

Memo

To: Board of Supervisors
From: Shelton Vance
Comptroller
CC:
Date: November 3, 2014
Re: Transfer of General Fund Money to Road Maintenance Fund

At the September 2, 2014, as a Board, you authorized the transfer of the equivalent of ½ mill of tax revenues from the General Fund to the Road Maintenance Fund. This transfer is to be funded from General Fund Cash Reserves resulting from the collection of ad valorem taxes.

Because the source of this money is ad valorem tax collections, this money will have to be shared with municipalities, just like the road tax that is routinely collected by the Tax Collector.

I have determined that this transfer will total to \$600,000. The required distribution to the municipalities is as follows:

Canton	\$ 32,928.00
Flora	\$ 2,520.00
Jackson	\$ 726.00
Madison	\$ 93,468.00
Ridgeland	<u>\$118,404.00</u>
Total	<u>\$248,046.00</u>

The Road Maintenance Fund will net \$351,954.00 of this transfer.

The current budget will require amendments to authorize:

1. Increase General Fund Beginning Cash by \$600,000 (001-000-389),
2. Increase General Fund Transfers Out by \$600,000 (001-100-951),
3. Increase Road Maintenance Fund Transfers In by \$600,000 (150-000-387),
4. Increase Road Maintenance Consumables by \$351,954 (150-300-6XX) and
5. Increase Road Maintenance Grants and Subsidies by \$248,046.00 (150-300-7xx).

Please authorize the:

1. Transfer of \$600,000 from the General Fund to the Road Maintenance Fund as permitted by MS Code of 1972, Ann. 27-39-303,
2. Payments totaling \$248,046.00, as detailed above, to the appropriate municipalities, as required by MS Code of 1972, Ann. 65-15-21,
3. Required budget amendments to effect this Order of the Board.

Miss. Code Ann. § 27-39-303

MISSISSIPPI CODE of 1972

*** Current through the 2014 Regular Session and 1st and 2nd Extraordinary Sessions ***

TITLE 27. TAXATION AND FINANCE
CHAPTER 39. AD VALOREM TAXES--STATE AND LOCAL LEVIES
ARTICLE 3. LOCAL LEVIES

Miss. Code Ann. § 27-39-303 (2014)

§ 27-39-303. General county ad valorem tax levy; distribution of Tennessee Valley Authority in lieu payments

The board of supervisors of any county is hereby empowered to levy ad valorem taxes on taxable property in the respective counties in any one (1) year, as shown by the assessment roll containing assessments of property made as of January 1 of the year, and the assessment of motor vehicles as made according to the provisions of the Motor Vehicle Ad Valorem Tax Law of 1958 (Section 27-51-1 et seq.) for all general county purposes, exclusive only of levies for schools at the rate necessary to fund such purposes.

The board of supervisors of any county is further empowered to expend the proceeds of this levy for any purpose authorized for any other levy which the board of supervisors is authorized to make. The board of supervisors may authorize general fund expenditures for road and bridge construction; provided that the expenditures do not exceed thirty percent (30%) of the general fund in any one (1) fiscal year; provided that any general fund expenditures shall be subject to the requirements of Section 65-15-21, Mississippi Code of 1972; and the board may authorize general fund expenditures for school purposes when necessary to meet the minimum local ad valorem tax effort required by Section 37-57-1, Mississippi Code of 1972.

The board of supervisors of any county is further empowered to distribute from the county general fund a portion of the county's share of payments made by the Tennessee Valley Authority to the state in lieu of taxes (a) to the school districts of said county and (b) for construction on the roads and bridges of said county in an amount which bears the same proportion to the total amount of the county's share as the millage for the school fund and road and bridge fund bears to the total millage levied by the county. In the event said in lieu payments are expended for capital improvements, said payments shall not be subject to the increase limitations specified in Section 27-39-321 or 37-57-107, Mississippi Code of 1972.

HISTORY: SOURCES: Codes, 1942, § 9879; Laws, 1932, ch. 104; Laws, 1946, ch. 280, §§ 1, 2; Laws, 1958, ch. 549, § 7; Laws, 1962, ch. 263; Laws, 1964, ch. 522; Laws, 1964 1st Ex sess ch. 18; Laws, 1966, ch. 644, § 1; Laws, 1968, ch. 585, § 1; Laws, 1973, ch. 462, § 1; Laws, 1983, ch. 471, § 14; Laws, 1985, ch. 514, § 8; Laws, 1985, ch. 536, § 1; Laws, 1987, ch. 469; Laws, 2009 1st Ex Sess, ch. 1, § 1, eff from and after July 1, 2009.

Miss. Code Ann. § 65-15-21

MISSISSIPPI CODE of 1972

*** Current through the 2014 Regular Session and 1st and 2nd Extraordinary Sessions ***

TITLE 65. HIGHWAYS, BRIDGES AND FERRIES
CHAPTER 15. COUNTY FUNDS FOR ROADS AND BRIDGES

Miss. Code Ann. § 65-15-21 (2014)

§ 65-15-21. Refund to municipalities

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

One-half (1/2) of all ad valorem taxes collected by or for a county or a separate or special road district on property within a municipality (the streets of which are worked at the expense of the municipal treasury, or worked by municipal authority) for road purposes of such county or district, not including taxes for the purposes of paying bonds issued for road purposes or the interest thereon or for creating a bond and interest fund for retiring the same, shall be paid over to the treasurer of such municipality for said municipality.

Any municipality may contract with its board of supervisors, or any member thereof, whereby work may be performed on the streets maintained by said municipality in lieu of the refund of one-half (1/2) of the road taxes collected under this section and in such event such agreement shall be spread at large upon the minutes of both the governing authorities of such municipality and the board of supervisors of such county.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

One-half (1/2) of all ad valorem taxes collected by or for a county on property within a municipality (the streets of which are worked at the expense of the municipal treasury, or worked by municipal authority) for road purposes of such county, not including taxes for the purposes of paying bonds issued for road purposes or the interest thereon or for creating a bond and interest fund for retiring the same, shall be paid over to the treasurer of such municipality for said municipality.

Any municipality may contract with its board of supervisors, whereby work may be performed on the streets maintained by said municipality in lieu of the refund of one-half (1/2) of the road taxes collected under this section, and in such event such agreement shall be spread at large upon the minutes of both the governing authorities of such municipality and the board of supervisors of such county.

HISTORY: SOURCES: Codes, Hemingway's 1921 Supp. § 7259n; Laws, 1930, § 6417; Laws, 1942, § 8367; Laws, 1920, ch. 232; Laws, 1950, ch. 233, § 1; Laws, 1988 Ex Sess, ch. 14, § 55, eff from and after October 1, 1989.