

RESOLUTION 2005-47

RESOLUTION TO MODIFY THE INTERGOVERNMENTAL AGREEMENT FOR THE ALLOCATION OF A PORTION OF ANY ADDITIONAL COUNTY SALES TAX LEVY

WHEREAS, in 1998, Weakley County and the municipalities of Dresden, Gleason, Greenfield, Martin and Sharon entered into an interlocal agreement pursuant to T.C.A. §67-6-712 regarding the allocation of the one-half of the county local option sales tax increase of .5% adopted by the county legislative body and approved by the voters of Weakley County in 1998 that is not allocated to education according to state law; and

WHEREAS, the above mentioned local governments desire to adequately fund the joint economic development board serving the local governments and people of Weakley County; and

WHEREAS, the most appropriate way to fund the joint economic development board is through an agreement, relying in part on funds derived from the allocation of the one-half of the county local option sales tax increase of .5 % adopted by the county legislative body and approved by the voters of Weakley County in 1998 that is not allocated to education according to state law.

NOW THEREFORE, BE IT RESOLVED, by the County Legislative Body of Weakley County, Tennessee meeting in Regular session this 20th day of June 2005 at Dresden, Tennessee as follows:

- 1. The county mayor of Weakley County is authorized to enter into an agreement with the mayor or appropriate agent of the Tennessee municipalities of Dresden, Gleason, Greenfield, Martin and Sharon modifying an agreement for the allocation of a portion of any additional county local option sales tax levy which was approved by the voters in a referendum during calendar year 1998. Any such agreement shall reflect substantially the provisions of the draft attached to this resolution as Exhibit 1.
2. The purpose of any agreement authorized by this resolution shall be to secure the necessary funds to fund the joint economic development board serving the local governments and people of Weakley County.
3. Any agreement executed pursuant to this resolution shall be subject to approval by the board of county commissioners of Weakley County, Tennessee and the governing body of the respective contracting municipalities.

BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Weakley County, Tennessee, which are in conflict with this resolution are hereby repealed.

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.

Pursuant To The Rules Of The Commission, This Resolution Is Sponsored By The Following Members Of The Weakley County Board Of County Commissioners:

SPONSORED BY:

[Signature]
ACKNOWLEDGED AND APPROVED:
[Signature]
Chairman - Health, Education, & Economic Development Committee

SPONSORED BY:

[Signature]
ACKNOWLEDGED AND APPROVED:
[Signature]
Chairman - Finance, Ways, & Means Committee

Motion made by Commissioner Page that the foregoing resolution be adopted:

Motion seconded by Commissioner Westbrook:

Upon being put to a roll call vote, Motion carried by a vote of 16 Yeas, 1 Nays, 0 Passed and 1 Absent.

ATTESTED:


Pat Scarbrough, County Clerk

APPROVED:


Richard Phebus, Chairman

THIS THE 20th DAY OF JUNE, 2005.

APPROVED:


Ron Gifford, County Mayor

VETOED:

Ron Gifford, County Mayor

DATE:



DATE:

EXHIBIT # 1

MODIFICATION OF INTERGOVERNMENTAL AGREEMENT FOR THE
ALLOCATION
OF A PORTION OF ANY ADDITIONAL COUNTY SALES TAX LEVY

WHEREAS, in 1998, Weakley County and the municipalities of Dresden, Gleason, Greenfield, Martin and Sharon entered into an interlocal agreement pursuant to T.C.A. §67-6-712 regarding the allocation of the one-half of the county local option sales tax increase of .5% adopted by the county legislative body and approved by the voters of Weakley County in 1998 that is not allocated to education according to state law, and

WHEREAS, the above mentioned local governments desire to adequately fund the joint economic development board serving the local governments and people of Weakley County, and

WHEREAS, the most appropriate way to fund the joint economic development board is through an agreement, relying in part on funds derived from the allocation of the one-half of the county local option sales tax increase of .5 % adopted by the county legislative body and approved by the voters of Weakley County in 1998 that is not allocated to education according to state law,

