



AUGUST
AGENDA
HENRY COUNTY COMMISSION
MONDAY
AUGUST 15, 2016
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. BUSINESS:

- a. Recognition of local citizen by Wade Bourne.**
- b. Comments by Dr. Brian Norton.**
- c. Approval of Consent Agenda and action thereon by the Commission.**
- d. Presentation by the County Trustee of requests for certain tax refunds and action thereon by the Commission.**
- e. Consideration of a resolution to authorize increasing members of the Henry County Library and action thereon by the Commission.**
- f. Consideration of a resolution to appoint person to Henry County Library and action thereon by the Commission.**
- g. Consideration of a resolution to establish the rules to fill the Office of 4th District Road Board member and action thereon by the Commission.**
- h. Consideration of a resolution to authorize changes in the budget for the Henry County General Fund and action thereon by the Commission.**
- i. Consideration of a resolution authorizing the submittal of an application to the Tennessee Department of Economic and Community Development for the small Cities Block Grant and action thereon by the Commission.**

- j. Consideration of a resolution to approve a Capital Outlay Note in the amount of \$ 131,000 and action thereon by the Commission.**
 - k. Report from the Delinquent Tax Committee and action thereon by the Commission.**
- 8. Announcements and Statements.**
- 9. Adjournment.**

CONSENT AGENDA

AUGUST 15, 2016

ITEMS TO BE APPROVED:

- 1. Minutes of the meetings of July 18, 2016.**
- 2. Notary Public designations.**
- 3. Henry County Medical Center Statement of Cash Flow.**
- 4. Trustee's month end report.**
- 5. Report of property tax collections to date.**
- 6. Report of total revenue collections to date.**

RESOLUTION NO. 1-08-16

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE
BOARD OF COMMISSIONERS TO AUTHORIZE AN INCREASE
OF MEMBERS OF THE W. G. RHEA PUBLIC LIBRARY**

WHEREAS, the City of Paris and Henry County have jointly established a free public library, known as the W. G. Rhea Public Library, for the use and benefit of the citizens of the City of Paris and Henry County; and,

WHEREAS, pursuant to T.C.A. 10-3-103, the City of Paris and Henry County have established a seven (7) member library board to direct the affairs of the W. G. Rhea Public Library pursuant to T.C.A. 10-3-104; and,

WHEREAS, the City of Paris appoints three (3) members to the W. G. Rhea Public Library Board and Henry County appoints four (4) members to the W. G. Rhea Public Library Board; and,

WHEREAS, the City of Paris and Henry County have determined that it is desirable to increase the number of Board members of the W. G. Rhea Public Library Board to nine (9) members with four (4) members to be appointed by the City of Paris and five (5) members to be appointed by Henry County with staggered terms complying with the provisions of T.C.A. 10-3-103(a)(1).

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Henry County, in conjunction with the City of Paris, Tennessee, expand the W. G. Rhea Public Library Board from seven (7) members to nine (9) members with staggered terms in accordance with the provisions of T.C.A. 10-3-103(a)(1). Henry County Mayor, Brent Greer, is

directed to take all necessary action on behalf of the County of Henry to accomplish the intent of this Resolution.

PASSED _____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION NO. 2-08-16

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
HENRY COUNTY, TENNESSEE 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 15th day of August, 2016, a majority or more of said Commission concurring, that Susan Pemberton be and hereby is appointed to the Henry County Library Board for a 3-year term with term to expire June 30, 2019.

