



**AGENDA
HENRY COUNTY COMMISSION
MONDAY, APRIL 19, 2021
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. Proclamation reading honoring the Patton brothers.**
- 8. BUSINESS:**
 - a. Approval of Consent Agenda and action thereon by the Commission.**

- b. **Consideration of resolutions to approve budget amendments and action thereon by the Commission. RESOLUTION 1-4-21**
- c. **Consideration of a resolution to enact House Bill 1625 pertaining to the Henry County General Sessions Court Judge's compensation and action thereon by the Commission. RESOLUTION 2-4-21**
- d. **Consideration of a resolution to authorize the sale of certain surplus county property. RESOLUTION 3-4-21**
- e. **Consideration of a resolution to approve authorization of a litter contract with the State of Tennessee and action thereon by the Commission. RESOLUTION 4-4-21**
- f. **Consideration of a resolution to reinstate the "300-foot rule" regarding the sale of beer in Henry County. RESOLUTION 5-4-21**
- g. **Consideration of a resolution to approve a farm rental contract between Henry County and Diggs. RESOLUTION 6-4-21**
- h. **Consideration of a resolution to approve a change in a payment in lieu of taxes (PILOT) agreement. RESOLUTION 7-4-21**

9. Announcements and Statements.

10. Adjournment.



CONSENT AGENDA APRIL 19, 2021

ITEMS TO BE APPROVED:

- 1. Minutes of the meeting of March 15, 2021.**
- 2. Notary Public designations.**
- 3. Various quarterly reports.**
- 4. [Blank]**
- 5. Henry County Medical Center Statement of Cash Flow.**
- 6. Trustee's month end report.**
- 7. Report from Audit Committee for consideration by the Commission.**

RESOLUTION #1-4-21

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 April 2021, 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:

ACCOUNTS & BUDGETS

INCREASE ACCOUNT 52100-106-DP2, entitled "Deputy Salary," in the amount of \$6,158.55

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$6,158.55

Transfer due to addition of a deputy clerk position as recommended by the Policies and Procedures Committee.

SHERIFF'S OFFICE

INCREASE ACCOUNT 54110-338, entitled "Maintenance & Repair - Vehicles," in the amount of \$6,000.00

DECREASE ACCOUNT 54110-425, entitled "Gasoline," in the amount of \$6,000.00

INCREASE REVENUE ACCOUNT 48610, entitled "Donations," in the amount of \$6,671.00

INCREASE ACCOUNT 55510-599, entitled "Other Charges," in the amount of \$6,671.00

INCREASE ACCOUNT 54210-340, entitled "Medical & Dental Services," in the amount of \$50,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$6,000.00

Please see memo from Josh Frey regarding this transfer.

HEALTH DEPARTMENT

INCREASE REVENUE ACCOUNT 46390 entitled "Other Health & Welfare Grants," in the amount of \$500.00

INCREASE ACCOUNT 55110-188, entitled "Bonus Payment," in the amount of \$500.00

Please see memo from Tracy Byrd regarding this transfer.

AIRPORT

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

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

Correct budget transfer earlier this year put into budget twice.

CONTRIBUTIONS TO OTHER AGENCIES

INCREASE REVENUE ACCOUNT 47990, entitled "Other Direct Federal Revenue," in the amount of \$125,785.00

INCREASE ACCOUNT 58500-358, entitled "Remittance of Revenue Collected," in the amount of \$125,785.00

This transfer is to put money into the budget for a HUD pass-through grant for the benefit of Carey Counseling Center.

COVID-19 GRANT #5

INCREASE REVENUE ACCOUNT 47305, entitled "COVID-19 Grant #5 Revenue," in the amount of \$7,500.00

INCREASE ACCOUNT 58805-599, entitled "Other Charges," in the amount of \$7,500.00

This transfer is to put into the budget a COVID grant on behalf of the Office on Aging to help offset the personnel cost to assist the elderly with projects and to start a local food pantry for the elderly.

