

A G E N D A

LAWRENCE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

OCTOBER 30, 1995

6:00 P.M.

CALL TO ORDER BY COUNTY CLERK

ROLL CALL

PLEDGE

INVOCATION

SPECIAL CALL RESOLUTIONS TO BE ACTED UPON:

1. RESOLUTION #01102395
Resolution To Increase Sales Tax From 8.25% to 8.75% And To
Have The Election Commission Call For A Referendum. (Second
Reading)
2. RESOLUTION #02102395
Resolution To Remove The Existing Single Item Local Sales
Tax Limit And To Apply The Existing Sales Tax Rate. (Second
Reading)

COUNTY COMMISSION, LAWRENCE COUNTY, TN

KENNETH WEATHERS, COUNTY CLERK

RESOLUTION#	Open Court Roll Call Invocation Pledge to the Flag	Kenneth Weathers Kenneth Weathers Jerry Dryden Franklin Burns	MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
9th District	762-3716								
BAILEY, JACKIE	411 6th St., L'burg, TN 38464							X	
8th District	766-0768							X	
BARNES, TODD	707 Buffalo Rd., L'burg TN 38464								
7th District	829-2358								X
BENEFIELD, RONALD	91 Benefield Lane, Ethridge 38456							X	
9th District	762-3167							X	
BUIE, JIM	508 8th St., L'burg 38464							X	
6th District	964-3404							X	
BURNS, FRANKLIN	383 L'burg-Henryville Rd., Ethridge 38456							X	
4th District	762-7118							X	
DRYDEN, JERRY	12 Ingram Rd., Leoma 38468							X	
1st District	852-2899							X	
GABEL, JIM	2773 Hwy 43 S., P. O. BOX 176, Leoma 38468							X	
2nd District	853-6709							X	
GREEN, ROBERT L.	404 N. Military St., P.O. Box 224, Loretto 38469							X	
7th District	829-2803							X	
HILL, STEVE	38 Dry Weakley Rd., Ethridge 38456							X	
3rd District	852-4561							X	
KEENER, ALAN J.	226 Dum-Leoma Rd., Leoma 38468							X	
4th District	762-5914							X	
MARSTON, NORMAN	110 Horseshoe Bend Rd., Leoma 38468							X	
5th District	762-5501							X	
MOORE, W.T. (TOMMY)	305 Ford Field Rd., West Point 38486							X	
5th District	762-8299								X
ODOM, PAUL	3353 Granddaddy Rd., L'burg 38464								X
3rd District	852-2425							X	
PARROTT, L.C.	52 Williams Hill Rd., Leoma 38468							X	
6th District	762-8007							X	
PERRY, TIM A.	1136 Ethridge-Red Hill Rd., L'burg 38464							X	
1st District	852-2204								X
PURCELL, STEVE	112 Old Jackson Hwy., Leoma 38468							X	
8th District	762-7419							X	
WRAY, JOE ROBERT	1403 Beckham Ave., L'burg 38464								X
2nd District	853-6725								X
YOCOM, WAYNE A.	148 Rigling Rd., P.O. BOX 185, Loretto 38469							14	4
TOTALS									
Total present			Fourteen (14)						
Total absent			Four (4)						

Date 10-30-95

KENNETH WEATHERS, COUNTY CLERK

RESOLUTION 01102395

**RESOLUTION FOR LEVYING AN ADDITIONAL SALES AND
USE TAX IN LAWRENCE COUNTY**

BE IT RESOLVED by the county legislative body of Lawrence County,
Tennessee:

SECTION 1. The resolution of the county legislative body of Lawrence County, Tennessee, imposing a local sales and use tax as authorized under the provisions of 67-6-701 through 67-6-712, *Tennessee Code Annotated*, adopted by the county legislative body at a regular meeting of record in Minute Book 13, Page 110, is amended to levy a local sales and use tax at a rate of two and three quarters percent (2.75%), not to exceed the maximum percentage as stated in the **RETAILERS TAX ACT**, Tennessee Code Annotated 67-6-702, as amended, except as limited or modified by statute.

SECTION 2. If a majority of those voting in the election required by *Tennessee Code Annotated* 67-6-706 vote for the increase in the tax imposed by this resolution, collection of the increased tax levied by this resolution shall begin on the first day of the month occurring thirty (30) or more days after the county election commission makes its official canvass of the election returns.

SECTION 3. The Department of Revenue of the State of Tennessee shall collect the additional tax imposed by this Resolution concurrent with the collection of the state tax and the local tax now being collected for Lawrence County, in accordance with rules and regulations promulgated by the Department.

