

Deputy Clerk MBASS

**RESOLUTION  
NUMBER 2017 - 015**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, DESIGNATING THE LEVY COUNTY CLERK OF THE CIRCUIT COURT AS THE COUNTY BUDGET OFFICER; PROVIDING FOR RECISSION OF 1980 RESOLUTION DESIGNATING COUNTY BUDGET OFFICER; ADOPTING BUDGET POLICIES AND PROCEDURES GOVERNING PREPARATION, APPROVAL, ADOPTION, EXECUTION AND AMENDMENT OF THE COUNTY BUDGET; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Levy County Board of County Commissioners ("Board") has authority through its home rule powers to prepare, approve, adopt, execute and amend its annual County budget, as established in Chapter 129, Fla. Stat.; and

**WHEREAS**, Chapters 129 and 200, Fla. Stat., provide foundational framework for the structure and procedural timelines of adoption of county budgets; and

**WHEREAS**, Chapter 129, Fla. Stat., gives specific requirements for a variety of county budget issues, including a directive for adoption of a budget system to control a county's finances, regulations regarding a county's expenditures, a prohibition against a county's expenditures exceeding its adopted budget, requirement for balanced county budgets, and prescribed methods of accounting, procedures for adoption and amendment of a county's budget; and

**WHEREAS**, Section 129.025, Fla. Stat., states that the elected Clerk of the Circuit Court shall be the County's budget officer for purposes of carrying out the budgetary duties contained in Chapter 129, Fla. Stat., unless the Board designates another budget officer, and such budgetary duties neither fall within, nor are they inconsistent with, the Clerk's constitutional duties of auditor, accountant, and fund custodian for the Board; and

**WHEREAS**, on July 8, 1980, the Board adopted a Resolution which appointed and designated the individual as budget officer who was Clerk of the Circuit Court at that time, which appointment and designation the Board now desires to rescind; and

**WHEREAS**, in order to establish fiscally responsible and prudent budget policies and procedures that comply with the various regulations regarding county budgets contained in Chapter 129, Fla. Stat., and any other state regulations of county budgets, the Board desires to adopt budget policies and procedures governing the preparation, approval, adoption, execution, and amendment of the County budget, and the appointment and designation of the Clerk of the Circuit Court as the County budget officer, including designation of powers and duties of such County budget officer; and

**WHEREAS**, sound fiscal management of the public money of the citizens of Levy County is essential to ensuring that public services can continue to be provided; and

**WHEREAS**, the Board finds it is in the best interests of the public health, safety and welfare of the County citizens, and it in the best interests of sound fiscal management, to adopt budget policies and procedures to prepare, approve, adopt, execute and amend its annual County budget, and to appoint the Clerk of the Circuit Court as budget officer;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board County Commissioners that:

1. **Budget Officer Appointed and Designated.** The Clerk of the Circuit Court of Levy County is hereby appointed and designated as County Budget Officer, in order to carry out the duties set forth in Chapter 129, Fla. Stat., and the Budget Policy contained in this Resolution, as they relate to the annual County budget.

2. **Rescission of 1980 Resolution.** The Resolution adopted July 8, 1980, appointing and designating Douglas M. McKoy, then Clerk of the Circuit Court, as County Budget Officer, is hereby rescinded in its entirety.

3. **Budget Policy and Procedures Adoption.** The Board of County Commissioners ("Board") hereby adopts the following as the Levy County Budget Policy and Procedures:

### **LEVY COUNTY BUDGET POLICY AND PROCEDURES**

**I. Purpose.** The primary purpose of this Budget Policy is to formally establish in the records of the County a budget policy and procedures framework to facilitate consistent adherence to Florida Statutes and sound fiscal stewardship in matters pertaining to the preparation, approval, adoption, execution, and amendment of the County's annual budget ("County Budget").

