



AGENDA

Henry County Commission
Tuesday, January 20, 2015
7:00 p.m.
Henry County Court House

- 1. Call to order and opening of the Commission.**
- 2. Invocation.**
- 3. Pledge to the Flag of the United States of America.**
- 4. Roll call.**
- 5. Citizen's forum.**
- 6. Commissioners' forum.**

- 7. Appointments, confirmations, and elections.**
 - a. Consideration of a resolution making certain appointments and action thereon by the Commission.**

- 8. BUSINESS:**
 - a. Approval of the Consent Agenda and action thereon by the Commission.**
 - b. Consideration of resolutions making budget transfers and action thereon by the Commission.**
 - c. Consideration of a resolution authorizing the submittal of an application for FIDIP (Fast Track Infrastructure) funding and action thereon by the Commission.**
 - d. Consideration of a resolution to affirm compliance with Federal Title VI Regulations and action thereon by the Commission.**
 - e. Consideration of a resolution to approve the Henry County Road Listing for Calendar Year 2015 and action thereon by the Commission.**
 - f. Consideration of a resolution to set a local option sales tax referendum (second reading) and action thereon by the Commission.**
 - g. Consideration of a resolution to opt out of statewide building code standards for one-family and two-family dwellings in Henry County and action thereon by the Commission.**

h. Report from the Delinquent Tax Committee and action thereon by the Commission.

9. Announcements and Statements.

10. Adjournment.

It is January!



CONSENT AGENDA JANUARY 20, 2015

ITEMS TO BE APPROVED:

- 1. Minutes of the meeting of December 15, 2014 and December 29, 2014**
- 2. Notary Public designations.**
- 3. Quarterly Reports.**
- 4. Report of property tax collections to date.**
- 5. Report of total revenue collections to date.**

RESOLUTION NO. 01-01-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPOINT CERTAIN CITIZENS AND COMMISSIONERS TO VARIOUS BOARDS, COMMITTEES, AND POSITIONS

WHEREAS, certain vacancies now exist on various boards, committees, and commissions, and in various positions of Henry County, Tennessee; and

WHEREAS, it is the duty and responsibility of the Board of Commissioners of Henry County, Tennessee to appoint certain qualified citizens and Henry County Commissioners to fill said vacancies; and

WHEREAS, the Board of Commissioners has examined and evaluated the qualifications of certain citizens and County Commissioners for appointment to said boards, committees, commissions, and positions.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 20th day of January, 2015, a majority or more of said Commissioners concurring, that:

- a. Agriculture Committee – The following be and hereby appointed for a two year term appointment with term to expire January 2016.

1 farm woman – Sarah Brewer
1 farm man – Glenn Lee
1 County Commissioners – Randy Gean

b. Airport Committee – Herman Jackson be and hereby appointed to serve one 6-year term with term to expire January 2021.

c. Beer Board – The following be and hereby appointed for one year term, with term to expire January 2016:

District 1 Don Jones
District 2 Kreg Kyle
District 3 Paul Mathenia
District 4 Dell Carter
District 5 Greg Carter
Rob Whitfield, County Attorney

d. Budget Committee – The following be and hereby appointed for a three year term with term to expire January 2018.

Kenneth Humphreys
Melanie Dodd
Connie McSwain

e. Central Community Service Center Committee – The following be and hereby appointed for a 3 year term for David Webb and Monte Starks, with term expiring January 2018.

April Perry's appointment is for one-year term with term to expire January 2016.

f. County Attorney: 1-year term to expire 2016
Rob Whitfield

- g. Courthouse Committee – The following be and hereby appointed for a one year term with term to expire January 2016:

District 1- Randy Gean
District 2 - Kreg Kyle
District 3 - Paul Mathenia
District 4 - Dell Carter
District 5 - David Webb

- h. Delinquent Tax Committee – The following be and hereby be appointed to a one year term, with term expiring January 2016:

District 1 – Wes Bradley
District 2 – Paul Neal
District 3 – Paul Mathenia
District 4 – Dell Carter
District 5 – Greg Carter
Brent Greer, County Mayor
Rob Whitfield, County Attorney

- i. Emergency Communications District (E-911 Board) – The following be and hereby appointed for a three year term with new term expiring in January 2018:

Monte Belew
Pam French
Betty Carter
John Etheridge
Ron Watkins

- j. Fire Protection Study Committee – The following be and hereby appointed for a one year term, with term expiring January 2016:

