewed by:	
Signature _____ Betty Jo Jarvis, Stones River Regional Library Director	Date _____
Additional notes:	

Approved by:	
Signature _____ Charles A. Sherrill, State Librarian and Archivist	Date _____