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
COUNTY MAYOR**

RESOLUTION NO. 3-08-16

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS ESTABLISHING THE RULES OF PROCEDURE FOR CONDUCTING A SPECIAL ELECTION TO FILL THE OFFICE OF 4TH DISTRICT ROAD BOARD MEMBER

WHEREAS, a vacancy now exists in the office of Henry County Road Board Member in the 4th District; and

WHEREAS, the Board of Commissioners of Henry County, Tennessee must fill the said vacancy which now exists until the General Election in 2018; and

WHEREAS, a special election for the purpose of filling these said vacancies has been set by the Board of Commissioners of Henry County, Tennessee; and

WHEREAS, it is appropriate and necessary that certain rules and procedures for the conduct of the special election be established to insure the order and fairness of the said special election.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 15th day of August, 2016, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the office of Road Board Member for 4th District, whose qualifications are accepted by said Henry

County Commission, be and hereby is granted the opportunity to speak to the assembled Commission in his/her own behalf prior to the casting of the official ballot or ballots; and provided, however, that any candidate so qualified may designate a person of his or her choice to speak in his or her own behalf; and provided, further, that in any event, the time granted for the speech or speeches on behalf of any candidate shall be for a period of time no longer than five (5) minutes.

SECTION 2. Any and all ballots shall be cast pursuant to the requirements of Section 5-5-116 of the Tennessee Code Annotated.

SECTION 3. To be elected, a candidate must receive the vote of a minimum of eight (8) Commissioners, pursuant to the requirements of Section 5-5-109 of the Tennessee Code Annotated.

SECTION 4. In the event that no candidate receives the eight (8) votes required for election on the first ballot, then the Commission shall proceed to the second ballot and any number of additional ballots necessary until one candidate receives the vote of a minimum of eight (8) of the Commissioners; provided, that before proceeding to a second or any subsequent ballot, the name or names of the candidate or candidates receiving the least number of votes on the previous ballot shall be deleted from the second or any subsequent ballot; and provided, further, that the names of a candidate or candidates shall not

be deleted from any ballot when such deletion would result in a ballot containing the name of only one (1) candidate that had received less than the eight (8) votes required for election.

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. 4-08-16

**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 2016-2017**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2016, adopted the budget for the Henry County General Fund for fiscal 2016-2017; 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 15th day of August 2016, 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:

INCREASE REVENUE ACCOUNT 44513, entitled "Gain on Disposal of Property," in the amount of \$47,200.00

INCREASE ACCOUNT 53900-399, entitled "Other Contracted Services," in the amount of \$47,200.00

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. 5-08-16
A RESOLUTION AUTHORIZING THE SUBMITTAL OF
AN APPLICATION TO THE TENNESSEE DEPARTMENT
OF ECONOMIC AND COMMUNITY DEVELOPMENT
FOR THE SMALL CITIES BLOCK GRANT
PROGRAM/CDBG FOR FISCAL YEAR 2015

WHEREAS, the governing body of Henry County, Tennessee, having committed itself to the improvement of the community that it represents, wishes to make application for improvements to its water system,

WHEREAS, having determined proper eligibility by CDBG program guidelines, said governing body wishes to make application for \$525,000 in grant funds to implement the aforementioned improvements and will commit local funds in the amount of \$218,998 to be provided by Henry County through an SRF loan via the Paris Board of Public Utilities, to constitute a total project cost of \$743,998.

NOW, THEREFORE BE IT RESOLVED by the governing body of Henry County, Tennessee, meeting in session on this the 15th day of August, 2016 that the Mayor of Henry County is authorized to sign an application for CDBG funds, to commit local matching funds to the proposed project, and to sign and all necessary assurances, agreements or contracts required for recipients of CDBG funds.

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. 6-08-16

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE, SALE, AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO EXCEED \$131,000

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 2016-2017 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 thirty-one thousand dollars (\$131,000) (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 “2016 Capital Outlay Notes, Series 2016a”, 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 2016-2017 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 15th day of August, 2016.

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	\$10,000	20 yrs.
Building Improvements	\$35,500	Various
Data Processing	\$10,500	5 yrs.
Furniture & Fixtures	\$15,000	5 yrs.
Heating & A/C	\$25,000	5 yrs.
Law Enforcement Equipment	\$15,000	5 yrs.
Transportation Equipment	\$ 7,500	5 yrs.
Other Equipment	\$ 2,500	5 yrs.
Other Construction	\$ 5,000	5 yrs.
Other Capital Outlay	\$ 5,000	5 yrs.
Total	\$131,000	