District 1 - Don Jones
District 2 - Kreg Kyle

District 3 - Paul Mathenia
District 4 - James Travis
District 5 - David Webb

- k. Board of Health – The following be and hereby appointed to a one year term with the new term to expire January 2016:
- i. Medical Doctor, Dr. Terry Harrison
 - ii. Dentist, Dr. Jeff Morris
 - iii. Veterinarian, Dr. Buddy Gardner
 - iv. Director of Schools, Mr. Sam Miles
 - v. Nurse Lori Taylor
 - vi. Pharmacist, Randall Perkins
 - vii. Medical Doctor, Dr. Scott Whitby
 - viii. Legal Profession, Bill Looney
- l. Health Insurance Committee – The following be and hereby appointed for one year term with term expiring January 2016:
- District 1 – Randy Gean
District 2 - Kreg Kyle
District 3 - Monte Starks
District 4 - James Travis
District 5 - Connie McSwain
- m. County Historian – David Webb be and hereby appointed to a 1-year term with term expiring January 2016.
- n. Investment Committee - This committee is made up of:
- i. Brent Greer, County Mayor
 - ii. Randi French, County Trustee
 - iii. Donna Craig, County Clerk

These new appointments are for 1 year and will expire January 2016.

- o. Legislative Committee – The following be and hereby appointed to a one year term, with term to expire January 2016:

- District 1 - Wes Bradley
- District 2 - Paul Neal
- District 3 - Monte Starks
- District 4 - James Travis
- District 5 - David Webb
- Rob Whitfield, County Attorney

- p. Medical Examiner - Dr. Charles Walker be and hereby appointed for a one year term which expires January 2016.

- q. Assistant Medical Examiner – Dr. Scott Portis be and hereby appointed for a one year term which expires January 2016.

- r. Nominating Committee – The following be and hereby are appointed to the Nominating Committee for one year to expire January 2016:

Dist. 1	Randy Gean
Dist. 2	Paul Neal
Dist. 3	Paul Mathenia
Dist. 4	Dell Carter
Dist. 5	David Webb

- s. Personnel Policies & Procedures Committee – The following be and hereby appointed to the Employees Personnel Policies and Procedures Committee for a two year terms, with term expiring January 2017.

District 2 - Bobby Freeman
District 4 - James Travis

- t. Planning Commission: The following be and hereby appointed to the Planning Commission for 4-year terms with terms to expire 2019:
- a. Harold Bass
 - b. Mark Johnson (Replacing retiring member Jerry Bell)
 - c. Clint Davis (Replacing retiring member Everett Moody)
 - d. Hugh Tyler
 - e. Chris Casteel (To fill the unexpired term of retiring member, Charles Perry, with term ending January 2016.)
- u. Public Records Commission – The following be and hereby appointed for a one year term, with term expiring January 2016.
- Donna Craig, County Clerk
Brent Greer, County Mayor
Pam Martin, Register of Deeds
Wes Bradley, County Commissioner
Paul Neal, County Commissioner
Vicki Snyder, Judicial Appointment
Stephanie Tayloe, Genealogist
Connie McSwain, County Commissioner
David Webb, County Historian
- v. Henry - Carroll Railway Authority – The following be and hereby appointed for a one year term with new term to expire January 2016.

Brent Greer
Kreg Kyle

- w. Solid Waste Committee – The following be and hereby appointed for a 3-year term with term expiring January 2018.

Jeff Atkins
Wes Bradley
James Travis

- x. Veterans Service Committee – The following be and hereby appointed for a one year term with term to expire January 2016.

Greg Carter
James Travis

- y. Work Release Committee – The following be and hereby appointed for a one year term with term to expire January 2016.

District 1 – Don Jones
District 2 – Paul Neal
District 3 – Monte Starks
District 4 – Kenneth Humphreys
District 5 – Connie McSwain

BE IT FURTHER RESOLVED that any and all acts previously passed by this Board of County Commissioners which are in conflict with this Resolution be and hereby are rescinded, repealed, and are of no effect whatsoever.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage by this Board of County Commissioners and approval by the County Executive, the public welfare requiring it.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED _____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION #2-1-15

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY GENERAL FUND
FOR FISCAL 2014-2015**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its July Regular Session, 2014, adopted the budget for the Henry County General Fund for fiscal 2014-2015; and,

WHEREAS, the said Board of County Commissioners of Henry County, Tennessee must authorize and approve any and all changes and amendments of the said budget of the Henry County General Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County General Fund will be insufficient in certain line items with funds being available for transfer; and,

WHEREAS, it is necessary and appropriate that the said budget of the Henry County General Fund be amended to provide additional funds for certain line items.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Henry County, Tennessee assembled in regular session on this the 20th day of January 2015, a majority or more of said membership concurring, that the budget for the Henry County General Fund be and hereby is amended as follows, to-wit:

TRUSTEE'S OFFICE

INCREASE ACCOUNT 52400-106-DP3, entitled "Deputy's Salary," in the amount of \$6,929.00

DECREASE ACCOUNT 52400-106-DP1, entitled "Deputy's Salary," in the amount of \$6,929.00

Please see attached email from Randi French regarding this transfer.

