



AGENDA
HENRY COUNTY COMMISSION
MONDAY, JULY 19, 2021
5:00 P.M.
CHANCERY COURT ROOM

1. Call to order and opening of the Commission meeting
2. Invocation
3. Pledge to the Flag of the United States of America
4. Roll call
5. Citizen's forum
6. Commissioners' forum
7. Presentation by Sarah Cate Orr regarding No Limits Livestock Show
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 #1-7-21 and #2-7-21**
- c. Consideration of a resolution to authorize matching funds for the RAISE Grant for Fiscal Year 2021. **RESOLUTION #3-7-21**
- d. Consideration of a resolution updating the Occupational Safety and Health Program Plan of Operations and update TOSHA Rules and Regulations. **RESOLUTION #4-7-21**
- e. Consideration of a resolution to approve officials' bonds and action thereon by the Commission. **RESOLUTION #5-7-21**
- f. Consideration of resolutions to authorize the sale of delinquent tax properties at a reduced price and action thereon by the Commission. **RESOLUTION #6-7-21**

9. Announcements and Statements

10. Adjournment



CONSENT AGENDA JULY 19, 2021

ITEMS TO BE APPROVED:

1. Minutes of the meeting of June 21, 2021 & Recessed Meeting July 1, 2021
2. Notary Public designations
3. Various quarterly reports
4. Henry County Medical Center Statement of Cash Flow
5. Trustee's month end report

RESOLUTION #1-7-21

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY DEBT SERVICE FUND
FOR FISCAL 2021-2022**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2021, adopted the budget for the Henry County Debt Service Fund for fiscal 2021-2022; 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 Debt Service Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Debt Service 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 Debt Service 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 July 2021, a majority or more of said membership concurring, that the budget for the Henry County Debt Service Fund be and hereby is amended as follows, to-wit:

INCREASE ACCOUNT 82310-590, entitled "Transfers to Other Funds," in the amount of \$70,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$70,000.00

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 #2-7-21

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY GENERAL CAPITAL PROJECTS FUND FOR FISCAL 2021-2022

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2021, adopted the budget for the Henry County General Capital Projects Fund for fiscal 2021-2022; 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 Capital Projects Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County General Capital Projects 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 Capital Projects 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 July 2021, a majority or more of said membership concurring, that the budget for the Henry County General Capital Projects Fund be and hereby is amended as follows, to-wit:

INCREASE REVENUE ACCOUNT 49800, entitled "Transfers In," in the amount of \$70,000.00

INCREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$70,000.00

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 NO. 3-7-21

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE
BOARD OF COMMISSIONERS TO AUTHORIZE MATCHING
FUNDS FOR THE RAISE GRANT (REBUILDING AMERICAN
INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY)
FOR FISCAL YEAR 2021**

WHEREAS, the governing body of Henry County, Tennessee, having committed itself to improving the safety and economic vitality of the community that it represents, wishes to commit local funds for improvements to Highway 641; and

WHEREAS, having determined proper eligibility by RAISE program guidelines, said governing body wishes to facilitate the aforementioned improvements and will commit matching funds in the amount of \$500,000 to be provided by Henry County, to constitute a total project cost of \$90,670,000.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, meeting in regular session on this the 19th day of July, 2021 that the Mayor of Henry County is authorized to commit local matching funds to the proposed project, and to sign all necessary assurances, agreements, or contracts required for recipients of RAISE funds.

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
HENRY COUNTY MAYOR**

RESOLUTION NO. 4-7-21

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO UPDATE OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN OF OPERATIONS AND UPDATE TOSHA RULES AND REGULATIONS

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the Henry County Safety Director hereby presents updates to the Occupational Safety and Health Program Plan for our employees; and

WHEREAS, Henry County *Resolution 8-01-13* was passed and adopted in August 2013, by the full County Commission, which updated the established Occupational Safety and Health Program rules and regulations for the welfare and protection of county employees; and

WHEREAS, due to changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE, BE IT RESOLVED by the Henry County Commission, the Plan be amended and adopted as follows:

SECTION 1

TITLE: This section shall be known as “The Occupational Safety and Health Program Plan” for the employees of Henry County Government.

PURPOSE: The Henry County Commission in electing to update the established Program Plan will continue to maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

- (1) Provide a safe and healthful place and condition of employment that includes:
 - (a) Top Management commitment and employee involvement;
 - (b) Continually analyze the worksite to identify all hazards and potential hazards;
 - (c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
 - (d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- (2) Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.

- (3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons with the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.
- (5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
- (6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.
- (7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.
- (8) All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to county safety administration immediately and to TOSHA within 24 hours. These may be reported to TOSHA via the State of TN injury reporting web portal at https://stateoftennessee.formstack.com/forms/tosha_injury_rpt

COVERAGE: The provisions of the Occupational Safety and Health Program Plan for the employees of Henry County Government shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED: The Occupational Safety and Health standards adopted by the (City/County/etc.) Henry County Commission are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED: Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health. **VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02,** as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION: The County Emergency Management Director is appointed as the Safety Director of Occupational Safety and Health Program to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan and keep the Plan of Operations for the Program updated in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, **SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05,** as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN: Sufficient funds for administering and staffing the Program Plan pursuant to this resolution shall be made available as authorized by the Henry County Commission.