**II. Authority of Budget Officer.** The County Budget Officer shall have the following duties and authorities:

- A. The Budget Officer shall have all the duties and authorities of a budget officer as set forth in Chapter 129, Fla. Stat., as the same may be amended, and as set out in this Policy.
- B. The Budget Officer is hereby authorized to make intrafund amendments in accordance with Section 129.06(2)(a), Fla. Stat., as the same may be amended, and as provided in this Policy.
- C. The Budget Officer is hereby authorized to develop administrative procedures in addition to those contained in this Policy as necessary to maintain the County Budget adoption and County Budget amendments in compliance with Sections 129.03 and 129.06, Fla. Stat., as may be amended, with any other applicable state laws, and with sound accounting and budgetary practices so long as such practices are not inconsistent with this Policy and applicable state law. In addition, any administrative procedures developed by the Budget Officer that may affect the operations and obligations of County Departments shall be provided to the County Departments in writing through the County Coordinator and shall be reviewed and consented to by the County Coordinator prior to implementation.
- D. The Budget Officer is authorized to require submittal of particular forms, approvals, signatures, and documentation throughout the County Budget adoption or amendment processes as are necessary to ensure compliance with state law, this Policy, and any additional administrative procedures adopted pursuant hereto.
- E. In addition to complying with the parameters of state law and this Policy, the Budget Officer will administer the County Budget so as to work in conjunction with the Board's and the County Coordinator's additional fiscal managerial goals.
- F. While the designations of authority to the Budget Officer contained herein allow for more efficient administration of the County Budget, no designation of authority shall be construed as a ceding of the Board's statutory legislative authority over the County Budget and County Budget amendment process, as prescribed by state law.

### **III. General Principles and Requirements.**

- A. The County Budget shall be constructed and administered in compliance with the rules and principles set forth in the state law, including, but not limited to the following:
  - 1. The system for adoption, amendment, and administration of the County Budget as contained in this Policy shall control and regulate the expenditures of the County.

2. The modified accrual or accrual basis of accounting must be followed for all funds in the County Budget, depending on fund type. Governmental funds shall use modified accrual and the current resources measurement focus. Proprietary funds shall use full accrual accounting.
3. The County Budget must be constructed to the level of detail required by the annual financial report mandated by Sections 218.32(1) and 129.01(2), Fla. Stat., as may be amended.
4. The County Budget shall not be required to be at a level of detail greater than that required in subsection III.A.3. above, unless necessary for some other requirement.
5. County expenditures shall not exceed the County Budget, controlled at the level of detail prescribed by subsection III.A.3. above.
6. Contracts for expenditures shall not exceed the County Budget, controlled at the level of detail prescribed by subsection III.A.3. above.
7. The County Budget must be approved by the Board.
8. The County Budget approval and amendment processes must be administered and recorded in such a way to comply with the principles of open government as required by the Florida Constitution and Chapter 119, and Section 286.011, Fla. Stat., as any of them may be amended.
9. The County Budget must balance total sources to uses, including reserves brought forward as sources and anticipated ending reserves as uses.
10. Receipts in the County Budget must be at 95% of those anticipated to be collected from all sources.
11. County Budget reserves shall be allowed as follows:
  - a. A Contingency Reserve of up to 10% of total appropriations.
  - b. A Cash Carry Forward Reserve of up to 20% of total appropriations for the purpose of paying expenses until revenues for the current year are available/
  - c. Capital Outlay Reserve.
  - d. Bond Sinking Reserve.
12. Constitutional Officer tentative budgets are due by June 1, but the Board may, by Resolution, require them by May 1 of each year.
13. The County Budget Officer will present a tentative County Budget to the Board, which will then require the changes it deems necessary, provided the County Budget remains in balance.
14. The Board will adopt tentative and final budgets after properly formatted advertisements and notice periods as prescribed in Sections 200.065 and 129.03(3)(b) and (c), Fla. Stat., as may be amended. The Budget Officer shall administer the placement of the necessary advertisements within the required notice periods.

15. The County Budget may not be amended or altered except as provided in Section 129.06, Fla. Stat., as may be amended, and as follows:
  - a. The Board may amend the County Budget any time during the year, and up to 60 days after year-end, pursuant to the provisions of state law and of this Policy. Any County Budget amendments after a year-end are intended to be for corrective purposes, rather than prescribed or allowed as normative.
  - b. Amendments for appropriations for expenditures within a fund may to increase or decrease particular lines or categories, so long as total appropriations do not change, may be performed by administrative action by the Budget Officer in accordance with additional administrative procedures adopted by the Budget Officers in accordance with this Policy. Nothing herein shall prohibit the Board from adopting such amendments by Board motion and vote recorded in the Board minutes, if the Board so deems necessary for any particular amendment.
  - c. Increases to appropriations (expense budgets) within a fund from contingency reserves may be approved by the Board by motion and vote recorded in the Board minutes, but no expenditures may be made directly from reserves.
  - d. Reserves for capital projects must be appropriated by resolution adopted by the Board.
  - e. Receipts of a nature from sources not anticipated in the County Budget and received for a particular purpose (including, but not limited to, grants, donations, gifts, reimbursements for damages), may be appropriated for that purposes by resolution adopted by the Board.
  - f. Increased proprietary fund receipts may be appropriated by the Board and expended for that purpose by resolution adopted by the Board.
  - g. Any County Budget amendment required for a purpose not specifically outlined in subsections III.A.15.b – III.A.15.f above, and not otherwise prohibited by law, may be authorized by resolution or ordinance adopted by the Board following a public hearing.