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

PASSED _____

**JOHN PENN RIDGEWAY, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
COUNTY MAYOR**

RESOLUTION #2-4-21

A RESOLUTION TO URGE THE GENERAL ASSEMBLY TO ENACT HB 1625 PERTAINING TO THE HENRY COUNTY GENERAL SESSIONS COURT JUDGE'S COMPENSATION

WHEREAS, the Henry County General Sessions Court Judge presides over a large volume of small claims civil; misdemeanor criminal, and juvenile court cases; and

WHEREAS, it is in the best interest of the citizens of Henry County, Tennessee, that the General Sessions Court Judge's compensation be set at a level that would encourage highly qualified attorneys to seek the office of General Sessions Court Judge and which will adequately and fairly compensate the General Sessions Court Judge for handling the volume of cases; and

WHEREAS, the private act known as House Bill #1625 would set the Henry County General Sessions Court Judge's compensation at an amount equal to the compensation received by chancellors and Circuit Court judges; and

WHEREAS, the Henry County Bar Association, an association of attorneys who practice in Henry County, Tennessee, has expressed support for House Bill #1625;

NOW, THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the county legislative body of Henry County, meeting in regular session on this 19th day of April, 2021, that the members of the General Assembly representing the people of Henry County (and all other members of the General Assembly) are urged to vote in support of House Bill #1625;

BE IT FURTHER RESOLVED, that the General Assembly is requested to include in House Bill #1625 a provision consistent with TENN. CODE ANN. § 16-15-5006 allowing the Henry County Commission to set a county litigation tax exceeding \$6 per civil case and

criminal conviction up to the amount necessary to fund the Henry County general sessions judge's compensation mandated by House Bill #1625 (or any prior or subsequent Private Act).

BE IT FURTHER RESOLVED, that copies of this resolution be mailed by the County Clerk to the members of the General Assembly representing the people of Henry County.

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

PASSED_____

**JOHN PENN RIDGEWAY, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

RESOLUTION NO. 3-4-21

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY COUNTY, TENNESSEE TO AUTHORIZE THE SALE OF CERTAIN SURPLUS PROPERTY THROUGH GOV DEALS

WHEREAS, the Henry County Sheriff's Department has declared certain property to be surplus and of no value to the County; and

WHEREAS, the Henry County Sheriff's Department declares all of the property on the attached list to be surplus property; and

WHEREAS, the Board of Commissioners deems it appropriate and beneficial to the public interest to grant authorization for sale by sealed bid or by auction of such property by the Sheriff's Department.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of April, 2021, a majority or more of the membership concurring, that the attached list of items be declared surplus property and does authorize the sale of such property by sealed bid or by auction.

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

PASSED_____

**JOHN PENN RIDGEWAY, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**JOHN PENN RIDGEWAY
COUNTY MAYOR**

Henry County Sheriff's Surplus Property-2021

1. (6) Miscellaneous File Cabinets
2. (2) 14.9-28 Tractor Tires (8 Lug)
3. 3 Pt. Hitch Boom Pole
4. (14) Miscellaneous chainsaws (unsure if they work)
5. Yamaha 350 Four-Wheeler (unsure of running condition)
6. School Bus (GR-9224) - Operational
7. 400 Gallon Water Buffalo with pump (was working when parked)
8. 2006 Tan Ford Explorer 4x4 (transmission bad) Motor running when parked
9. 2005 Black Ford Explorer 4x4 (motor not good)
10. 2006 White Ford Explorer 4x4 (motor & front end not good)
11. 1998 Blue Jeep Cherokee (engine shot, key not working)
12. White Ford Escape (patrol) (transmission bad and front axle broken)
13. Ford E350 Van (corrections) (engine possibly shot)
14. White Transport Bus (old school bus)
15. 2005 31-foot Dutchmen Camper
16. 1996 Camaro (Dare car)
17. Terminator Speaker box with (2) MTX Speakers with Boss 1100 Amp
18. Speaker Box with (2) Memphis Car Audio Speakers
19. Speaker Box with 1 speaker with Planet Audio Amp 3000
20. Jensen 200-Watt Amp
21. Pioneer Super Tuner III
22. Alpine Tuner (CDE-9843)
23. Kenwood DVD for vehicle

