

RESOLUTION AUTHORIZING THE WILLAMSON COUNTY MAYOR TO INITIATE A REQUEST FOR PROPOSALS FROM QUALIFIED ORGANIZATIONS AND TO CONTRACT FOR THE PROVISION OF A STUDY TO DETERMINE THE EFFECT OF INCREASING THE ADEQUATE FACILITIES TAX MAY HAVE ON THE EDUCATION IMPACT FEE RATE – REVENUES TO COME FROM UNAPPROPRIATED COUNTY GENERAL FUND BALANCE

WHEREAS, Williamson County has experienced tremendous population growth in the past 20 years which has created uncertainty as to the possible need for future capital project needs to accommodate the expected population growth; and

WHEREAS, Williamson County, by the authority granted by the Tennessee General Assembly, assesses a development tax on new development in Williamson County known as the Private Act of 1987 Chapter 118 (“Adequate Facilities Tax”); and

WHEREAS, the Adequate Facilities Tax imposes a growth tax on new development with a maximum rate per square foot for both residential and non-residential development as established by the Private Act; and

WHEREAS, currently, the County assesses the non-residential development tax only in the non-incorporated areas of the County at a rate of .34;

WHEREAS, the maximum permissible rate under the Adequate Facilities Tax for non-residential development is Two and 00/100 Dollars (\$2.00) permitted by the Adequate Facilities Tax; and

WHEREAS, in November of 2016, the Williamson County Board of County Commissioners adopted Resolution No. 11-16-6, assessing an impact fee based on the impact of residential development on the need for new or expanded school facilities for the purposes for exercising the authority granted by the provisions of Chapter 120 of the Private Acts of 1987; and

WHEREAS, to satisfy judicial scrutiny, a local government is required to credit a developer for amounts paid under other sources of revenue that are related to growth and the impact of growth on the need for capital projects which includes development taxes such as the Adequate Facilities Tax; and

WHEREAS, to achieve an understanding of the possible effects of raising the commercial rate provided under the authority of the Adequate Facilities Tax, the Williamson County Board of Commissioners requests that the County Mayor seek proposals from qualified organizations to conduct and provide a study concerning whether increasing the commercial rate would decrease the amount that may be assessed under the Education Impact Fee; and

WHEREAS, it is the intent of the Williamson County Board of Commissioners to authorize the County Mayor to seek and contract with a qualified organization to study and provide the County with a detailed comprehensive study to determine whether increasing the Adequate Facilities Tax would require the County to provide a credit under the Education Impact Fee which would lower the permissible rates that may be assessed under the impact fee:

NOW, THEREFORE, BE IT RESOLVED, that the Williamson County Board of Commissioners, meeting in regular session, this 13th day of January, 2025, hereby authorizes the Williamson County Mayor to request proposals from qualified organizations and to contract for a study to determine the impact of increasing the nonresidential rate under the Adequate Facilities Tax may have on the permissible rate the County may assess under the Education Impact Fee to determine whether any increase for nonresidential development would require a lower adjustment to the Education Impact Fee.

AND BE IT FURTHER RESOLVED, that the 2024-25 County Commission budget be amended to appropriate funding for said study, as follows:

<u>REVENUES:</u>	
Unappropriated County General Fund Balance	\$50,000
(101.00000.390000.00000.00.00.00)	
<u>EXPENDITURES:</u>	
County Commission-Consultants	\$50,000
101.511000.530800.00000.00.00.00	

Resolution No. _____ (continued)

COMMITTEES REFERRED TO & ACTION TAKEN:

Tax Study	For _____	Against _____		
Budget Committee	For _____	Against _____		
Commission Action Taken	For _____	Against _____	Pass _____	Out _____

Jeff Whidby, County Clerk	Brian Beathard, Commission Chairman
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Rogers C. Anderson, Williamson County Mayor

Date