



**AGENDA
HENRY COUNTY COMMISSION
MONDAY
AUGUST 17, 2015
5:00 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. Charlie Curtiss, Executive Director of TCCA.**
- 8. Appointments, confirmations, and elections.**
 - a. Consideration of a resolution to appoint school board member and action thereon by the Commission.**
- 9. BUSINESS:**
 - a. Approval of Consent Agenda and action thereon by the Commission.**
 - b. Consideration of resolutions to approve a budget amendment and action thereon by the Commission.**
 - c. Presentation by the County Trustee of requests for certain tax refunds and action thereon by the Commission.**
 - d. Consideration of a resolution to authorize the Henry County Trustee to reclaim all unclaimed or uncashed checks under \$50.00 issued prior to January 30, 2013, and action thereon by the Commission.**
 - e. Consideration of a resolution to approve a Capital Outlay Note in the amount of \$156,645 and action thereon by the Commission.**
 - f. Consideration of a resolution to authorize a lease agreement for construction of a helicopter hangar and action thereon by the Commission.**
 - g. Consideration of a resolution authorizing the submittal of an application to the Tennessee Economic and Community Development for Tennessee Industrial Infrastructure Funds and action thereon by the Commission.**
 - h. Report from the Delinquent Tax Committee and action thereon by the Commission.**
- 10. Announcements and Statements.**
- 11. Adjournment.**



CONSENT AGENDA AUGUST 17, 2015

ITEMS TO BE APPROVED:

1. Minutes of the meetings of July 20, 2015.
2. Monthly reports.
3. Quarterly reports.
4. Year-end reports.
5. Notary Public designations.
6. Report of property tax collections to date.
7. Report of total revenue collections to date.

RESOLUTION NO. A1-08-15

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 the said vacancies; and

WHEREAS, the Board of Commissioners has examined and evaluated the qualifications of certain citizens and County Commissioners for appointment to the 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 17th day of August, 2015, a majority or more of said Commissioners concurring, that:

SECTION 1. _____ be and hereby has been appointed to the Henry County Board of Education to fill the unexpired 4-year term of Robert Sleadd with term ending August 2016.

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 Mayor, 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 #1-8-15

**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 2015-2016

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its July Recessed Session, 2015, adopted the budget for the Henry County General Fund for fiscal 2015-2016; 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 17th day of August 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 52400-599, entitled "Other Charges," in the amount of \$400.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$400.00

This transfer is due to this amount being left out of the budget. The Trustee requested the funds during the budget process and it was omitted by mistake on the budget.

SHERIFF'S DEPARTMENT

INCREASE ACCOUNT 54110-399, entitled "Other Contracted Services," in the amount of \$9,400.00

DECREASE ACCOUNT 54110-169, entitled "Part-time Personnel," in the amount of \$9,400.00

INCREASE REVENUE ACCOUNT 46980, entitled "Operating Transfers," in the amount of \$12,000.00

INCREASE ACCOUNT 54210-169, entitled "Part-time Personnel," in the amount of \$12,000.00

Please see memo from Sheriff Belew regarding this request.

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 NO. 2-08-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE, BOARD OF COMMISSIONERS TO AUTHORIZE THE HENRY COUNTY TRUSTEE TO RECLAIM ALL UNCLAIMED OR UNCASHED CHECKS UNDER \$50.00 PRIOR TO JANUARY 30, 2013

WHEREAS, Henry County Board of Commissioners determine that it is in the best interest to the citizens of Henry County to reclaim various checks under \$50.00, that remain outstanding on the books of the Trustee of Henry County; and

WHEREAS, these checks were issued prior to January 30, 2013, and have exceeded the required time authorized on the check for validity; and

WHEREAS, the Henry County Trustee requests permission to void these checks and transfer said monies back into fees and commission and return to the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 17th day of August, 2015, hereby authorizes the Trustee of Henry County to void the attached list of checks and and return said monies to the General Fund of Henry County, Tennessee.

