

# County Officials E-News

July 2018 Vol 106

## *The COOP Issue*

All you need to know about the  
County Officials Orientation Program!

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# County Officials Orientation Program (COOP)

## All About County Officials Orientation Program

### Why should I attend?

First-time newly elected county officials will need a lot of information to prepare them for taking office on September 1. Incumbent officials (re-elected to same position) will benefit from reviewing this important information. COOP is designed to cover many topics relevant to county officials -- both legal and operational subjects.

Our legal staff will present various topics including including county offices and authority, oaths and bonds, personnel issues, ethics, conflicts of interest, open meetings and records.

We have developed breakout sessions by office to focus on the topics relevant to each office. Breakout sessions will include discussions with CTAS staff as well as special speakers from state and other local departments.

### County Commissioners - Public Chapter 718

If you are a newly elected county commissioner, it is more important than ever for you to attend COOP. A new law passed this year, Public Chapter 718, effective April 12, 2018, requires newly elected or appointed county commissioners to complete orientation training provided by CTAS within 120 days of being elected or appointed. Attending COOP will fulfill this training requirement.

### Where will COOP be held?

COOP will be held at the Embassy Suites Hotel in Murfreesboro, 1200 Conference Center Blvd, Murfreesboro, TN 37129.

## Agenda

### AUGUST 20-21

Clerks of Court, County Clerks,  
Registers of Deeds, & Trustees

#### AUGUST 20

9:00am - Registration Opens  
1:00pm - Opening General Session  
2:00pm - Legal Issues for County Officials  
2:30pm - Break  
3:00pm - Legal Issues for County Officials, *continued*  
4:30pm - Q&A  
5:00pm - Break  
5:30pm - Dinner for Clerks of Court, County Clerks,  
Registers of Deeds, & Trustees

#### AUGUST 21

8:00am - Breakout Sessions  
11:00am-12:00pm - Lunch served in breakout rooms  
5:00pm - Adjournment

### AUGUST 22-23

County Commissioners, County Mayors/  
Executives, Highway Officials

#### AUGUST 22

9:00am - Registration Opens  
1:00pm - Opening General Session  
2:00pm - Legal Issues for County Officials  
2:30pm - Break  
3:00pm - Legal Issues for County Officials, *continued*  
4:30pm - Q&A  
5:00pm - Break  
5:30pm - Dinner for County Commissioners, County  
Mayors/ Executives, & Highway Officials

#### AUGUST 23

8:00am - Breakout Sessions  
11:00am-12:00pm - Lunch served in breakout rooms  
5:00pm - Adjournment



## Registration Information

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**All newly elected officials will be pre-registered for COOP.** Newly elected officials (first time elected on August 2, 2018) do not need to register. However, please use the link below to RSVP to the dinner.

**Incumbent officials (re-elected to same position) need to register to attend COOP and pay a registration fee of \$150.** Please use the form below to register to attend COOP. We do not accept electronic payments. You must mail a check for the registration fee and your registration form to the address below:

### [Incumbent Registration Form](#)

County Technical Assistance Service  
County Officials Orientation Program  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219

Please RSVP for the dinner being held on the first night of your group's session: <http://bit.ly/COOP2018DinnerRSVP>.

## Lodging Information

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COOP will be held at the [Embassy Suites Hotel in Murfreesboro](#).

Hotel address: 1200 Conference Center Blvd, Murfreesboro, TN 37129

Hotel phone: (615) 890-4464

**Make your hotel reservations now.** To reserve a room at the Embassy Suites hotel special conference rate of \$139, call (615) 890-4464 and use code COO before July 20. ***This rate will increase significantly after July 20.***

**Please do not reserve more rooms than you need.** We need to ensure all attendees are able to stay at the conference rate.

## COOP 2018 Fees Reimbursement Information

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CTAS offers the County Officials Orientation Program (COOP) to newly elected county officials in August. This program occurs the week before the officials will be sworn into office. This orientation program is very beneficial to newly elected officials and their counties. While CTAS does not charge a registration fee for newly elected officials, there may be costs incurred by them for travel, lodging, and meals.

To encourage attendance, counties may want to consider providing funds in the FY 18-19 budget to reimburse the costs for attending the County Officials Orientation Program. The

County Powers Act (T.C.A. §5-1-118) passed in 1995 allows for a county to budget and expend money for any lawful purpose. Appropriation and expenditure of funds to reimburse new officials for orientation and training would be a lawful purpose. Counties interested in providing essential training and orientation of new officials should budget funds with a specific line item in the FY 2018-2019 budget.

Note: CTAS does not offer reimbursement of fees or travel costs. Officials must contact their county to find out if COOP costs can be reimbursed and the process for doing so.

# CTAS Welcomes

## Kelley McNeal

### CCFO Training Consultant

Prior to joining CTAS in July 2018, Kelley McNeal worked as an Information Systems Auditor with the Comptroller of the Treasury's Division of Local Government Audit for twenty-three years.

Kelley holds a Bachelor of Business Administration in Accounting and an Master of Business Administration with an accounting concentration from Tennessee Technological University.

She has served as an adjunct faculty member at Nashville State Community College and Tennessee Technological University. Kelley is a Certified Public Accountant and a Certified Government Financial Manager.

She is a member of the Association of Government Accountants, Tennessee Society of Certified Public Accountants, Phi Kappa Phi Honor Fraternity, and Rotary Club of Cookeville – Sunset.



*"I am looking forward to being able to help county personnel from a different perspective. I love teaching and I am excited about the opportunity to do more hands-on instruction."*





## IRS Updates 2018 Standard Mileage Rate Guidance

The Internal Revenue Service (IRS) announced in December 2017 the optional 2018 standard mileage rates for calculating deductions for business, moving, charitable, and medical travel expenses. That notice has now been updated to reflect changes in the 2017 Tax Cuts and Jobs Act.

**Business mileage:** The standard mileage rate for business travel is 54.5 cents per mile for 2018. In the past, employees could claim a miscellaneous itemized deduction (subject to a 2% deduction floor) for unreimbursed business travel expenses. The 2017 Tax Cuts and Jobs Act suspends such miscellaneous itemized deductions for tax years 2018 through 2025. Certain deductions for unreimbursed travel expenses are not affected by the new law and can be calculated using the business standard mileage rate. State and local government officials who are paid on a fee basis are among those for whom the business standard mileage rate may be used.

**Moving expenses:** The standard mileage rate for moving expenses is 18 cents per mile for 2018. The 2017 Tax Cuts and Jobs Act generally suspends deductions and income exclusions for moving expenses

for tax years 2018 through 2025. This suspension does not apply to members of the Armed Forces on active duty who move pursuant to a military order in connection with a permanent change of duty station.

### **Fixed and Variable Rate (FAVR)**

**allowances:** Employers may choose to reimburse employee travel expenses using a fixed and variable rate method, known as the FAVR method. The FAVR method includes a cents-per-mile allowance to cover variable costs (such as gasoline) and a flat amount to cover fixed operating expenses (such as depreciation and insurance). The amount of the FAVR allowance must be based on reasonable data and approximates the actual employee expenses for use of a standard automobile. Previously, the IRS announced that the standard automobile cost to use in calculating a 2018 FAVR allowance could not exceed \$27,300 for automobiles excluding trucks and vans or \$31,000 for trucks and vans. Due to the changes in the depreciation rules made by the 2017 Tax Cuts and Jobs Act, the standard automobile cost is increased to \$50,000 for passenger automobiles (including trucks and vans) placed in service after 2017.



## *Do I Need to Keep That?*

### **Retaining Important Income, Wage/Hour, & Tax Information for Employees**

The Internal Revenue Service (IRS) requires all employers that withhold and pay federal income, Social Security, and Medicare taxes to maintain records for each employee. Additionally, many other federal laws such as the Fair Labor Standards Act (FLSA) require that certain payroll records be maintained. Failure to meet these requirements can result in hefty penalties and large settlement awards if the employer is unable to furnish requested information.

But what information and documentation should employers keep? What can be safely disposed of? The answer depends on the records in question. The following information may help county officials understand and ensure they are meeting these requirements.

#### **Income, Social Security, and Medicare Taxes**

The IRS requires records for income, Social Security, and Medicare taxes be kept for at least four years after the due date of the employee's personal tax return (usually April 15th) for the year the payment was made. Some specific types of records that fall under this requirement include (but are not limited to):

- Each employee's name, address, occupation, and Social Security number.
- The total amount and date of each payment of compensation and any amount withheld for taxes.
- The amount of compensation subject to withholding for federal income, Social Security, and Medicare taxes and the corresponding amount for each tax.
- The pay period covered by each payment of compensation.
- Each employee's Form W-4.
- Fringe benefits provided to employees and required substantiation.
- Employee's beginning and end dates of employment.
- Amounts and dates of tax deposits.
- Copies of returns filed on paper or electronic (including applicable forms).

#### **Wages and Hours**

Employers covered by the Fair Labor Standards Act are required to keep basic records for each non-exempt employee including (but not limited to):

- Each employee's name, address, occupation, birth date (if younger than 19).
- Time and day of the week when the employee's workweek begins.
- Hours worked each day.
- Total hours worked each workweek.
- Basis on which employee's wages are paid.
- Regularly hourly pay rate.
- Total daily or weekly straight-time earnings and total overtime earnings for the workweek.
- All additions to or deductions from wages.
- Total wages paid each pay period and date of payment.
- Pay period covered by the payment.

While different federal laws sometime provide for shorter specific retention periods for certain payroll records, CTAS recommends a five-year retention period for such records pursuant to the applicable statute of limitations governing actions under most of these federal laws.

For more information, please visit the IRS at <https://www.irs.gov/government-entities/federal-state-local-governments/public-employers-toolkit>.





## Supreme Court Ruling on *Internet Sales Tax*

On June 21st, the U.S. Supreme Court ruled in [\*South Dakota v. Wayfair\*](#) that states can now require sellers with no physical presence in the state to collect state and local sales taxes on internet purchases. This decision by the Court overturns longstanding prior case law that limited state collection requirements on businesses not located within the state (sometimes referred to as remote sellers).

The ruling empowers each state to decide whether and how to enforce sales tax collection on internet purchases. Currently, a significant amount of local sales tax revenue is going uncollected because remote sellers are not required to collect the tax (and the purchaser rarely pays the corresponding use tax).

The Tennessee Department of Revenue promulgated a rule in 2016 that required collection from remote sellers if they did more than \$500,000 in business in Tennessee in a year. However, that rule was approved on a conditional basis by the General Assembly. Enforcement of the

rule was made contingent upon a decision by the Supreme Court like the one in [\*South Dakota v. Wayfair\*](#) and a subsequent approval by the General Assembly.

Additionally, several years ago, the General Assembly passed the multi-state Streamlined Sales Tax Initiative that was intended to create a uniform system of sales tax collection by remote sellers. The effective date for those statutes was repeatedly postponed, but the laws are now set to take effect July 1, 2019. If these statutes are allowed to go into effect, they will make significant changes that could benefit county governments.

At the current time, especially considering the upcoming elections, it's difficult to predict exactly how our General Assembly will address internet sales tax collection. However, it's not difficult to predict that addressing uncollected state and local sales taxes from online purchases will be an extremely hot topic when the General Assembly reconvenes in 2019.



A background map of the United States, showing state boundaries and major cities. The map is slightly faded and serves as a backdrop for the text.

# United States Census 2020

## *Census 2020*

### **New Tool to Boost Response Rate**

Every ten years, the Census Bureau is charged with counting everyone in the United States. In 2010, approximately 79.3% of U.S. households that received a Census mail questionnaire completed and mailed it back. The 20.7% of households that did not respond were geographically dispersed across the country. It is a challenge for the Census Bureau to get an accurate count of all people and to address this issue, the bureau has implemented a new tool: [Response Outreach Area Mapper \(ROAM\)](#).

ROAM is an application developed to make it easier to identify hard-to-survey areas and to provide a socioeconomic demographic characteristic profile of these areas. In years past, bureau employees would either have to verbally communicate this

information to others in the field as these data were only kept within the office. Otherwise, employees would have to print maps to take with them, creating a burden on gathering data.

Community leaders are able to access the application in real time to view data relative to their areas. This access to data creates opportunities for local leaders to encourage response to the upcoming 2020 decennial census survey. It is the hope of the bureau that more active engagement at the local level will increase the response rate in 2020.

For more information about ROAM and the upcoming 2020 decennial Census, please visit the bureau's website at <https://www.census.gov/2020census>.





## ***TCCA Regional Meetings Schedule***

Registration will start at 5:30 pm local time and meal will start at approximately 6 pm.

September 6	Henry County Fairgrounds, 517 Royal Oaks Dr., Paris, TN 38242 (Henry County)
September 11	DelMonaco Winery & Vineyards, 600 Lance Dr., Baxter, Tn 38544 (Putnam County)
September 13	The Catfish House, 3424 Tom Austin Hwy, Springfield, TN 37172 (Robertson County)
September 20	Henry Horton State Park conference center (behind restaurant), 4209 Nashville Hwy, Chapel Hill, TN 37034 (Marshall County)
September 24	Elks Lodge, 235 2nd St NE, Cleveland, TN 37311 (Bradley County)
September 25	Calhoun's on the River, 400 Neyland Dr., Knoxville, TN 37902 (Knox County)
September 27	Visitor's Center, 117 Boone St., Jonesborough, TN 37659 (Washington County)
October 2	West Tennessee Ag Center, 605 Airways Blvd., Jackson, TN 38301 (Madison County)

Questions about the upcoming TCCA regional meetings? Please give TCSA a call at (615) 532-3767.

**CTAS** **County Technical Assistance Service**  
**INSTITUTE FOR PUBLIC SERVICE**

226 Anne Dallas Dudley Boulevard, Suite 400, Nashville, Tennessee 37219

Phone: (615) 532-3555 Fax: (615) 532-3699

[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)