



AGENDA

Henry County Commission

December 21, 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. Appointments, confirmations, and elections.**
 - a. Consideration of a resolution to approve 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 regarding the affordable care act and action thereon by the Commission.**
 - d. Discussion on the dates for the commission meetings in January and February.**
 - e. Report from the Delinquent Tax Committee and action thereon by the Commission.**

- 9. Announcements and Statements.**

- 10. Adjournment.**



CONSENT AGENDA DECEMBER 21, 2015

ITEMS TO BE APPROVED:

- 1. Minutes of the meeting of November 16, 2015.**
- 2. Notary Public designations.**
- 3. Approval of various monthly/quarterly reports.**
- 4. Henry County Medical Center Statement of Cash Flows.**
- 5. Report of property tax collections to date.**
- 6. Report of total revenue collections to date.**

RESOLUTION NO. 1-12-15

**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 21st day of December, 2015, a majority or more of said Commission concurring, that the following be and hereby are appointed to the Audit Committee:

- a. _____ - Three (3) year term to expire December 31, 2018
- b. _____ – Three (3) year term to expire December 31, 2018

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

PASSED _____

**BRENT GREER, CHAIRMAN
COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

BRENT GREER
COUNTY MAYOR

RESOLUTION #2-12-15

**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 21st day of December 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:

COUNTY CLERK'S OFFICE

INCREASE ACCOUNT 52500-599, entitled "Other Charges," in the amount of \$144.90

DECREASE ACCOUNT 52500-435, entitled "Office Supplies," in the amount of \$144.90

Please see the attached emergency accounts payable request from Donna Craig for this request.

SHERIFF'S DEPARTMENT

INCREASE ACCOUNT 54110-524, entitled "In Service/Staff Development," in the amount of \$750.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$750.00

Please see memo from Monte 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 #3-12-15

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY DRUG 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 Drug 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 Drug Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Drug 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 Drug 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 21st day of December 2015, a majority or more of said membership concurring, that the budget for the Henry County Drug Fund be and hereby is amended as follows, to-wit:

INCREASE ACCOUNT 54150-309, entitled "Contracts with Government Agencies," in the amount of \$4,000.00

INCREASE ACCOUNT 54150-353, entitled "Tow Service," in the amount of \$500.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$4,500.00

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 #4-12-15

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY GENERAL PURPOSE SCHOOL 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 Purpose School 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 Purpose School Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County General Purpose School 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 Purpose School 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 21st day of December 2015, a majority or more of said membership concurring, that the budget for the Henry County General Purpose School Fund be and hereby is amended as follows, to-wit:

141-12

				DECREASE EXPENSE	INCREASE EXPENSE
71100	116	Reg Inst	Teachers		6,348.00
71150	116	Alterative Staff	Teachers	10,000.00	
71150	163	Alterative Staff	Teacher Assist		3,789.00
71300	116	Vocational Staff	Teachers	23,500.00	
71300	195	Vocational Staff	Certified Subs	1,000.00	
71300	198	Vocational Staff	Non Cert subs		3,000.00
71300	201	Vocational Staff	Social Security	1,500.00	
71300	204	Vocational Staff	Retirement	3,000.00	
71300	212	Vocational Staff	Medicare	500.00	
72110	105	Attendance	Supervisor		13,050.00
72110	189	Attendance	Other Wages	4,315.00	
72130	105	Other Student Support	Guidance	30,000.00	
72130	189	50 Other Student Support	Other Wages FRC		1,590.00
72130	201	50 Other Student Support			109.00
72130	201	Other Student Support	Social Security	4,500.00	
72130	204	50 Other Student Support			110.00
72130	204	Other Student Support	Retirement	3,100.00	
72130	212	50 Other Student Support			35.00
72130	212	Other Student Support	Medicare	1,000.00	
72130	322	Other Student Support	Testing		36,756.00
72215	201	Alterative Support	Social Security		250.00
72215	204	Alterative Support	Retirement		550.00
72215	212	Alterative Support	Medicare		60.00
72310	118	Board of ED	Secretary to BOE	1,400.00	
72320	101	Director Office	Director Salary	10,450.00	
72320	162	Director Office	Secretary to Director	16,760.00	
72410	119	Office of Principal	Bookkeepers		300.00
72410	161	Office of Principal	Secretarys	2,190.00	
72410	162	Office of Principal	Clerical		11,209.00
72410	201	Office of Principal	Social Security	1,000.00	
72410	204	Office of Principal	Retirement		205.00
72410	212	Office of Principal	Medicare	205.00	
72510	119	Fiscal	Accountants		7,045.00
72510	161	Fiscal	Secretarys		300.00
72510	189	Fiscal	Other Wages		300.00
72510	201	Fiscal	Social Security		800.00
72510	204	Fiscal	Retirement		900.00

72510	212	Fiscal	Medicare	75.00
72520	189	HR Dept	Other Wages	21,750.00
72520	201	HR Dept	Social Security	1,468.00
72520	204	HR Dept	Retirement	1,500.00
72520	207	HR Dept	Medical	2,606.00
72520	212	HR Dept	Medicare	315.00

114,420.00	114,420.00
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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. 5-12-15

A RESOLUTION OF THE HENRY COUNTY TENNESSEE BOARD OF COMMISSIONERS REGARDING THE AFFORDABLE CARE ACT – LOOK BACK MEASUREMENT PERIODS (“SAFE HARBORS”)