SECTION 4. The County Executive is hereby authorized to contract with the Department of Revenue for the collection of the additional tax imposed by this Resolution, and to provide in the contract that the Department may deduct from the tax collected a reasonable amount or percentage to cover the expense of the administration and collection of the tax.

SECTION 5. In the event the tax is collected by the Department of Revenue, suits for the recovery of any tax illegally assessed or collected shall be brought against the State Commissioner of Revenue and the County Executive.

SECTION 6. A certified copy of this Resolution shall be transmitted to the department of revenue by the County Clerk forthwith and shall be published one time in a newspaper of general circulation in Lawrence County prior to the election called for in Section 2 hereof.

Adopted this 23 rd day of October, 1995.

APPROVED:

Ed Martin
County Executive

ATTEST:

Kenneth W. Walton
County Clerk

SAMPLE BALLOT FOR ELECTION TO
INCREASE COUNTY SALES TAX

Shall a resolution passed by the county legislative body of Lawrence County, Tennessee on October 30, 1995, numbered 14 and on record in minute book 18, page , and published in , a newspaper of general circulation in Lawrence County, which levied an additional tax on the same privileges subject to the Retailers' Sales Tax Act under Chapter 6, parts 1-6, Title 67, Tennessee Code Annotated, as the same may be amended, which are exercised within Lawrence County, to be levied and collected as provided in the Act at an amended rate of 2.75%, except as limited or modified by stature, become operative?

For the Resolution 14

Against the Resolution 0

COUNTY COMMISSION, LAWRENCE COUNTY, TN

KENNETH WEATHERS, COUNTY CLERK

MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
RESOLUTION# 01102395 Amendment						
Ethridge and Loretto must sign the agreement to give County their share of the sales tax before the referendum vote of the people.						
9th District BAILEY, JACKIE 762-3716 411 6th St., L'burg, TN 38464			X			
8th District BARNES, TODD 766-0768 707 Buffalo Rd., L'burg TN 38464			X			
7th District BENEFIELD, RONALD 91 Benefield Lane, Ethridge 38456 762-3167						X
9th District BUIE, JIM 508 8th St., L'burg 38464			X			
6th District BURNS, FRANKLIN 964-3404 383 L'burg-Henryville Rd., Ethridge 38456			X			
4th District DRYDEN, JERRY 762-7118 12 Ingram Rd., Leoma 38468			X			
1st District GABEL, JIM 852-2899 2773 Hwy 43 S., P. O. BOX 176, Leoma 38468	X	X				
2nd District GREEN, ROBERT L. 853-6709 404 N. Military St., P.O. Box 224, Loretto 38469			X			
7th District HILL, STEVE 829-2603 38 Dry Weakley Rd., Ethridge 38456			X			
3rd District KEENER, ALAN J. 852-4561 226 Dunn-Leoma Rd., Leoma 38468			X			
4th District MARSTON, NORMAN 762-5914 110 Horseshoe Bend Rd., Leoma 38468			X			
5th District MOORE, W.T. (TOMMY) 762-5501 305 Pond Field Rd., West Point 38486			X			
5th District ODOM, PAUL 762-8299 -- 762-6571 3353 Granddaddy Rd., L'burg 38464						X
3rd District PARROTT, L.C. 852-2425 52 Williams Hill Rd., Leoma 38468			X			
6th District PERRY, TIM A. 762-8007 1136 Ethridge-Red Hill Rd., L'burg 38464			X			
1st District PURCELL, STEVE 852-2204 112 Old Jackson Hwy., Leoma 38468						X
8th District WRAY, JOE ROBERT 762-7419 1403 Beckham Ave., L'burg 38464	X	X				
2nd District YOCOM, WAYNE A. 853-6725 148 Rigling Rd., P.O. BOX 185, Loretto 38469						X
TOTALS						
		2	42			4
Amendment Failed.						
Total voting Aye Two		(2)				
Total voting Nay Twelve		(12)				
Total absent Four		(4)				

