



***AGENDA***  
***HENRY COUNTY COMMISSION***  
***MONDAY, JULY 11, 2022***  
***5:00 P.M.***  
***CHANCERY COURT ROOM***

1. Call to order and opening of the July, 2022 Commission meeting
2. Roll Call
3. Citizen's forum
4. Commissioner's forum
5. **BUSINESS:**
  - a. Approval of Consent Agenda and action thereon by the Commission.
  - b. Consideration of a resolution making certain appointments to various boards and committees and action thereon by the Commission. **RESOLUTION #1-7-22**
  - c. Consideration of a resolution to approve officials' bonds and action thereon by the Commission. **RESOLUTION #2-7-22**

- d. Consideration of a resolution to accept the resignation and establish rules of procedure for the special election to fill the vacant office of Henry County Constable for District #1 and action thereon by the Commission. **RESOLUTION #3-7-22**
- e. Consideration of a resolution to purchase land from the City of Paris Tennessee and action thereon by the Commission. **RESOLUTION #4-7-22**

6. Announcements and Statements

7. Adjournment



## **CONSENT AGENDA JULY 11, 2022**

### ITEMS TO BE APPROVED:

1. Notary Public designations
2. Various quarterly reports
3. Henry County Medical Center Statement of Cash Flow
4. Trustee's month end report

## RESOLUTION NO. 1-7-22

### A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS 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 said vacancies; and

**WHEREAS**, the Board of Commissioners has examined and evaluated the qualifications of certain citizens and County Commissioners for appointment to 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 11<sup>th</sup> day of July, 2022, a majority or more of said Commissioner's concurring, that:

**SECTION 1.** The following be and hereby are recommended for re-appointment to the Medical Death Investigator Committee for 2-year terms with terms to expire July, 2024:

- a. Diann McGuire
- b. Bruce Herrin
- c. Danny Tucker
- d. Pat Steele
- e. Richard Stafford

**BE IT FURTHER RESOLVED** that any and all acts previously passed by this Board of County Commissioners which are in conflict with this Resolution be and hereby are rescinded, repealed, and are of no effect whatsoever.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect upon its passage by this Board of County Commissioners and approval by the County Executive, 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** \_\_\_\_\_

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

\_\_\_\_\_  
**DONNA CRAIG  
COUNTY CLERK**

**APPROVED** \_\_\_\_\_

\_\_\_\_\_  
**JOHN PENN RIDGEWAY  
HENRY COUNTY MAYOR**

## **RESOLUTION NO. 2-7-22**

### **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 11<sup>th</sup> day of July, 2022, 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 NO. 3-7-22**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS ESTABLISHING THE RULES OF PROCEDURE FOR CONDUCTING A SPECIAL ELECTION TO FILL THE OFFICE OF HENRY COUNTY CONSTABLE – 1<sup>ST</sup> DISTRICT**

**WHEREAS**, a vacancy now exists in the office of Henry County Constable for the 1<sup>st</sup> District; and

**WHEREAS**, the Board of Commissioners of Henry County, Tennessee must fill the said vacancy which now exists; and

**WHEREAS**, a special election for the purpose of filling the said vacancy has been set by the Board of Commissioners of Henry County, Tennessee; and

**WHEREAS**, it is appropriate and necessary that certain rules and procedures for the conduct of the special election be established to ensure the order and fairness of the said special election.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 11<sup>th</sup> day of July, 2022, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the office of Henry County Constable – 1<sup>st</sup> District, whose qualifications are accepted by said Henry County Commission, be and hereby is granted the opportunity to speak to the assembled Commission in his/her own behalf prior to the casting of the official ballot or ballots; and provided, however, that any candidate so qualified may designate a person of his or her choice to speak in his or her own behalf; and provided, further, that in any event, the time granted for the speech or speeches on behalf of any candidate shall be for a period of time no longer than five (5) minutes.



SECTION 2. Any and all ballots shall be cast pursuant to the requirements of Section 5-5-111 of the Tennessee Code Annotated.

SECTION 3. To be elected, a candidate must receive the vote of a minimum of eight (8) Commissioners, pursuant to the requirements of Section 5-5-109 of the Tennessee Code Annotated.