WHEREAS, the Patient Protection and Affordable Care Act (“ACA”) was enacted on March 23, 2010; and

WHEREAS, ACA added Section 4980H Shared Responsibility for Employers Regarding Health Care Coverage to Title 26 of the United States Code, the Internal Revenue Code (section 980H); and

WHEREAS, Section 4980H imposes an assessable payment on an applicable “large” employer when (1) it fails to offer “substantially all” of its “full-time” employees (and their dependents) the opportunity to enroll in minimum essential coverage or offers coverage to “substantially all” of its “full-time” employees (and their dependents) that is “unaffordable” or does not provide “minimum value” and (2) any “full-time” employee is certified to the employer as having received a subsidy for coverage through the exchange (“Assessable Payment”); and

WHEREAS, the County of Henry, Tennessee (“County”) is considered an applicable large employer because it employed an average of at least 50 full-time equivalent employees on business days during the preceding calendar year; and

WHEREAS, the Department of Treasury issued proposed regulations regarding Section 4980H, that permit the County to adopt look-back measurement periods (“safe harbors”) in order to determine the status of an employee as full-time for purposes of determining and calculating the Assessable Payment (78 Federal Register 218, 243, January 2, 2013); and

WHEREAS, the County intends to adopt the provisions of look-back measurement periods in order to determine the full-time status of existing employees

(“Standard Measurement Period”) as well as for newly hired employees (“Initial Measurement Period”) for purposes of the Assessable Payment.

NOW THEREFORE, BE IT RESOLVED BY the County of Henry, Tennessee as follows:

- 1) The County establishes the **Standard Measurement Period** with regard to all ongoing employees as follows:
 - a) The County establishes a Standard Measurement Period of twelve (12) months for ongoing employees.
 - b) This Standard Measurement Period will start each year on March 1st and end the following year on February 28th.
 - c) The Standard Measurement Period will be the period during which an ongoing “variable” employee’s hours are measured.
 - d) The County will establish an administrative period of thirty-one (31) days, ending on March 31st of each calendar year.
 - e) The administrative period associated with the Standard Measurement Period will start each year on March 1st and end on March 31st.
 - f) The County will establish a twelve (12) month stability period for ongoing employees. The stability period is the time frame for which employees who qualify as “full-time” are to be considered “full-time” for the purpose of being offered health insurance.
 - g) The twelve (12) month stability period for ongoing employees will start each year on April 1st and end on March 31st.
 - h) If an ongoing employee’s employment status changes (moving from full time to part time, for example) before the end of the applicable stability period in which they have qualified, the change in status will not affect the classification of the employee for the remaining portion of the stability period for purpose of being offered health insurance.
- 2) On the start date of a new employee, the County will make a determination as to whether that new employee is reasonably expected to be a full-time employee. If the new employee is reasonably expected to be a full-time employee and is not a seasonal employee, the County will offer minimum essential coverage to that employee within thirty (30) days from the date of employment.
- 3) If, based on the facts and circumstances at the start date of a new employee, the County is unable to determine that the employee is reasonably expected to be employed an average of at least thirty (30) hours per week, then the employee is considered a “variable” hour employee.
- 4) The County establishes the **Initial Measurement Period** with regard to new variable hour employees as follows:
 - a) The County establishes an Initial Measurement Period of twelve (12) months for each new employee.

- b) The Initial Measurement Period will start the first day of employment.
 - c) The administrative period shall start the day following the last day of the Initial Measurement Period and shall end on the last day of the following calendar month after the end of the initial measurement period.
 - d) The County establishes a twelve (12) month stability period associated with the Initial Measurement Period. The stability period is the time frame for which employees who qualify as “full-time” are to be considered “full-time” for purpose of being offered health insurance.
- 5) A new employee will be measured during the first complete Standard Measurement Period for which he/she is employed. This means that a new employee may be tested under an Initial Measurement Period and at the same time be measured under the overlapping Standard Measurement Period.
- a) If an employee measures as full-time during the Initial Measurement Period, he/she will retain full-time status for the purpose of being offered health insurance, for the entire associated stability period (even if the employee does not qualify as full-time during the Standard Measurement Period).
 - b) If an employee does not measure as full-time during the Initial Measurement Period, but qualifies as full-time during the stability period associated with the Standard Measurement Period, the employee must be treated as full-time during the stability period associated with the Standard Measurement Period (even if that means coverage must be offered before the end of the stability period associated with the Initial Measurement Period).
- 6) When an employee is rehired after termination within a stability period which they previously qualified for, upon return the employee will retain the status the employee had previously with respect to any measurement period, except that an employee will be treated as a new employee:
- a) If the employee resumes employment after a period of at least twenty-six (26) consecutive weeks with less than an hour of service; or
 - b) If the period (measured in weeks) during which no services are performed is at least four (4) consecutive weeks long and exceeds the number of weeks of that employee’s period of employment immediately preceding the period during which the employee was not credited with any hours of service.
- 7) When an employee takes special unpaid leave (i.e. unpaid leave under the Family and Medical Leave Act of 1993, unpaid leave under the Uniformed Services Employment and Reemployment Rights Act of 1994, to determine hours of service the County will exclude any periods of special unpaid leave during the measurement period and apply that average for the entire measurement period.

PASSED_____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**BRENT GREER
COUNTY MAYOR**