24. Kenwood KDL X898
25. 2003 Crown Vic (GX0504)
26. 2009 Crown Vic (7786GB)
27. 2008 Crown Vic (2280GB)
28. 2006 Crown Vic (0500GA)
29. 2005 Crown Vic (GY1490)
30. 2001 Crown Vic (no tag)
31. 2011 Crown Vic (7802GB)
32. 2003 Crown Vic (GY1526)
33. HP Office jet pro 8100 printer
34. HP Office jet H470 printer
35. Casio Calculator #0435
36. Brother plain paper fax
37. OKI C530dn printer
38. HP office jet pro 6978 (All in One)
39. HP office jet pro 6968 (All in One)
40. HP Office jet pro 4500 (All in One)
41. HP Envy 5052 printer
42. Cannon MG2120 printer
43. Epson XP-310 printer
44. Acer computer monitor
45. 2007 Gray Mazda Mazda3
46. 2003 Black Infiniti G35 (no keys)
47. 2004 Gray Lincoln LLS

48. 1991 Silver Toyota Corolla
49. 2001 Blue Ford Explorer
50. 1997 White Ford Explorer
51. 2010 Tan Chevy Impala
52. 2005 Black Toyota Scion Coupe
53. 2008 White Pontiac Grand Prix

Surplus Drug Fund

1. LEA Video receiver s/n 31832
2. LEA Boom Box Radio – Hidden camera
3. LEA Receiver Audio s/n 31621
4. LEA Radar Detector s/n 001707
5. LEA Lighting Mic s/n 31412
6. Sony Video Walkman Digital 8
7. Marantz Tape Player
8. Super Circuit DVR
9. Alarm clock camera
10. Smoke Detector camera
11. LEA repeater
12. LEA repeater
13. LEA receiver
14. Several misc. covert cams

DRMO Items available to Sell:

1. (3) 3K Generators (Green)
2. Chevrolet C7500 (4X4, 4 Door, Automatic Trans) Will start with Ether
3. 2010 AM General Corp Semi (Leaks Coolant, Needs Slave) 217 miles
4. John Deere 410D 4x4 Backhoe with front bucket. (Transmission needs work)
5. 1993 Forklift (6000M3A2120) 600lb Rated
6. Army Freedom Semi Trailer / Command Center

The reason for the sale of these items is they no longer match our needs at this time.
Thank you for your consideration. We request that it be considered surplus at the April meeting.

RESOLUTION NO. 4-4-21

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER AND TRASH COLLECTING GRANT FOR FY 2021-2022 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ACCEPTANCE OF SAID GRANT

WHEREAS, the Henry County Commission intends to apply for the aforementioned Grant from the Tennessee Department of Transportation; and

WHEREAS, the contract for the Grant for FY 2021-2022 will impose certain legal obligations upon Henry County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of April, 2021, a majority or more of the membership concurring,

1. That the County Mayor is hereby authorized to apply on behalf of Henry County for a Litter and Trash Collecting Grant for FY 2021-2022 from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then the County Mayor of Henry County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Henry County.

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

PASSED _____

**JOHN PENN RIDGEWAY, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

RESOLUTION #5-4-21

RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO REINSTATE THE “300-FOOT RULE” REGARDING THE SALE OF BEER

WHEREAS, Tennessee Code Annotated, Section 57-5-105, authorizes county legislative bodies to enact a rule restricting the sale of beer within 300 feet of a residential dwelling provided the owner of the residential dwelling appears, in person, before the beer board and objects to the issuance of the permit (the “300-foot Rule”); and

WHEREAS, Henry County legislative body previously adopted the 300-foot Rule by prior resolution; and

WHEREAS, the 300-foot Rule may not presently be enforceable; and

WHEREAS, there are not currently any beer permits in Henry County that were invalidly issued in violation the 300-foot Rule; and

WHEREAS, it is in the best interest of Henry County that the county legislative body reinstate the 300-foot Rule;

NOW, THEREFORE BE IT RESOLVED by the Henry County Board of Commissioners meeting in regular session at Paris, Henry County, Tennessee, on the 19th day of April, 2021, that:

SECTION 1. There is hereby enacted and reinstated a 300 Foot Rule for the sale of beer in Henry County. This rule provides that no permit for the sale of beer will be issued for any location within 300 feet of a residential dwelling, measured from building to building, provided, the owner of the residential dwelling appears, in person, before the county beer board and objects to the issuance of the permit.