Date _____

KENNETH WEATHERS, COUNTY CLERK

COUNTY COMMISSION, LAWRENCE COUNTY, TN

KENNETH WEATHERS, COUNTY CLERK

MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
RESOLUTION# 01102395 Resolution to increase Sales tax from 8.25% to 8.75% and to have the election commission call for a referendum. (Second Reading)						
9th District BAILEY, JACKIE 411 6th St., L'burg, TN 38464		X				
8th District BARNES, TODD 707 Buffalo Rd., L'burg TN 38464		X				
7th District BENEFIELD, RONALD 91 Benefield Lane, Ethridge 38456		X				X
9th District BUIE, JIM 508 8th St., L'burg 38464		X				
6th District BURNS, FRANKLIN 383 L'burg-Henryville Rd., Ethridge 38456		X				
4th District DRYDEN, JERRY 12 Ingram Rd., Leoma 38468		X				
1st District GABEL, JIM 2773 Hwy 43 S., P. O. BX 176, Leoma 38468	X	X				
2nd District GREEN, ROBERT L. 404 N. Military St., P.O. Box 224, Loretto 38469	X	X				
7th District HILL, STEVE 38 Dry Weakley Rd., Ethridge 38456		X				
3rd District KEENER, ALAN J. 226 Dunn-Leoma Rd., Leoma 38468		X				
4th District MARSTON, NORMAN 110 Horseshoe Bend Rd., Leoma 38468		X				
5th District MOORE, W.T. (TOMMY) 305 Pond Field Rd., West Point 38486		X				
5th District ODOM, PAUL 3353 Granddaddy Rd., L'burg 38464						X
3rd District PARROTT, L.C. 52 Williams Hill Rd., Leoma 38468		X				
6th District PERRY, TIM A. 1136 Ethridge-Red Hill Rd., L'burg 38464		X				
1st District PURCELL, STEVE 112 Old Jackson Hwy., Leoma 38468						X
8th District WRAY, JOE ROBERT 1403 Beckham Ave., L'burg 38464		X				
2nd District YOCOM, WAYNE A. 148 Rigling Rd., P.O. BX 185, Loretto 38469						X
TOTALS		14				4
Resolution carried on the second reading.						
Total voting aye Fourteen (14)						
Total absent Four (4)						

Date 10-30-95

KENNETH WEATHERS, COUNTY CLERK

**A RESOLUTION TO REMOVE THE EXISTING SINGLE
ITEM LOCAL SALES TAX LIMIT AND TO APPLY THE
EXISTING SALES TAX RATE**

WHEREAS, the General Assembly of the State of Tennessee has authorized in *Tennessee Code Annotated* section 67-6-702 for counties to specify applicable limits in the local option sales tax collectible on the sale or use of any single article of personal property up to the first one thousand six hundred dollars (\$1,600.00) on the sale or use of any single article of personal property.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lawrence County, Tennessee, meeting in special session on the 23rd day of October, 1995, and in special session on the 30th day of October, 1995, that:

SECTION 1. The maximum local option sales tax collectible on the sale or use of a single item of personal property as authorized in the resolution of the county legislative body which levied the local option sales tax for Lawrence County, of record in Minute Book 13 at page 111, is hereby removed.

SECTION 2. Beginning on the first day of the month occurring thirty (30) or more days after a certified copy of this resolution is received by the Department of Revenue, the local sales tax at the present rate effective in Lawrence County shall apply to the first one thousand six hundred dollars (\$1,600.00) on the sale or use of any single article of personal property, as provided in Tennessee Code Annotated sec 67-6-702.

SECTION 3. Nothing herein contained shall be construed to increase the local option sales tax rate heretofore in effect in Lawrence County.

SECTION 4. Notice of the meetings for the consideration of this Resolution and that this matter is on the agenda of the meetings has been published at least once in a newspaper of general circulation in Lawrence County as required by Tennessee Code Annotated sec 67-6-702(a)(2).

SECTION 5. A certified copy of this Resolution shall be transmitted to the Department of Revenue of the State of Tennessee by the County Clerk and shall be spread upon the record of the Board of County Commissioners.

SECTION 6. The maximum tax on the sale or use of any single item authorized by this Resolution and by Tennessee Code Annotated section 67-6-702 shall be collected by the State Department of Revenue concurrently with the collection of the state tax and the Lawrence County sales tax and in the same manner as these taxes are collected in accordance with the rules and regulations promulgated by said Department.

SECTION 7. For purposes of collection, this Resolution shall take effect on the first day of the month occurring thirty (30) or more days after a certified copy is received by the Department of Revenue; for all other purposes it shall be effective upon passage by a majority vote of the Board of County Commissioners of Lawrence County at two consecutive public meetings as required by Tennessee Code Annotated section 67-6-702.

Passed 1rst reading this 23rd day of October, 1995.

Passed 2nd reading this 30th day of October, 1995.