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. 3-08-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE, SALE, AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO EXCEED \$156,645

WHEREAS, the Governing Body of Henry County, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project (the "Project"): Capital Outlay Note 2015-2016 Fiscal Year (See Attachment).

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Henry County, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed one-hundred fifty-six thousand six hundred forty five dollars (\$156,645) (the "Notes") at either a competitive public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "2015 Capital Outlay Notes, Series 2015a", shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed 3 percent (3%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than one (1) year after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least See Attachment year. The existing balance of said note will be retired prior to the end of the 2015-2016 fiscal year.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

If applicable, the Notes shall be further secured by Not Applicable.

(If the revenues generated by Project are to be applied as additional security for the Notes, describe such revenues here.)

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the County Mayor of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the County Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remain outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the

registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That, the Notes shall be sold only after the receipt of the written approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

Section 11. That, if any of the Notes shall remain unpaid at the end of one (1) year from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approval by the State Director of Local Finance.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 17th day of August, 2015.

PASSED _____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**BRENT GREER
HENRY COUNTY MAYOR**

ATTACHMENT "A"

CAPITAL PROJECTS

<u>General Admin</u>		<u>Estimated Life</u>
Airport Improvements	\$8,636	20 yrs.
Building Improvements	\$70,000	Various
Data Processing	\$17,198	5 yrs.
Furniture & Fixtures	\$5,200	5 yrs.
Heating & A/C	\$5,200	5 yrs.
Law Enforcement Equipment	\$29,000	3 yrs.
Transportation Equipment	<u>\$5,413</u>	<u>3 yrs.</u>
Total	\$156,645	

RESOLUTION NO. 4-8-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE A LEASE AGREEMENT FOR CONSTRUCTION OF A HELICOPTER HANGAR FACILITY AT HENRY COUNTY AIRPORT BY AIR EVAC EMS, INC. FOR THE PURPOSE OF OPERATING AN AIR AMBULANCE SERVICE

WHEREAS, Henry County, Tennessee owns a general aviation airport known as Henry County Airport; and

WHEREAS, the Henry County Commission has duly appointed an Airport Committee to oversee the operations of said airport pursuant to budgetary and other outlines as set forth by the Henry County Commission; and

WHEREAS, the Henry County Airport Committee, by proper motion and adoption, voted to recommend that a Lease Agreement be entered into between Henry County, Tennessee and Air Evac whereby, Air Evac will construct an airplane hangar facility, at Lessee's expense, pursuant to the attached Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 17th day of August, 2015, a majority or more of said membership concurring, does hereby approve the attached Lease Agreement between Henry County, Tennessee (hereinafter the "Lessor") and Air Evac (hereinafter the "Lessee") to allow Lessee to construct a hangar facility for their airplane at Henry County Airport subject to all conditions set forth by and within the attached Lease Agreement.

BE IT FURTHER RESOLVED that the County Mayor of Henry County, Tennessee, is hereby authorized, empowered, and directed to enter said agreement on behalf of Henry County as its agent with authority to enforce all parts of said Lease Agreement between Henry County, Tennessee known as (“Lessor”) and Air Evac known as (“Lessee”).

BE IT FURTHER RESOLVED that the attached Lease Agreement does hereby become a part of this Resolution and to be entered upon the minutes of this Commission as such.

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 5-08-15

A RESOLUTION 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 water source and waterline improvements for McCartney Produce LLC, in Henry County Tennessee as well as water source and waterline improvements for Project Sampson; both locating in the industrial park of Paris Henry County; and

WHEREAS, the County of Henry wishes to make application for FIDIP funds in the amount of \$385,000.00 to implement said improvements and will commit \$67,941.00 in local funds for the remaining portion of said project, for a total project cost of \$452,941.00.

NOW, THEREFORE BE IT RESOLVED BY the County of Henry, Tennessee, meeting this 17th day of August, 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**