



AGENDA

Henry County Commission

Monday, March 19, 2018

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 appoint certain citizens to various committees and action thereon by the Commission.**

8. BUSINESS:

- a. Approval of the Consent Agenda and action thereon by the Commission.**
- b. Consideration of a resolution to quitclaim certain properties in Henry County and action thereon by the Commission.**
- c. Consideration of a resolution to add Fieldstone Drive to the Henry County Road and action thereon by the Commission.**
- d. Consideration of a resolution to quitclaim certain real estate to the Henry County Hospital District and action thereon by the Commission.**
- e. Consideration of a resolution to support the West Tennessee River Basin Authority request for recurring State funding and action thereon by the Commission.**
- f. Consideration of a resolution to require county Board of Equalization members and County Board Hearing Officers to complete annual continuing education.**
- g. Report from the Delinquent Tax Committee and action thereon by the Commission.**

9. Announcements and Statements.

10. Adjournment.



CONSENT AGENDA MARCH 19, 2018

ITEMS TO BE APPROVED:

- 1. Minutes of the meeting of February 20, 2018.**
- 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. 1-03-18

**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 19th day of March, 2018, a majority or more of said Commission concurring, that Mary Nell Grooms be and hereby is appointed to the **Board of Zoning Appeals** for a 3-year term with term to expire March, 2021.

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 NO. 1a-03-18

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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 19th day of March, 2018, a majority or more of said Commission concurring, that:

_____be and hereby is appointed to the Emergency Communications District (E-911) Board to fill the remainder of the unexpired term of Pam French with term to expire January, 2022.

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 EXECUTIVE**

RESOLUTION NO. 2-03-18

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD
OF COMMISSIONERS TO QUITCLAIM AND RELEASE OF
COVENANTS AND RESTRICTIONS CERTAIN
PROPERTIES IN HENRY COUNTY**

WHEREAS, The undersigned parties to this instrument are all owners of all lots located within that certain subdivision situated in the Seventh Civil District of Henry County, Tennessee, known as The Meadows Subdivision (plat of which is recorded in Plat Cabinet E, Slide 7, Register's Office of Henry County, Tennessee) and the owner of a tract adjoining said subdivision which is described in Record Book 86, Page 127, which are assessed for taxation at Map 095, Parcel 047.00, and Map 095D, Group E, Parcels 001.00-013.00, to wit: LANE HAWLEY MCINTOSH; ANDERS TYE DOLL; RONALYN FELICIANO DOLL; ED REAGOR, SR. and wife, NANCY REAGOR; PAUL P. KLUWE and wife, GENA K. KLUWE; JENNIFER L. BICKOWSKI; SAMUEL G. WOODROW and wife, MARY H. WOODROW; JENNIFER L. BICKOWSKI; FRANK EUGENE ANNARATONE, and wife, MARY RUTH ANNARATONE; and LORIE GENAN PENDERGRASS (BEING ONE AND THE SAME AS LORIE GENAN CAIN) (collectively "First Party") and the Government of HENRY COUNTY, TENNESSEE ("Second Party").

("Second Party").

WHEREAS, the First Party desires that the right-of-way known as Fieldstone Drive, which is depicted on the plat of Meadows Subdivision,

Plat Cabinet E, Slide 7, Register's Office of County, Tennessee, become a public county road; and

The First Party agree that Fieldstone Drive be dedicated a public county road; waive any right to notice regarding the opening of Fieldstone Drive as a public county road pursuant to TENN. CODE ANN. § 54-10-202 or otherwise; waive the right to a convening of a jury of view pursuant to TENN. CODE ANN. § 54-10-204; and waive any right to compensation or damages by reason of the opening of Fieldstone Drive as a public county road pursuant to TENN. CODE ANN. § 54-10-205 or otherwise; and waive their right to appeal the opening of Fieldstone Drive as a public county road.

David W. Bickowski and wife, Jennifer L. Bickowski owned Lot No. 12 of the Meadows Subdivision, jointly as husband and wife. David W. Bickowski died May 05, 2011, leaving his wife Jennifer L. Bickowski as sole Owner and tenant in fee simple.

WHEREAS, Section 8, Chapter 326 of the Private Acts of 1972 requires the County Commission to act on the recommendation of the Road Board “in accordance with the General State Law.”