APPROVED:

County Executive

ATTEST:

County Clerk

COUNTY COMMISSION, LAWRENCE COUNTY, TN

KENNETH WEATHERS, COUNTY CLERK

MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
RESOLUTION# 02102395 Resolution to Remove the existing single item local sales tax limit and to apply the existing sales tax rate. (Second Reading)						
9th District BAILEY, JACKIE 762-3716 411 6th St., L'burg, TN 38464		X				
8th District BARNES, TODD 766-0768 707 Buffalo Rd., L'burg TN 38464		X				
7th District BENEFIELD, RONALD 91 Benefield Lane, Ethridge 38456						X
9th District BUIE, JIM 762-3167 508 8th St., L'burg 38464		X				
6th District BURNS, FRANKLIN 964-3404 383 L'burg-Henryville Rd., Ethridge 38456	X	X				
4th District DRYDEN, JERRY 762-7118 12 Ingram Rd., Leona 38468		X				
1st District GABEL, JIM 852-2899 2773 Hwy 43 S., P. O. BOX 176, Leona 38468		X				
2nd District GREEN, ROBERT L. 853-6709 404 N. Military St., P.O. Box 224, Loretto 38469	X	X				
7th District HILL, STEVE 829-2603 38 Dry Weakley Rd., Ethridge 38456		X				
3rd District KEENER, ALAN J. 852-4561 226 Dum-Leona Rd., Leona 38468		X				
4th District MARSTON, NORMAN 762-5914 110 Horseshoe Bend Rd., Leona 38468		X				
5th District MOORE, W.T.(TOMMY) 762-5501 305 Pond Field Rd., West Point 38486		X				
5th District ODOM, PAUL 762-8299 3353 Granddaddy Rd., L'burg 38464						X
3rd District PARROTT, L.C. 852-2425 52 Williams Hill Rd., Leona 38468		X				
6th District PERRY, TIM A. 762-8007 1136 Ethridge-Red Hill Rd., L'burg 38464		X				
1st District PURCELL, STEVE 852-2204 112 Old Jackson Hwy., Leona 38468						X
8th District WRAY, JOE ROBERT 762-7419 1403 Beckham Ave., L'burg 38464		X				
2nd District YOCOM, WAYNE A. 853-6725 148 Rigling Rd., P.O. BOX 185, Loretto 38469						X
TOTALS						
Motion carried on the second reading						
Total voting aye Fourteen (14)						
Total Absent Four (4)						

Date 10-30-95

KENNETH WEATHERS, COUNTY CLERK

COUNTY COMMISSION, LAWRENCE COUNTY, TN

KENNETH WEATHERS, COUNTY CLERK

RESOLUTION#	Adjournmet	MOTION	SECOND	AYE	NAY	PASS	PRESENT	ABSENT
9th District	762-3716							
BAILEY, JACKIE	411 6th St., L'burg, TN 38464							
8th District	766-0768							
BARNES, TODD	707 Buffalo Rd., L'burg TN 38464							
7th District	829-2358							
BENEFIELD, RONALD	91 Benefield Lane, Ethridge 38456							
9th District	762-3167							
BUIE, JIM	508 8th St., L'burg 38464							
6th District	964-3404							
BURNS, FRANKLIN	383 L'burg-Henryville Rd., Ethridge 38456							
4th District	762-7118							
DRYDEN, JERRY	12 Ingram Rd., Leoma 38468							
1st District	852-2899							
GABEL, JIM	2773 Hwy 43 S., P. O. BOX 176, Leoma 38468							
2nd District	853-6709							
GREEN, ROBERT L.	404 N. Military St., P.O. Box 224, Loretto 38469	X						
7th District	829-2803							
HILL, STEVE	38 Dry Weakley Rd., Ethridge 38456							
3rd District	852-4561							
KEENER, ALAN J.	226 Dum-Leoma Rd., Leoma 38468							
4th District	762-5914							
MARSTON, NORMAN	110 Horseshoe Bend Rd., Leoma 38468		X					
5th District	762-5501							
MOORE, W.T. (TOMMY)	305 Pond Field Rd., West Point 38486							
5th District	762-8299							
ODOM, PAUL	3353 Granddaddy Rd., L'burg 38464							
3rd District	852-2425							
PARROTT, L.C.	52 Williams Hill Rd., Leoma 38468							
6th District	762-8007							
PERRY, TIM A.	1136 Ethridge-Red Hill Rd., L'burg 38464							
1st District	852-2204							
PURCELL, STEVE	112 Old Jackson Hwy., Leoma 38468							
8th District	762-7419							
WRAY, JOE ROBERT	1403 Beckham Ave., L'burg 38464							
2nd District	853-6725							
YOCOM, WAYNE A.	148 Rigling Rd., P.O. BOX 185, Loretto 38469							
TOTALS								
Motion carried by a unanimous voice vote.								

Date 10-30-95

KENNETH WEATHERS, COUNTY CLERK