#### B. General Fiscal Principles

1. Current operating expenditures should not exceed current operating revenues.
2. One-time revenues or sources should not be utilized to pay for recurring expenditures.

3. When deficits develop or appear to be developing, the County will seek corrective paths to maintain fiscal health.
4. One-time sources should only be used for non-recurring expenditures, capital outlay, or reserves.
5. Recognizing the primary reliance upon ad valorem taxes, the County should seek diversified revenue sources where possible, including:
  - a. Setting appropriate charges and fees for services to pay for the costs of providing those services, to the degree legal and feasible.
  - b. Utilizing dedicated revenue options to offset ad valorem impacts on property owners, where legal and feasible
6. Prior to Board acceptance or approval, grant programs should be examined for net financial impact to ad valorem resources, giving consideration to:
  - a. The availability of match required;
  - b. Value of benefits derived;
  - c. Administrative/financial burden; and
  - d. Ongoing locally-generated funds that will be required to support the program or capital asset after grant funding is no longer available.
7. Functions performed from various dedicated revenue sources should be reviewed for participation in reimbursing the General Fund for administrative/financial overhead burdens to mitigate impacts on ad valorem resources.
8. Assigning, committing, or earmarking available revenues so as to restrict the full flexibility of potential uses allowed by law should be avoided.
9. Provided that the County is able to pay for operating expenditures with operating revenues, planning for long-term capital construction and equipment replacement needs should be prioritized and funded in the interest of forward-thinking stewardship.
10. It will be the County's goal to build and maintain Contingency Reserves of no less than 8% of total appropriations by major fund, as well as Cash Carry Forward Reserves of no less than 12% of total appropriations by major fund.
11. Major Funds shall be defined in a contemporary context based on priorities of the Board and the inevitable funding structures that develop as a result at that time, but Major Funds shall always include the General Fund and Transportation Trust Fund (a/k/a Road & Bridge Fund).
12. Capital Outlay Reserves have no legal limit, and will be prioritized after the above minimums for operating security are met.

- C. In any and all matters not specifically addressed in this Policy, state law will govern County budget policy, process, and practice.
- D. In any and all matters not specifically addressed in this Policy or in state law, sound accounting practices, fiscal stewardship, and public accountability will direct County budget policy, process, and practice.

#### **IV. Original Budget Process Guidelines.**

- A. The Budget Officer and the County Coordinator will coordinate to develop a process and meeting schedule for budget request submissions, workshops and required hearings for review and adoption of the County Budget.
- B. The calendar for review of the County Budget shall be constructed with sufficient time to allow for multiple public meetings prior to required TRIM and adoption hearings, as necessary.
- C. Individual County Department budgets will be compiled by staffs of the Budget Officer and the applicable County Departments pursuant to the following guidelines:
  - 1. County Departments shall submit to the Budget Officer their portions of Department budget requests no later than the date required by the Budget Officer in any administrative procedures adopted by the Budget Officer pursuant hereto.
  - 2. No requested County departmental increases from the prior year's Department budget, unless preapproved by the County Coordinator, will be incorporated into the Preliminary County Budget.
  - 3. The format and numerical values of all of the County Budget versions will be compiled from the line item level and summarized to the prescribed level of detail by the Budget Officer.
  - 4. The Budget Officer may annually review and restructure certain elements of the County Department portions of the County Budget for sound accounting practices, cost methods, etc. Any significant changes will be communicated with the County Coordinator and applicable County Department(s). Functional and operational changes to County Departments are beyond the scope of the Budget Officer's authority.
- D. The individual County Department budgets, the Constitutional Officer budgets (if available), the Outside Agency budgets (if available), and any other applicable information for a County Budget shall be compiled by the Budget Officer into the Preliminary County Budget prior to presentation to the Board at a public meeting. Individual briefings of Board members, County Departments, County Coordinator, or other affected parties, may