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. 03-03-18

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO ADD FIELDSTONE DRIVE INTO THE COUNTY ROAD SYSTEM

WHEREAS, the enabling legislation, known as the Henry County Road Law, provides that the Henry County Commission will open and close all roads on behalf of Henry County; and

WHEREAS, the Henry County Highway Commission recommends the addition of Fieldstone Drive into the Henry County Road System; and

WHEREAS, the Henry County Commission deems it to be in the best interest of the County that said road be added into the Henry County Road System.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of March, 2018, a majority or more of the membership concurring, that Fieldstone Drive be added into the Henry County Road System.

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. 4-03-18

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO QUITCLAIM CERTAIN REAL ESTATE TO THE HENRY COUNTY HOSPITAL DISTRICT

WHEREAS, by the Henry County Hospital District (presently d/b/a Henry County Medical Center and hereinafter “HCMC”) was created on March 17, 1953, by Private Acts of 1953, Chapter 176¹ (the “Private Act”) of the General Assembly; and

WHEREAS, the Private Act provides:

That said Hospital District shall consist of the following described tract of land, together with all buildings and other improvements thereon and all appurtenances thereunto belonging, located in the First Civil District of Henry County, Tennessee, and more particularly described as follows: Beginning at the south west corner of this described property at a concrete right-of-way marker in the east right-of-way line of Highway U.S. 79 which is 100 feet east of the center line of said highway; thence south 84 degrees 53 minutes east 1622.7 feet to an iron stake; thence north 04 degrees 02 minutes west 897.8 feet to an iron stake; thence north 85 degrees 32 minutes west 241.60 feet to an iron stake; thence north 05 degrees 26 minutes east 111 feet to a point in the center line of a branch being a part of the north boundary of this described property; thence with the center line of the branch in a north west direction and with its meanderings 665 feet, more or less to a point in the center of said branch; thence leaving branch and running south 11 degrees 50 minutes west 140.0 feet to an iron pin; thence north 78 degrees 08 minutes west 294.3 feet to an iron pin in the east right-of-way line of Highway U.S. 79 which is 100 feet east of the center line of said highway; thence south 19 degrees west 357.5 feet to an iron pin in the east right-of-way line of said highway; thence continuing with said right-of-way line, it being a curved line running in a south west direction, 822 feet approximate to the point of beginning.

¹ As amended by: Private Acts of 1953, Chapter 524; Private Acts of 1985, Chapter 94

The hospital district shall also include the land on which is presently located the Henry County Ambulance Service.

* * *

The Board [of Trustees of HCMC] shall have the responsibility and authority to control the property and facilities of the Hospital District; to purchase real estate with the approval of the Quarterly County Court; to sell, with the approval and authorization of the Quarterly County Court, any portion of the real estate which the District owns and which is considered surplus to its needs in the performance of its mission; and to execute deeds therefor when authorized so to do by the quarterly County Court . . . ; and

WHEREAS, Henry County never formalized the transfer of the above-described real estate to HCMC by deed of conveyance; and

WHEREAS, to qualify to participate in certain federal programs, HCMC must demonstrate ownership or control of its facilities; and

WHEREAS, in compliance with the Private Act, it is in the best interest of its citizens that Henry County quitclaim the above-described real estate to HCMC, subject to (a) the reservation of all rights contained in the Private Act; (b) reservation of the right to approve and authorize the sale, long-term lease, hypothecation, or any other transfer of rights concerning said real estate; and (c) the right of reversion should the HCMC cease to operate a hospital on said real estate; and

WHEREAS, HCMC has agreed to name Henry County as an additional insured on its liability insurance policies;

NOW, THEREFORE, BE IT RESOLVED by a majority vote of the county legislative body of Henry County, meeting in regular session on this 19th day of March, 2018, that the County Mayor, County Clerk, and County Trustee are authorized and directed to execute a quitclaim deed in the form prepared and approved by the County Mayor and Henry County Attorney conveying the following real estate from Henry County to HCMC in consideration of one (\$1.00) dollar, subject to (a) the reservation unto this

legislative body of all rights reserved unto the Quarterly County Court in the Private Act; (b) reservation unto this legislative body of the right to approve and authorize the sale, lease, hypothecation, or any other transfer of rights concerning said real estate; and (c) reservation of the right of reversion unto Henry County should HCMC cease to operate a hospital on said real estate:

Beginning at the south west corner of this described property at a concrete right-of-way marker in the east right-of-way line of Highway U.S. 79 which is 100 feet east of the center line of said highway; thence south 84 degrees 53 minutes east 1622.7 feet to an iron stake; thence north 04 degrees 02 minutes west 897.8 feet to an iron stake; thence north 85 degrees 32 minutes west 241.60 feet to an iron stake; thence north 05 degrees 26 minutes east 111 feet to a point in the center line of a branch being a part of the north boundary of this described property; thence with the center line of the branch in a north west direction and with its meanderings 665 feet, more or less to a point in the center of said branch; thence leaving branch and running south 11 degrees 50 minutes west 140.0 feet to an iron pin; thence north 78 degrees 08 minutes west 294.3 feet to an iron pin in the east right-of-way line of Highway U.S. 79 which is 100 feet east of the center line of said highway; thence south 19 degrees west 357.5 feet to an iron pin in the east right-of-way line of said highway; thence continuing with said right-of-way line, it being a curved line running in a south west direction, 822 feet approximate to the point of beginning.

BE IT FINALLY RESOLVED, that true copy of this Resolution be spread upon the commission record as of this date.

PASSED _____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION NO. 5-03-18

A RESOLUTION TO SUPPORT THE WEST TENNESSEE RIVER BASIN AUTHORITY REQUEST FOR RECURRING STATE FUNDING

WHEREAS, the West Tennessee River Basin Authority (WTRBA) is a valuable resource for all of Henry County in matters related to Flood Risk Management, Stream Maintenance, Channel Stabilization, Infrastructure Protection, Complex Regulatory Matters and Water Resource Management; and

WHEREAS, the WTRBA has been successful in obtaining federal funding to continue its water resource development program; and

WHEREAS, the WTRBA must “cost share” these federal funds through the Federal Infrastructure Package and the 2018 Water Resources Development Act; and

WHEREAS, the nineteen counties in West Tennessee served by the WTRBA programs jointly support the WTRBA efforts to seek these additional funds from the State of Tennessee; and

WHEREAS, Henry County Commission meeting in regular session of March 19, 2018, wishes to show its support for the work of the WTRBA as it benefits government, agriculture, forestry and industry while preserving and enhancing our West Tennessee natural resources.

NOW, BE IT RESOLVED that Henry County through this resolution, encourages Governor Bill Haslam and the State General Assembly to provide additional funding to the WTRBA for use in procuring federal funding for West Tennessee.

BE IT FINALLY RESOLVED that a true copy of this Resolution be spread upon the records of the Henry County Board of Commissioners on this date and a certified copy be presented to the West Tennessee River Basin Authority.

PASSED_____

**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**BRENT GREER
HENRY COUNTY MAYOR**

RESOLUTION NO. 6-03-18

**RESOLUTION TO REQUIRE COUNTY BOARD OF
EQUALIZATION MEMBERS AND COUNTY BOARD HEARING
OFFICERS TO COMPLETE ANNUAL CONTINUING EDUCATION**

WHEREAS, the State of Tennessee, through its General Assembly, has mandated that the county legislative body shall by resolution establish a minimum of at least four (4) hours of annual training for county board of equalization members and county hearing officers and the minimum record keeping requirements related to members' certificates of attendance; and

WHEREAS, the General Assembly, in passing Chapter 13 of the Public Acts of 2017, amended *Tennessee Code Annotated § 67-1-403(e)* to provide that such mandatory training shall be a condition of appointment or continued service; and

WHEREAS, the General Assembly, in passing Chapter 13 of the Public Acts of 2017, amended *Tennessee Code Annotated § 67-1-403(e)* to provide that mandatory annual continuing education and training is only required to the extent that such education and training is provided by the Comptroller of the Treasury free of charge.

NOW, THEREFORE BE IT RESOLVED, by the County Legislative Body of Henry County, Tennessee, meeting in regular session on this 19th day of March_____19, 2018, at Henry County, Tennessee, that:

SECTION 1. As a condition of appointment or continued service, county board of equalization members and county hearing officers shall complete a minimum of four (4) hours of annual training to include board governance, open meetings requirements, and other topics reasonably related to the duties of the members of the county board of equalization, as provided by the Comptroller of the Treasury.

SECTION 2. Members' certificates of attendance shall be turned

over to the assessor of property for preservation for a period of at least three (3) years.

SECTION 3. This Resolution shall be effective upon its passage and approval, 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
COUNTY MAYOR**