

MINUTES OF SPECIAL-CALLED MEETING
BOARD OF MAYOR AND COMMISSIONERS

August 20, 2013

The Board of Mayor and Commissioners held a special-called meeting on Tuesday, August 20, 2013, at 12:00 P.M. in the conference room at City Hall. Mayor Jane Dawkins called the meeting to order. Upon a roll call, the following members were present: Commissioner Jimmy Wigfall, Commissioner Jeff Powers, Commissioner Debbie Hughes, and Mayor Jane W. Dawkins. Absent: Commissioner Ronnie Lancaster.

City Administrator Sammy Burrows stated that he had to make an adjustment to the proposed 2014 budget regarding the Library. The budgeted amount has to remain \$43,900 (same as previous year). Also, \$3,350 has been allocated for Legislative training.

A **Motion** to pass on second (2nd) reading **Ordinance #741** (An Ordinance of the City of South Pittsburg, Tennessee, Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014) was made by Commissioner Wigfall, seconded by Commissioner Powers. Voting aye were four, none opposed.

A **Motion** to pass on second (2nd) reading **Ordinance #742** (An Ordinance of the City of South Pittsburg, Tennessee, Amending the Annual Budget and Capital Program and Tax Rate of South Pittsburg, Tennessee, for Fiscal Year 2013) was made by Commissioner Hughes, seconded by Commissioner Wigfall. Voting aye were four, none opposed.

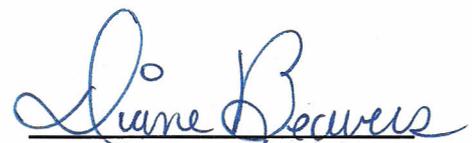
A **Motion** to pass on second (2nd) reading of **Ordinance #743** (An Ordinance to Amend the Water and Sewer Rates and Charges for the City of South Pittsburg, Tennessee) was made by Commissioner

Hughes, seconded by Commissioner Powers. Voting aye were four, none opposed.

A **Motion** to pass **TCRS Resolution** (A Resolution to Authorize an Employer Participating in the Tennessee Retirement System to Provide a Noncontributory Retirement Plan in Accordance with Tennessee Code Annotated, Title 8, Chapters 34-37) was made by Commissioner Wigfall, seconded by Commissioner Hughes. Voting aye were four, none opposed.

Mr. Burrows said the Board of Mayor and Commissioners voted to pay the entire 10.18% retirement (5.18% employer contribution, 5.0% employee contribution) on March 13, 2012. This was to be affective on January 1, 2013.

There being no further business and upon **Motion** by Commissioner Hughes, seconded by Commissioner Powers, the Mayor adjourned the meeting.



Diane Beavers

City Recorder

Approved:



Jane W. Dawkins

Mayor

Tennessee Consolidated Retirement System

A RESOLUTION to authorize an employer participating in the Tennessee Consolidated Retirement System to provide a noncontributory retirement plan in accordance with Tennessee Code Annotated, Title 8, Chapters 34 – 37.

WHEREAS, Tennessee Code Annotated, Section 8-34-206(d) permits an employer participating in the Tennessee Consolidated Retirement System ("TCRS") to assume its employees' contributions to TCRS; and

WHEREAS, effective JANUARY 1, 2013, the BOARD OF MAYOR & COMMISSIONER of
(Name of Governing Body)

CITY OF SOUTH PITTSBURGH elects to assume and make its employees' contributions to TCRS of up to five percent (5%) of the employees' earnable compensation on behalf of all its employees in all departments; and
(Name of Employer)

WHEREAS, the employee contributions paid by the employer shall be credited to the employee's account provided the employee is a member of TCRS and employed by the participating employer on the effective date specified above and that these contributions made on behalf of the employees will be refunded to the employees together with any contributions made by the employees in the event the employees terminate employment and make application for a refund of contributions; and

WHEREAS, the employer has the option to waive the established temporary period of employment for all employees who have not completed such period prior to the effective date specified above. In such case, the employees shall immediately become members of the retirement system and be eligible for a refund of the employer assumed employee contributions in the event the employees terminate employment and make application for a refund of contributions; and

WHEREAS, should the employer elect to retain the established temporary period of employment for all employees who have not completed such period prior to the effective date specified above, said employees will be ineligible for a refund of the employer assumed employee contributions to TCRS on the effective date of this resolution. With full knowledge and understanding of the

foregoing, the CITY OF SOUTH PITTSBURGH elects to RETAIN the temporary period of employment for
(Name of Employer) (Waive/Retain)

those employees affected by this resolution; and

WHEREAS, any employer that adopts the noncontributory provisions of Section 8-34-206(d), on or after July 1, 2010, may reserve the right within its adopting resolution to thereafter discontinue the noncontributory provisions for all its current and future employees. To thereafter discontinue the noncontributory provisions, the chief governing body of that employer must pass a resolution, legally adopted and approved by a two-thirds (2/3) majority of that body, to discontinue the noncontributory provisions for all its current and future employees and to have the contributions made by the employees treated as employer contributions pursuant to Tennessee Code Annotated, Section 8-37-216. Any such resolution shall set forth the effective date of the discontinuance; provided, that the date shall be on the first day of any quarter following a minimum of three (3) months' notice to TCRS. Any resolution to discontinue the noncontributory provisions shall be irrevocable and the employer shall not be permitted to elect at a later date to

provide the noncontributory provisions. With full knowledge and understanding of the foregoing, the CITY OF SOUTH PITTSBURGH
(Name of Employer)

elects to RESERVE the right to discontinue the noncontributory provisions as described above; and
(Waive/Reserve)

WHEREAS, all liabilities resulting from this Resolution shall be the responsibility of the employer and not the state of Tennessee;

NOW THEREFORE, BE IT RESOLVED, That the BOARD OF MAYOR & COMMISSIONERS of
(Name of the Governing Body)

CITY OF SOUTH PITTSBURGH hereby assumes its employees' contributions of up to five percent (5%)
(Name of Employer)

of their earnable compensation pursuant to Tennessee Code Annotated, Section 8-34-206(d), and RESIGNED the right to
(Reserves/Waives)
discontinue such assumption for all its current and future employees at a later date under the conditions specified above and in Section 8-34-206(d).

STATE OF TENNESSEE

COUNTY OF MARION

I, Diane Beavers, clerk of the BOARD OF MAYOR & COMMISSIONERS of
(Name of Governing Body)

CITY OF SOUTH PITTSBURGH, Tennessee do hereby certify that this is a true and exact copy of the foregoing
(County and Town or City)

resolution that was approved and adopted at a meeting held on the 20 day of AUGUST, 2013, the original of which is on file in this office. I further certify that _____ members voted in favor of the resolution and that _____ members were present and voting.

IN WITNESS THEREOF, I have hereunto set my hand, and the seal of the CITY OF SOUTH PITTSBURGH
(Name of Employer)

Diane Beavers
As Clerk of the Board, as aforesaid

SEAL

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