- be conducted prior to presentation of the Preliminary County Budget to the Board.
- E. Once the Preliminary County Budget is finalized and any desired pre-briefings are complete, the Budget Officer will present the Preliminary County Budget to the Board at public meetings and workshops for Board discussion and direction regarding development of the Tentative Budget.
    - 1. The Board will take input on the Preliminary County Budget at such public meetings and workshops.
    - 2. The Board may change any part of the Preliminary County Budget or Tentative Budget by motion and vote.
    - 3. Increments or Decrements and any other separate and distinct options to balance the County Budget will be presented to the Board at the public meetings and workshops. Approval or rejection of any Increments, Decrements or other options will be performed by the Board as a body.
  - F. Constitutional Officer budget requests must be submitted by June 1. The Board may require by resolution that Constitutional Officers submit budget requests by May 1.
    - 1. If received in sufficient time, Constitutional Officer budget requests may be incorporated into the Preliminary County Budget or the Tentative Budget, as available.
    - 2. Constitutional Officers may be requested to appear before the Board at a public meeting or workshop to speak directly to the Board concerning their budget requests.
  - G. Outside Agency budget requests will generally be required by May 1.
  - H. Once the Board adopts a Tentative Budget and tentative millage in the timeframe required by law, the Budget Officer will monitor the Tentative County Budget for any major financial impacts necessitating adjustment prior to the Final Budget.
  - I. No changes can be made to the Tentative Budget without a majority vote of the Board.
- V. Budget Amendment Process Outline.** The Budget Officer will develop, prescribe, explain, apply, and enforce the County Budget amendment process required in Section 129.06, Fla. Stat., so as to conform with law and sound fiscal policy. The Budget Officer will develop administrative procedures and forms as provided herein as necessary to administer and apply the requirements of the amendment process.



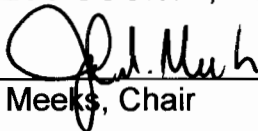
**VI. Miscellaneous Administration.**

- A. Upon the close of each fiscal year, and after ending fund balances are ascertained, the Budget Officer may adjust Reserves automatically for the difference in actual carry forward to that which was projected during the summer County Budget review sessions. This adjustment shall not be considered a County Budget amendment since it will not change fund appropriations. Any subsequent movements after this adjustment from the Reserves would require a County Budget amendment.
- B. If actual Carry Forward is significantly less than the amount projected in the summer session and requires a reduction of expenditure budget, a County Budget amendment approved by the Board will be required.
- C. Grant and project budgets, once appropriated by the Board, have been formally appropriated. Any fund balance pertaining to Grants and Capital Projects shall be automatically re-appropriated, once known.
- D. Prior to November 30<sup>th</sup> following each fiscal year end, the Budget Officer shall present to the Board final County Budget including all funds and a summary of all budget amendments and administrative adjustments made to the original adopted County Budget throughout the preceding fiscal year, whether such amendments were previously approved by the Board. The Board may accept this final County Budget by a motion and majority vote recorded in the minutes, or by resolution if required by applicable law.

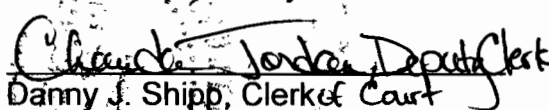
4. The effective date of this Resolution shall be immediately upon adoption.

**PASSED AND DULY ADOPTED** this 15<sup>th</sup> day of May, 2017.

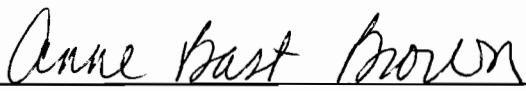
BOARD OF COUNTY COMMISSIONERS  
OF LEVY COUNTY, FLORIDA

  
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John Meeks, Chair

ATTEST: Danny J. Shipp, Clerk of  
Circuit Court and Ex-officio Clerk to  
The Board of County Commissioners

  
\_\_\_\_\_  
Danny J. Shipp, Clerk of Court

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
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Anne Bast Brown, County Attorney

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