SECTION 2. (A) This rule does not apply to locations where a beer permit has been issued prior to the adoption of this rule, or to applications for a change in the permittee at such locations. (B) In accordance with Tennessee Code Annotated, Section 57-5-109(c): the grandfather provision of Section 2 subsection (A) does not apply if there has been (or subsequently is) a six-month gap in beer sales at the location.

BE IT FINALLY RESOLVED that this Resolution shall be effective upon its passage and approval, the public welfare requiring it. The County Clerk shall cause a true and correct copy of this Resolution to be spread upon the minutes of this meeting.

PASSED_____

**JOHN PENN RIDGEWAY, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

RESOLUTION #6-4-21

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE A FARM RENTAL CONTRACT BETWEEN HENRY COUNTY AND CLINT DIGGS

WHEREAS, Henry County owns certain real estate near the Henry County Airport which is not presently used for airport functions and is available for farming purposes; and

WHEREAS, Henry County is authorized pursuant to T.C.A. § 5-7-116 and T.C.A. § 7-51-901 *et seq.* to enter into long and short-term leases of county-owned real estate upon approval of the Henry County Commission.

WHEREAS, Henry County has negotiated to lease twenty-four (24) acres of real estate located on the east side of the North-South runway of the Henry County Airport to Clint Diggs for a period beginning May 1, 2021 and ending December 31, 2025, at a rental rate of \$500.00 per acre (for the entire lease term) and seeks approval of the Henry County Commission to complete said contract.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of April, 2021, a majority or more of the membership concurring, does hereby approve the attached Farm Rental Contract between Henry County, Tennessee as “Owner” and Clint Diggs as “Tenant.”

BE IT FURTHER RESOLVED that the County Mayor of Henry County, Tennessee is hereby authorized, empowered, and directed to act as agent of Henry County and sign on behalf of said county the attached contract valid from May 1, 2021 through December 31, 2025.

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

PASSED _____

**JOHN PENN RIDGEWAY, CHAIRMAN
HENRY COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

FARM RENTAL CONTRACT

This contract made and entered into the date below set forth by and between HENRY COUNTY, TENNESSE (hereinafter called "Owner") and Clint Diggs (hereinafter called "Tenant").

W I T N E S S E T H:

Subject to the terms and conditions set forth, said Owner leases to Tenant and said Tenant leases from the Owner that certain real estate located in Henry County, Tennessee consisting of 24.0 acres on the east side of the North-South runway of the Henry County Airport.

The terms and conditions of this agreement are as follows:

FIRST: The term of this Agreement is May 1, 2021 to December 31, 2025.

SECOND: Tenant shall have the full management and all responsibility relative to the leased premises.

THIRD: Tenant is to receive all income derived from the leased premises.

FOURTH: For the entire lease term, Tenant shall pay Owner Five Hundred Dollars (\$500.00) per acre in five equal installments as follows: (a) Two Thousand Four Hundred Dollars (\$2,400.00) upon execution of this contract and (b) Two Thousand Four Hundred Dollars (\$2,400.00) upon payable on or before the first (1st) day of January of each year of the lease term thereafter.

FIFTH: Tenant shall have possession of the leased premises from May 1, 2021 until December 31, 2025.

SIXTH: The Tenant may grow row crops on the leased premises and shall manage the leased premises in a husband like manner. Tenant shall follow improved, modern farming practices. Tenant shall not use the leased premises for any other purpose.

SEVENTH: Tenant shall furnish all seed, fertilizer, and lime used incident to farming the leased premises.

EIGHTH: Owner shall in no event be liable to Tenant for damage to crops on the leased premises. The owner reserves the right to cross the leased premises to access a weather station, and without limiting the generality of the foregoing the Owner shall

not be responsible for crop damage resulting from accessing the weather station or other airport improvements.