SECTION 2

SEVERABILITY: **BE IT FURTHER RESOLVED** that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3

BE IT FURTHER RESOLVED that this resolution shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of the Henry County Government requiring it.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of July, 2021 a majority or more of the membership concurring, does hereby approve the updates of The Occupational Safety and Health Program Plan for Henry County Government.

BE IT FINALLY RESOLVED that a true copy of this Resolution and the attached Occupational Safety and Health Program Plan of Operations 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 NO. 5-7-21

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE OFFICIALS' BONDS

WHEREAS, the law of the State of Tennessee requires that each one named herein shall be bonded for the faithful performance of his or her duty; and

WHEREAS, the covered positions are as follows:

Assessor of Property, Charles Van Dyke; Chancery Court Clerk & Master/Probate Court, Mary Burns; Circuit/General Sessions/Juvenile Clerk, Mike Wilson; County Clerk, Donna Craig; County Medical Examiner, Dr. Scott Portis; County Mayor, John Penn Ridgeway; County Road Commission; County Highway Superintendent, Richie Chilcutt; Chief Financial Officer, Pat Hollingsworth; Register of Deeds, Pam Martin; Sheriff, Josh Frey; Superintendent of Schools, Dr. Leah Watkins; County Trustee, Randi French, to the extent of \$400,000, as well as all other public officials and employees; and

WHEREAS, this coverage also complies with TCA §4-4-108 for blanket bonds and TCA §8-19-101 as replacement for individual official bonds.

WHEREAS, TCA §4-4-108 for blanket bonds and TCA §8-19-101 as replacement for individual officials' bonds allows for said bonds for Henry County to be covered by NGU Risk Management through the Tennessee Risk Management Trust.

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

BE IT FURTHER RESOLVED that the Henry County Public Officials named herein above shall be bound under the Official Statutory Bond for Henry County Public Officials provided by Tennessee Risk Management Trust through its producer, NGU Risk Management.

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 #6-7-21

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE,
BOARD OF COMMISSIONERS TO AUTHORIZE THE SALE OF
DELINQUENT TAX PROPERTIES AT A REDUCED PRICE**

WHEREAS, Henry County acquires ownership of parcels which were the subject of the annual delinquent tax collection suits when no other bidder bids on a parcel at the Delinquent Tax Sale; and

WHEREAS, Tennessee law allows the Delinquent Tax Committee and County Mayor to place a fair resale price on each parcel of land purchased by the County at a delinquent tax sale, and said committee may authorize the sale of any tract of land upon such terms as will secure the highest and best sale price; and

WHEREAS, Tennessee law requires that no parcel of land purchased by the County at a delinquent tax sale shall be resold for an amount less than the total amount of the taxes, penalty, cost and interest accrued against such parcel, unless the legislative body determines that it is impossible to sell the parcel of land for such amount and grants permission to offer the land for sale at some amount to be fixed by such legislative body; and

WHEREAS, it appears that the delinquent tax parcels described below are impossible to sell for an amount equal to the total amount of the taxes, penalty, cost and interest accrued against such parcels;

1. Hardy Street 708, Map 105D, Group L, Parcel 020.00, \$2,468.10

(plus closing costs) offered by Arielle S. Pompilius

2. Williams Street, Map 095I, Group F, Control Map 095I, Parcel 019.00, \$500.00 (plus closing costs) offered by Edward E. Ray

WHEREAS, it is in the interest of the citizens of Henry County that said delinquent tax parcels be resold, if possible, not only for purposes of generating revenue through their sale, but also for purposes of eliminating Henry County's liability and maintenance costs associated with said parcels and also so that the parcels are put back to taxable use; and

WHEREAS, the individuals named above have made offers for quitclaim deeds to said delinquent tax parcels;

WHEREAS, after investigation of said delinquent tax parcels, the Delinquent Tax Committee recommends that the County Mayor be authorized to accept minimum offers as listed above, subject to publication of the offers and the opportunity for any other interested party to raise to the offers as prescribed by law; and

WHEREAS, the Delinquent Tax Committee and County Mayor have approved the terms and conditions of sale recommended by the Henry County Attorney pertaining to offers for a quitclaim deed to the delinquent tax parcels described above;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 19th day of July, 2021, a majority or more of the membership concurring that these delinquent tax parcels cannot be sold for the accumulated total of taxes, interest, penalties and

costs against them; therefore, pursuant to TENN. CODE ANN. § 67-5-2507, the County Mayor is authorized to accept an offer for a quitclaim deed to said parcels in consideration of minimum offers subject to publication of the offer and the opportunity for any other interested party to raise to the offer as prescribed by law.

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**