SHERIFF'S OFFICE

INCREASE ACCOUNT 54210-160-025, entitled "Correctional Guard Salary," in the amount of \$1,800.00

INCREASE ACCOUNT 54210-160-020, entitled "Correctional Guard Salary," in the amount of \$1,600.00

DECREASE ACCOUNT 54210-160-014, entitled "Correctional Guard Salary," in the amount of \$3,400.00

Please see attached memo from Amy Davis regarding this transfer.

AIRPORT

INCREASE ACCOUNT 58220-399, entitled "Other Contracted Services," in the amount of \$2,000.00

DECREASE ACCOUNT 58220-336, entitled "Maintenance & Repair - Equipment," in the amount of \$1,000.00

DECREASE ACCOUNT 58220-335, entitled "Maintenance & Repair - Building," in the amount of \$1,000.00

Please see attached email from Don Davenport.

MISCELLANEOUS

INCREASE ACCOUNT 58900-590, entitled "Transfer to Other Funds – Capital Projects," in the amount of \$68,605.34

DECREASE ACCOUNT 39000, entitled "Miscellaneous," in the amount of \$68,605.34

This transfer is due to right-of-way expenses for the Highway 218 By-Pass project.

BE IT FURTHER RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED _____

BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

DONNA CRAIG
COUNTY CLERK

APPROVED _____

BRENT GREER
COUNTY MAYOR

RESOLUTION #3-1-15

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY GENERAL CAPITAL PROJECTS FUND
FOR FISCAL 2014-2015**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its July Regular Session, 2014, adopted the budget for the Henry County General Capital Projects Fund for fiscal 2014-2015; and,

WHEREAS, the said Board of County Commissioners of Henry County, Tennessee must authorize and approve any and all changes and amendments of the said budget of the Henry County General Capital Projects Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County General Capital Projects Fund will be insufficient in certain line items with funds being available for transfer; and,

WHEREAS, it is necessary and appropriate that the said budget of the Henry County General Capital Projects Fund be amended to provide additional funds for certain line items.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Henry County, Tennessee assembled in regular session on this the 20th day of January 2015, a majority or more of said membership concurring, that the budget for the Henry County General Capital Projects Fund be and hereby is amended as follows, to-wit:

INCREASE REVENUE ACCOUNT 49800, entitled "Transfers In," in the amount of \$68,605.34

INCREASE ACCOUNT 91110-723, entitled "Right of Way Acquisition," in the amount of \$68,605.34

BE IT FURTHER RESOLVED that a true copy of this Resolution be spread upon

the Commission record of this date.

PASSED _____

BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

DONNA CRAIG
COUNTY CLERK

APPROVED _____

BRENT GREER
COUNTY MAYOR

RESOLUTION 04-01-15

**AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE
TENNESSEE DEPARTMENT OF ECONOMIC & COMMUNITY
DEVELOPMENT FOR TENNESSEE INDUSTRIAL
INFRASTRUCTURE FUNDS**

WHEREAS, The County of Henry, Tennessee has determined that adequate infrastructure and services are essential to industrial and economic growth; and

WHEREAS, a proposed industrial project, involving the building of additional shipping and warehousing facilities including site improvements for McCartney Produce LLC, in Henry County Tennessee; and

WHEREAS, the County of Henry wishes to make application for FIDIP funds in the amount of \$189,992.00 to implement said improvements and will commit \$33,528.00 in local funds for the remaining portion of said project, for a total project cost of \$223,520.00.

NOW, THEREFORE BE IT RESOLVED BY the County of Henry, Tennessee, meeting this 20th day of January, 2015, that the Mayor of Henry County is hereby authorized to make and sign an application for Fast Track funds, authorized any required environmental documentation, and enter into any and all contracts and agreements to consummate the application and implement the project.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED _____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION NO. 05-01-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AFFIRM COMPLIANCE WITH FEDERAL TITLE VI REGULATIONS

WHEREAS, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the Community Development Division of the Tennessee Department of Economic and Community Development administers the Three-Star Program and awards financial incentives for communities designated as Three-Star communities; and

WHEREAS, by virtue of the Tennessee Department of Economic and Community Development receiving federal financial assistance, all communities designated as Three-Star communities must confirm that the community is in compliance with the regulations of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987.

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of Henry County, Tennessee, meeting in regular session on this 20th day of January, 2015, at Henry County Court House in Paris, Tennessee, that:

SECTION 1. The legislative body of Henry County, Tennessee declares that the county is in compliance with the federal Title VI regulations.

SECTION 2. The Department of Economic and Community Development may from time to time monitor the county's compliance with federal Title VI regulations.

SECTION 3. This Resolution shall take effect upon adoption, the public welfare requiring it.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED_____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION NO. 06-01-15

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
HENRY COUNTY, TENNESSEE TO APPROVE THE LISTING OF
HENRY COUNTY ROADS FOR YEAR 2015**

WHEREAS, the Henry County Highway Department has submitted the current listing of the county roads of Henry County; and

WHEREAS, the road listing must be approved by the Henry County Commission with the understanding that said road list will be updated yearly and submitted for the Commission's approval; and

WHEREAS, the complete listing of roads for Year 2015 is noted in the attached document.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 20th day of January, 2015, a majority or more of said commissioners concurring, does hereby accept and approve the attached listing of Henry County Roads for Year 2015.

BE IT FURTHER RESOLVED that a true copy of this resolution be spread upon the Commission record of this date.

PASSED_____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION No. 07-01-15
AS SECOND READING ON RESOLUTION NO. 05-12-14

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE, BOARD OF
COMMISSIONERS TO INCREASE THE LOCAL OPTION SALES TAX
FROM 2.25% TO 2.75% PURSUANT TO TENNESSEE CODE
ANNOTATED 67-6-702 and 67-6-706 AND AUTHORIZING THE CALL
OF A SPECIAL ELECTION FOR A REFERENDUM THEREON FOR
HENRY COUNTY

WHEREAS, the Board of Commissioners of Henry County, Tennessee intends to direct the scheduling and conducting of a public referendum on the question of increasing the county local option sales tax by one-half percent ($\frac{1}{2}\%$); and

WHEREAS, a local option sales tax is authorized by T.C.A. 67-6-702, and T.C.A. 67-6-706 authorizes the adoption of a resolution levying the tax on condition that said tax increase is not effective until approved and certified in a referendum as provided by statute; and

WHEREAS, T.C.A. 67-6-706, provides that the county may direct the County Election Commission to conduct a public referendum for the purpose of approving or disapproving the proposed increase in local option sales tax.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 20th day of January, 2015, a majority or more of the membership concurring that:

1. The County Board of Commissioners does hereby increase the local option sales tax by one-half percent ($\frac{1}{2}\%$), from 2.25% to 2.75% except as limited or modified by statute, subject to successful passage of that increase at a public referendum.
2. The County Mayor is directed to contact the Henry County Election Commission, informing it of the passage of this resolution upon second reading and requesting the Election Commission to schedule and conduct

a public referendum on the question of the increase of the local option sales tax by one-half percent (1/2%), said referendum to be held not less than 45 days nor more than 60 days from passage on second reading.

3. The question to be placed on the ballot for purpose of public referendum shall be as follows:

Shall Henry County, Tennessee increase its local option sales tax, pursuant to County Commission Resolution No. 5-12-14, with said increase being one-half percent (1/2%), except as limited or modified by statute?

“FOR” _____ “AGAINST” _____

4. Provided that the referendum is successful in passage of the increase, collection of the tax levied by this resolution shall begin on the latter of the 1st day of July 2015, or the first day of a month occurring at least thirty (30) days after the operative date.
5. In the event the tax is collected by the Department of Revenue, suits for the recovery of any tax illegally assessed or collected shall be brought against the state Commissioner of Revenue and the County Mayor.
6. A certified copy of this resolution shall be transmitted to the Department of Revenue and the Election Commission by the County Clerk forthwith as prescribed by law.
7. A certified copy of the election results shall be transmitted to the Tennessee Department of Revenue.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED _____

BRENT GREER, CHAIRMAN
BOARD OF COMMISSIONERS

DONNA CRAIG
COUNTY CLERK

APPROVED _____

BRENT GREER
COUNTY MAYOR

RESOLUTION NO. 08-01-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO OPT OUT OF STATEWIDE BUILDING CODE STANDARDS FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS IN HENRY COUNTY

WHEREAS, Public Chapter 529 of the Public Acts of 2009, known as the “Tennessee Clean Energy Future Act of 2009,” amends T.C.A. § 68-120-101 to apply statewide building code standards to one-family and two-family dwellings; and

WHEREAS, Public Chapter 529 authorizes counties to opt out of these standards for one-family and two-family dwellings within the county’s jurisdiction outside any municipality located within the county; and

WHEREAS, The Board of Commissioners of Henry County has determined that it is in the best interest of the citizens of the county for these standards not to apply to one-family and two-family dwellings within the county’s jurisdiction outside any municipality located within the county.

NOW, THEREFORE BE IT RESOLVED by a two-thirds (2/3) vote of the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 20th day of January, 2015, that statewide building code standards, adopted pursuant to Title 68, chapter 120, shall not apply to one-family and two family dwellings located within the jurisdictional boundaries of Henry County outside any municipality located within the county.

BE IT FURTHER RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED_____

BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

DONNA CRAIG
COUNTY CLERK

APPROVED_____

BRENT GREER
HENRY COUNTY MAYOR