NOW, THEREFORE, WEAKLEY COUNTY, TENNESSEE AND THE TENNESSEE MUNICIPALITIES OF DRESDEN, GLEASON, GREENFIELD, MARTIN AND SHARON AGREE TO THE MODIFICATION OF THEIR INTERGOVERNMENTAL AGREEMENT OF 1998 FOR THE ALLOCATION OF A PORTION OF ANY ADDITIONAL COUNTY SALES TAX LEVY AS FOLLOWS:

1. The calendar year 1998 agreement and the municipal allocations to the county debt service fund shall continue in effect according to the original agreement, but said agreement is modified to further continue in effect according to the terms and allocations described below.
2. Weakley County agrees to allocate to the joint economic development board serving the local governments and people of Weakley County \$103,200 annually beginning July 1, 2005 and ending June 30, 2010, being a total allocation over the five year period of \$ 516,000, on behalf of the aforementioned contracting municipalities of Weakley County. These funds shall be in addition to the funds allocated to said joint economic development board by and on behalf of the government of Weakley County.
3. Beginning September 1, 2010, the county trustee shall deduct monthly an amount equal to the proceeds derived from the additional .5% county local option sales tax levy adopted and approved in calendar year 1998 and allocated to each municipality which is a party to this agreement according to the site of collection until the total amount of monthly deductions equals the agreed contribution of each municipality according to the schedule listed in Paragraph 4 of this modification of the original 1998 agreement, and the county trustee shall transfer such deducted amounts monthly to the county general fund. However, the county trustee shall not in any twelve month period deduct more for any one municipality than the amount of annual contribution scheduled for such municipality under Paragraph 4 of the original 1998 agreement. If the full amount obligated by any municipality under this agreement shall not have been transferred according to the schedule established by this agreement, then each month thereafter, the county trustee shall deduct monthly an amount equal to the proceeds derived from the additional .5% county local option sales tax levy adopted and approved in calendar year 1998 and allocated to such municipality according to the site of collection and transfer such proceeds to the appropriate county fund under this agreement until any arrearage is retired.

4. The total contribution by the municipalities for the purpose of reimbursing Weakley County for supporting the activities of the joint economic development board during the period of July 1, 2005 through June 30, 2010, shall be as follows:

- A. Dresden - \$ 82,000
- B. Gleason - \$ 42,000
- C. Greenfield - \$ 63,000
- D. Martin - \$ 301,000
- E. Sharon - \$ 28,000

5. It is understood that the contributions by the municipalities to Weakley County pursuant to Paragraph 4 of this modification agreement shall not relieve said municipalities of their obligation to directly support the joint economic development board beginning July 1, 2010, according to the requirements of state law.

6. Any or all parties to this agreement may opt at any time upon providing thirty days written notice of the desire to discontinue participation in the agreement to all other parties. Any municipality choosing to terminate this agreement shall be required to reimburse Weakley County for any funds advanced to the municipality by the county pursuant to this agreement before such municipality is released from the terms of the agreement.

7. This modification of the original 1998 agreement shall not be effective until approved by the county legislative body of Weakley County and the governing bodies of each of the five incorporated municipalities listed above.

8. It is understood and agreed by the parties to this modification agreement that this agreement is in addition to any previous agreements between Weakley County and the contracting municipalities, and that in the event of a conflict between this agreement as modified and any previous agreement, that this agreement, as modified, shall supersede the previous agreement, but that otherwise any previous agreements shall remain in effect.

WEAKLEY COUNTY



Ron Gifford, Weakley County Mayor

TOWN OF GREENFIELD

Eddie Joe McKelvey, Mayor

CITY OF DRESDEN



Danny Forrester, Mayor

CITY OF MARTIN



Randy Brundige, Mayor

TOWN OF GLEASON

Jack Dunning, Mayor

TOWN OF SHARON

James Gary Roberts, Mayor