
SAMPLE BUDGET RESOLUTIONS

Sample Resolution Adopting the Budget

Be it resolved that the Board of Directors for Merlin/North Valley Sanitary hereby adopts the budget approved by the Budget Committee for fiscal year 2007-2008, now on file at the district office, in the sum of \$59,000.

Sample Resolution Making Appropriations

Be it resolved that the amounts for the fiscal year beginning July 1, 2007, and for the purposes shown below are hereby appropriated as follows:

GENERAL FUND

Personal services	\$30,000
Materials and services	6,000
Operating contingencies	2,000
Transfers to other funds	<u>1,000</u>
Fund Total	\$39,000

DEBT SERVICE FUND

Debt Service	\$5,000
Fund Total	\$5,000

Total \$44,000

BUDGET PROCESS CHECKLIST

Action

- **The governing body appoints the budget officer, (ORS 294.331)**
The budget officer is appointed by the governing body to assemble budget material and information and to physically prepare the proposed budget. The budget officer does not have to live within the boundaries of the district, unless the district's charter requires it.
- **The governing body appoints the budget committee. (ORS 294.336)**
The budget committee is made up of the governing body and an equal number of appointed registered voters of the district who are appointed for three-year terms. The appointed members cannot be officers, agents or employees of the district. All members of the budget committee are equal in authority.
- **The budget officer prepares the proposed budget. (ORS 294.331)**
The proposed budget must be in balance with resources equaling requirements.
- **The budget officer publishes the Notice of Budget Committee Meeting. (ORS 294.401 and 294.311(32)).**
Publish notice of the first budget committee meeting(s) scheduled for the purposes of (1) receiving the proposed budget and hearing the budget message, and (2) taking public questions and comments on the budget.

To publish the notice:
 - Print the notice twice in a newspaper of general circulation in the boundaries of the district. Print the first notice no more than 30 days before the meeting. Print the second notice no less than five days before the meeting. Allow at least five days between the two notices; **or**,
 - Mail one notice through the U.S. Postal Service by first class mail to each street address within the district. Mail no less than 10 days before the meeting; **or**,
 - Hand-deliver one notice to each street address within the boundaries of the district. Deliver no less than 10 days before the meeting.
- **The budget officer provides a copy of the proposed budget to each member of the budget committee. (ORS 294.401(6))**
This may be done at any time prior to the first meeting of the budget committee for which notice is published, or at that meeting. Committee members must not discuss or deliberate on the budget outside of a public meeting.
- **The budget officer files a copy of the budget in the district office. [ORS 394.401(8) and OAR 150-294.401(7)]**
This must be done immediately after providing copies of the budget to the budget committee. The budget becomes a public record at this point. The district must make copies of the

budget or the means of duplicating it readily available to any interested person. The district may charge a reasonable fee for a copy of the budget.

- **The executive officer of the district prepares or directs the preparation of the budget message. (ORS 294.391)**

The budget message explains the budget. The explanation should include a brief description of the district's fiscal policies and any major changes in the policy, resources or requirements, or staffing from the previous year.

- **The budget committee meets at the time and place in the notice to receive the proposed budget and the budget message; and hear public comment and questions from any interested persons. (ORS 294.336, ORS 294.401 and OAR 150-294.336)**

At its first meeting, the budget committee elects a presiding officer from among its members. The budget committee must have a quorum, or majority, of the total membership of the committee present in order to hold a meeting or to take any formal action.

- **The budget committee approves the budget. (ORS 294.406)**

Before approving the budget, the budget committee can make any changes to the budget on which a majority of the committee members agree.

- **The budget committee establishes and approves the amount or rate of the tax the district will impose. (ORS 294.406)**

This approval should be in the form of a motion, which is recorded in the minutes of the committee. Approval is by majority vote of the whole committee. The work of the budget committee is now complete.

- **The budget officer publishes one Notice of Budget Hearing and a summary of the approved budget. (ORS 294.416)**

This notice must be published between five and 30 days before the hearing by one of the publication methods above. The information for the publication forms comes from the budget detail sheets "Approved by budget committee" column.