NINTH: This lease shall terminate at 11:59 PM on December 31, 2025, and shall not automatically renew. Tenant agrees not to holdover; even in the event Tenant holds over in violation of this agreement, no holdover, periodic, or other tenancy in the leased premises shall result.

TENTH: In the event of a breach of any of the provisions of this contract by the Tenant, the Owner may at its option enter and take possession of said property immediately and the Tenant forfeits any rights he may have had hereunder.

The Owner, by and through its County Mayor, John Penn Ridgeway, executes this lease, together with the Tenant, Clint Diggs, in duplicate originals.

IN TESTIMONY WHEREOF, the parties have subscribed their signatures on this date.

HENRY COUNTY, TENNESSEE

By _____
John Penn Ridgeway
Henry County Mayor
OWNER

ATTEST:

Donna Craig, County Clerk

Clint Diggs
TENANT

RESOLUTION #7-4-21

**A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS
TO APPROVE A CHANGE IN A
PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT**

Dana Sealing Products, LLC

WHEREAS, on July 30, 2019 on Resolution #4-07R-19, the Henry County Board of Commissioners (“Commission”) approved a payment in lieu of taxes (“PILOT”) at the request of Dana Sealing Products, LLC (“Dana”), pursuant to and in accordance with the provisions of Tennessee Code Annotated §§ 7-53-101 *et seq.*, as amended (the “Act”) to be entered into by and between Dana and The Industrial Development Board of the City of Paris, Tennessee (“IDB Board”);

WHEREAS, the IDB Board was authorized to purchase certain industrial equipment from Dana in an aggregate amount not to exceed \$10,000,000.00 to be used on Dana’s site in Henry County, and then lease the equipment back to Dana, having the effect of abating ad valorem property taxes on the industrial equipment for a period of seven (7) years; provided, however, that combined full-time employment by Dana and any of its related or affiliated entities located at the same site be maintained at 552 jobs during the lease term, with an option for the IDB Board to modify or terminate the lease with Dana if this full time employment requirement is not met;

WHEREAS, the IDB Board has received the request of Dana, based upon the actual cost of the capital investment in industrial equipment, to increase the aggregate total amount of such equipment purchases by the IDB Board to \$13,500,000.00; and

WHEREAS, consummation of the transaction herein contemplated is in the best interest of the citizens of Henry County, Tennessee, as it will keep, maintain, and expand employment opportunities and will thereby promote industry, trade, commerce and housing construction in Henry County, Tennessee, thereby furthering the public purpose in accordance with Act.

NOW, THEREFORE, IT IS HEREBY RESOLVED by Henry County, Tennessee, as follows:

1. The IDB Board is hereby authorized pursuant to and in accordance with the Act, to enter into an amended PILOT Incentive transaction with Dana, under the terms and conditions that Dana will sell or otherwise transfer to the IDB Board industrial equipment used at its site at fair market value in an amount not to exceed Thirteen Million Five Hundred Thousand Dollars (\$13,500,000.00), and the IDB Board shall lease or otherwise grant to Dana the use of the industrial equipment.
2. The IDB Board is further authorized to enter into an amended PILOT Incentive transaction authorized by the Act, having the effect of abating ad valorem property taxes on the contemplated industrial equipment for a period of seven (7) years; provided, however, that combined full-time employment by Dana and any of its related or affiliated entities located at the same site be maintained at 552 jobs during the lease term, with an option for the IDB Board to modify or terminate the lease with Dana if this full time employment requirement is not met.
3. To the extent otherwise required under the law, The Industrial Development Board of the City of Paris, Tennessee, has the required authority to act on behalf of Henry County,

Tennessee to implement the PILOT incentive transaction described above, and the Commission hereby ratifies any actions heretofore taken to implement said transaction.

BE IT FINALLY RESOLVED that a true copy of the Resolution be spread upon the Commission record, this the 19th day of April, 2021.

PASSED _____

JOHN PENN RIDGEWAY
CHAIRMAN, HENRY COUNTY
COMMISSION

DONNA CRAIG
COUNTY CLERK

APPROVED _____

JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR