



AGENDA
HENRY COUNTY COMMISSION
MONDAY, OCTOBER 19, 2020
5:00 PM
911 OFFICE – 204 N. BREWER ST
OR CONFERENCE CALL – (642-1679)

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. Loyal Patriot presentation to a special Henry County citizen.

8. **BUSINESS:**

- a. Approval of Consent Agenda and action thereon by the Commission.
 - b. Presentation by the County Trustee of requests for certain tax refunds and action thereon by the Commission.
 - c. Presentation from the Henry County Historical Society to request monetary assistance with the 1927 American LaFrance fire engine restoration project.
 - d. Consideration of resolutions to approve budget amendments and action thereon by the Commission. **RESOLUTION 2-10-20, 3-10-20, 4-10-20, AND 5-10-20**
 - e. Consideration of a resolution in support of Henry County School Districts being held harmless due to COVID-19. **RESOLUTION 6-10-20**
 - f. Consideration of a resolution to approve the 1st Amendment to the agreement with WK&T to provide match funding for Broadband Access Grant. **RESOLUTION 7-10-20**
9. Announcements and Statements. **The meeting next month will be on the 4th Monday which is November 23, 2020.**
10. Adjournment.



CONSENT AGENDA OCTOBER 19, 2020

ITEMS TO BE APPROVED:

1. Minutes of the meeting of September 21, 2020
2. Notary Public designations.
3. Various quarterly reports.
4. Henry County Medical Center Statement of Cash Flow.
5. Trustee's month end report.
6. Report of property tax collections to date.
7. Report of total revenue collections to date.

RESOLUTION #2-10-20

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 2020-2021

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2020, adopted the budget for the Henry County General Fund for fiscal 2020-2021; 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 19th day of October 2020, 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:

SHERIFF'S OFFICE

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$12,446.00

INCREASE ACCOUNT 54210-309, entitled "Contracts with Government Agencies," in the amount of \$12,446.00

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$5,000.00

INCREASE ACCOUNT 54110-187, entitled "Overtime," in the amount of \$1,000.00

INCREASE ACCOUNT 54110-716, entitled "Law Enforcement Equipment," in the amount of \$4,000.00

INCREASE REVENUE ACCOUNT 498100, entitled "City General Transfer," in the amount of \$1,133.40

INCREASE ACCOUNT 54110-317, entitled "Data Processing Services," in the amount of \$1,133.40

INCREASE ACCOUNT 54110-170-009, entitled "School Resource Officer," in the amount of \$2,590.00

DECREASE ACCOUNT 54110-108-002, entitled "Investigator Salary" in the amount of \$1,522.00

DECREASE ACCOUNT 54110-106-015, entitled "Deputy," in the amount of \$1,068.00

INCREASE ACCOUNT 54210-106-002, entitled "Deputy," in the amount of \$3,251.00

DECREASE ACCOUNT 54210-160-017, entitled "Correctional Guard," in the amount of \$1,265.00

DECREASE ACCOUNT 54110-106-015, entitled "Deputy," in the amount of \$1,986.00

Please see memo from Damon Lowe regarding these transfers.

AIRPORT

INCREASE REVENUE ACCOUNT 46980, "Other State Grants," in the amount of \$4,320.00

INCREASE ACCOUNT 58220-702, entitled "Airport Improvements," in the amount of \$4,320.00

INCREASE ACCOUNT 58220-336, entitled, "Maintenance & Repair - Equipment," in the amount of \$7,800.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$7,800.00

The transfers are to put into the budget the last payment on a grant from the prior year and to put more money in repairs for equipment due to a tractor repair depleting the account.

EMPLOYEE BENEFITS

INCREASE ACCOUNT 58600-188, entitled "Bonus Payments," in the amount of \$85,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$85,000.00

This transfer is to put into the budget the estimate to give employees a 2% bonus payment.

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 #3-10-20

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY SOLID WASTE FUND FOR FISCAL 2020-2021

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2020, adopted the budget for the Henry County Solid Waste Fund for fiscal 2020-2021; 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 Solid Waste Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Solid Waste 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 Solid Waste 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 19th day of October 2020, a majority or more of said membership concurring, that the budget for the Henry County Solid Waste Fund be and hereby is amended as follows, to-wit:

INCREASE ACCOUNT 55751-188, entitled "Bonus Payments," in the amount of \$7,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$7,000.00

This transfer is to put into the budget the estimate to give employees a 2% bonus payment.

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 #4-10-20

**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 2020-2021**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2020, adopted the budget for the Henry County Drug Fund for fiscal 2020-2021; 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 19th day of October 2020, 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 54150-358, entitled "Remittance of Revenue Collected," in the amount of \$318.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$318.00

INCREASE ACCOUNT 54150-431, entitled "Law Enforcement Supplies," in the amount of \$1,500.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$1,500.00

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 #5-10-20

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY HIGHWAY FUND
FOR FISCAL 2020-2021**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2020, adopted the budget for the Henry County Highway Fund for fiscal 2020-2021; 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 Highway Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Highway 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 Highway 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 19th day of October 2020, a majority or more of said membership concurring, that the budget for the Henry County Highway Fund be and hereby is amended as follows, to-wit:

INCREASE ACCOUNT 610140, entitled "Salary Supplements," in the amount of \$22,259.44

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$22,259.44

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. 6-10-20

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE A RESOLUTION IN SUPPORT OF HENRY COUNTY SCHOOL DISTRICTS BEING HELD HARMLESS REGARDING COVID-19

WHEREAS, due to the COVID-19 pandemic the State of Tennessee has been and continues to be in a state of emergency since March 12, 2020, and Henry County School System was closed from March 13, 2020 through May 21, 2020, and delayed its beginning of the 2020-2021 school year until August 31, 2020;

WHEREAS, on June 22, 2020, the Tennessee State Board of Education approved Emergency Rule 052-01-17-.01 which requires Tennessee school districts to provide students in grades one (1) through twelve (12) access to six and one half (6 ½) hours of instructional time each school day during the 2020-2021 school year, regardless of any school closures or disruptions related to outbreaks of COVID-19;

WHEREAS, pursuant to State Board Emergency Rule 052-01-17-.01, Tennessee school districts are required to create and implement their own plans to facilitate continuous learning in light of the continued spread of COVID-19, and Tennessee school districts will be implementing different plans for learning for the 2020-2021 school year based up the needs of their students and the level of outbreaks in each county;

WHEREAS, no school district should experience loss of funding or other adverse effects based upon the unprecedented circumstances created by the COVID-19 pandemic which could result in loss of overall student membership during the 2020-2021 school year;

NOW THEREFORE, BE IT RESOLVED by the Henry County Board of Commissioners assembled in regular session on this the 19th day of October, 2020 that the members support and respectfully request the General Assembly to support holding school districts harmless with respect to the following areas:

State Funding

- (1) 2021-2022 BEP funding, including, but not limited to, a possible reduction in overall student count and in specific categories such as Special Education, English learners, at-risk students, Career and Technical Education, and transportation;
- (2) End-of-year testing counting toward teacher, school, or district accountability; and

Federal Funding

- (1) Reductions in Title, Perkins, IDEA or other Federal funds as a result in possible reduction in overall student membership
- (2) Reductions in funding for the child nutrition program due to reduced meal participation

BE IT FURTHER RESOLVED that a 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. 7-10-20

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE THE FIRST AMENDMENT TO AGREEMENT FOR BROADBAND ACCESS GRANT

WHEREAS, Henry County, Tennessee (“the County”) and West Kentucky and Tennessee Telecommunications Cooperative, Inc. (“WK&T”), having an office at 100 WK&T Technology Drive, Mayfield, Kentucky 42066 (sometimes referred to collectively as the “Parties” or individually as a “Party”) entered into an Agreement to Provide Match Funding for Broadband Access Grant on or about September 21, 2020 (the “Agreement”); and

WHEREAS, said Agreement contemplates that WK&T will install broadband networks in underserved areas of the County; and

WHEREAS, said Agreement provides that to fund the project contemplated in the Agreement: (a) \$2,000,000 in grant funding would be obtained; (b) WK&T would pay the balance necessary over and above the grant to construct a broadband network capable of connecting at least 1,000 residences located in underserved areas of the County to WK&T’s broadband network; and (c) the County would pay WK&T \$3,000,000 (more if paid in installments) in the form of service fees; and

WHEREAS, the Parties contemplate that (including all funding sources referenced in the Agreement) it will cost \$8,000,000 to construct the broadband network contemplated in the Agreement; and

WHEREAS, the Parties wish to amend Section 4.2 of said Agreement to allow the broadband network construction area to be expanded if additional funding sources becomes available;

NOW THEREFORE, the Parties agree as follows:

Section 4.2 of the Agreement is deleted and replaced by the following paragraph:



4.2 WK&T will apply at least \$3,000,000 of its own funds toward constructing the broadband network contemplated in the Agreement, plus any additional amount necessary to fulfil its commitments under this Agreement. WK&T will pursue grants (over and above the \$2,000,000 grant contemplated in the *Conditions Precedent* Section of this Agreement) and other funding opportunities from federal, state and local government sources, WK&T sources, and any other available sources.

4.2.1. Should WK&T obtain additional funding for this project over and above the \$2,000,000 grant contemplated in the Agreement, then either at WK&T's option:

a. The additional funding shall be used solely to expand the geographic area of the broadband network beyond the area contemplated in the Agreement. (*I.e.*, the total cost of installation of the broadband network will be the initial \$8,000,000 estimate plus the amount of the additional funding, and the number of residences with access to WK&T's broadband network will increase accordingly.)

b. (i) the geographic area shall remain as contemplated in the Agreement; (ii) the payment required by Section 4.1 to be made by Henry County to WK&T shall be reduced by an amount equal to one-half of the total amount of the additional funding and; and (iii) the \$3,000,000 minimum funding commitment of WK&T required by Section 4.2 of this Agreement shall be reduced by an amount equal to one-half of the total amount of the additional funding.

4.2.2. If WK&T obtains additional funding, WK&T shall promptly notify the County in writing of the amount (and any restrictions on use of the funds) of funding and whether WK&T intends to use such funding in the manner described in subsection 4.2.1 (a) or (b) above; after WK&T notifies the County of its intended use of the additional funding, that use may

only be modified by the mutual agreement of the Parties.

4.2.3. In no event shall Henry County’s financial obligation under Section 4.1 of the Agreement be increased.



IN WITNESS WHEREOF the Parties hereto have executed this First Amendment to Agreement to Provide Match Funding for Broadband Access Grant as of the date(s) recorded below.

West Kentucky and Tennessee Rural
Telecommunications Cooperative, Inc.

Henry County

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 19th day of October, 2020, a majority or more of the membership concurring, does hereby approve the First Amendment to Broadband Access Grant Agreement with West Kentucky and Tennessee Telecommunications Cooperative, Inc.

BE IT FURTHER RESOLVED that a 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**