- **The governing body conducts the budget hearing and takes public comment from any interested person. (ORS 294.430 and OAR 150-294.430(1))**

The governing body must have a quorum, or majority, of the total membership of the governing body present at the public hearing. The governing body considers the comments of all interested parties about the budget and the fiscal policy decisions reflected in the budget. The governing body can establish procedures for taking testimony. Time limits can be set as long as all parties or sides on issues are treated equally.

- **After the hearing the governing body can make adjustments to the approved budget. (ORS 294.435)**

It can:

- Reduce the tax rate or amount.
- Adjust estimates of resources and expenditures.
- Raise expenditures in any fund up to \$5,000 or 10 percent, whichever is greater.

- **If the governing body wants to raise expenditures more than \$5,000 or 10 percent, or increase the tax, it must republish the adjusted budget and notice of a second budget hearing. (ORS 294.435)**

The notice of the second hearing must be published by one of the methods above between five and 30 days before the second hearing.

- **The governing body holds a second budget hearing if required.**
- **After budget hearing, the governing body enacts resolutions or ordinances to adopt the budget, make appropriations, impose tax, and categorize tax. (ORS 294.435(2), OAR 150-294.435(3) and ORS 310.060)**

These actions can be taken at any regularly scheduled public meeting of the governing body after the budget hearing at which a quorum is present.

The resolution adopting the budget should state the total amount of all budget requirements. The budget must be adopted by June 30.

The resolution making appropriations creates the authority to make expenditures and to incur obligations for specific purposes. Appropriations must be made by June 30. Each fund must have its own appropriations. Appropriations are limited to one fiscal year or a 24-month budget period.

The resolution imposing taxes provides the information used to complete the tax certification form (LB-50 or ED-50). It declares the method of the tax (rate and/or dollar amount) and the amount.

The resolution categorizing taxes is required every year that you impose taxes. The Measure 5 categories must be declared.

- **The budget officer submits the certification documents to the assessor's office by July 15.**

The assessor gets:

- Two copies of the tax certification form LB-50 or ED-50.
- Two copies of the resolution statements.
- Two copies of the successful ballot measure for any tax to be imposed for the first time.

Do not send the entire budget document to the assessor unless specifically requested.

The amount or rate of tax certified to the assessor cannot exceed the amount or rate approved by the budget committee, unless the budget was republished and a second hearing held.

The county clerk gets:

- One copy of the entire budget document including the notices, resolutions and approved ballot measures by September 30.

If the district cannot meet the July 15 deadline, a written request for the extension of time to certify must be submitted by July 15. If the assessor agrees, he or she will respond in writing to grant an extended filing deadline.

The taxes shown on the LB-50 or ED-50 must be the same as the taxes declared and categorized in the resolutions. If the resolution imposing taxes declares taxes in a dollar amount, then the LB-50 or ED-50 must show the same rate.

Incomplete certifications or inconsistent certifications may not be accepted by the assessor's office. The assessor's office has no authority to alter your resolutions or your certification forms. If there is an error, the district must correct it and resubmit the documents. With approval of the assessor, you may have until October 1 to correct certification errors. Failure to meet the deadline could prevent the assessor from extending your taxes on the tax roll.

RESOLUTION ADOPTING DISTRICT COMPLIANCE WITH LOCAL BUDGET LAW

RESOLUTION NO. _____

A RESOLUTION ADOPTING DISTRICT COMPLIANCE WITH LOCAL BUDGET LAW

WHEREAS, in preparing and adopting its budget, the District shall be guided by the Budget Manual for Municipal Corporations, published by the Oregon Department of Revenue.

WHEREAS, compliance with Oregon's Local Budget Law set out in Oregon Revised Statutes 294.305 through 294.565, is required prior to the expenditures of any monies or the levy of any tax upon property located within the District.

THEREFORE, be it resolved by the Board of Directors of Merlin/North Valley Sanitary District:

That the District shall comply with the provisions of Local Budget Law, and with the instructions and requirements of the Oregon Department of Revenue, which has been charged by the Legislature with the responsibility to interpret and administer Local Budget Law in accordance with Oregon Revised Statute 294.

ADOPTED BY BOARD OF DIRECTORS THIS _____ DAY OF _____, _____.

President (or Chairman)

ATTEST:

Secretary (or Clerk)