SECTION 4. In the event that no candidate receives the eight (8) votes required for election on the first ballot, then the Commission shall proceed to the second ballot and any number of additional ballots necessary until one candidate receives the vote of a minimum of eight (8) of the Commissioners; provided, that before proceeding to a second or any subsequent ballot, the name or names of the candidate or candidates receiving the least number of votes on the previous ballot shall be deleted from the second or any subsequent ballot; and provided, further, that the names of a candidate or candidates shall not be deleted from any ballot when such deletion would result in a ballot containing the name of only one (1) candidate that had received less than the eight (8) votes required for election.

**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 NO. 4-7-22**

**A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO PURCHASE LAND FROM CITY OF PARIS**

**WHEREAS**, Henry County and the City of Paris co-own improved real property depicted on the records of the Henry County Assessor as Map 106, Parcel 039.00 and more particularly described on *Exhibit A*; and

**WHEREAS**, the City of Paris is willing to sell its one-half (1/2) interest in said real property to Henry County for the sum of \$475,000.00, subject to the condition that if the real estate is resold for a profit within the next 5 years, Henry County and the City of Paris will equally divide the net proceeds in the manner specified on Exhibit A; and

**WHEREAS**, the source of funding for this acquisition will be the Unappropriated Fund Balance as previously approved in Resolution #5-4-22 (see attached); and

**WHEREAS**, it is in the best interest of the citizens and residents of Henry County to acquire said real estate; and

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, meeting in its regular session on this the 11<sup>th</sup> day of July, 2022, that Henry County, by and through its County Mayor is authorized to acquire the real estate described on Exhibit A from the City of Paris for the sum of \$475,000.00, subject to the condition shown on Exhibit A.

**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**

## **EXHIBIT A**

### *Form for Warranty Deed between City of Paris and Henry County*

THIS INSTRUMENT PREPARED WITHOUT THE BENEFIT OF  
TITLE EXAMINATION BY:  
GREER, GREER & WHITFIELD, ATTORNEYS, PLLC  
P. O. BOX 385, PARIS, TENNESSEE 38242

## **WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS that the **CITY OF PARIS, TENNESSEE, a municipal corporation** has bargained and sold and by these presents do hereby transfer and convey to the **COUNTY OF HENRY, TENNESSEE**, its successors and assigns, its entire one-half (1/2) interest in certain real estate located in the First Civil District of Henry County, Tennessee. The consideration for this transfer is FOUR HUNDRED SEVENTY-FIVE THOUSAND (\$475,000.00) DOLLARS, the receipt of which is hereby acknowledged. The land is assessed at Map **106**, Parcel **039.00** and more particularly described as follows:

### **TRACT 1**

Beginning at a set iron pin in the east right-of-way of Madison Street (an undeveloped 30 foot right-of-way), said pin being located South 01 degrees 42 minutes 01 seconds East, 20.46 feet from the southwest corner of Hughes, Deed Book 188, Page 238, and being the southwest corner of J&H Limited Partnership, Deed Book 225, Page 998; runs thence with the south line of J&H Limited Partnership, North 88 degrees 53 minutes 19 seconds East, 428.99 feet to a set iron pin in the western right-of-way of U.S. Highway 79; thence with the western right-of-way of said Highway, a curve to the left, having an arc length of 199.83 feet, a radius of 2939.89 feet and being subtended by a chord of South 21 degrees 06 minutes 05 seconds West, 199.83 feet to a set iron pin, being the northeast corner of J&H Limited Partnership; South 88 degrees 53 minutes 21 seconds West; 155.28 feet; North 82 degrees 18 minutes 09 seconds West, 198.93 feet to the east right-of-way of Madison Street, North 01 degrees 42 minutes 02 seconds West, 154.54 feet to the point of beginning, and containing 1.584 acres, more or less. Bearings are record. Survey and legal description by Lucile D. Smith, R.L.S. Tennessee Reg. No. 1508, dated October 18, 1994.

Tract 1 is the same real estate conveyed to the Grantor and Grantee herein by Warranty Deed of Earl J. French and wife, Chloe A. French, dated March 15, 1996 and recorded in Deed Book 244, p. 691 in the Register's Office of Henry County, Tennessee. By this conveyance, Grantee is now the sole owner of the real estate.

### **TRACT 2**

Beginning at an iron pin set in the North line of the original tract conveyed from French to Henry County; said pin being the S.E. corner of this described tract and located North 86 degrees 44 minutes 27 seconds West 91.60 feet from the existing iron pin that serves as the Northeast corner of the original tract conveyed French to Henry County; running thence with the North line of the existing Henry County tract North 86 degrees 44 minutes 27 seconds West 100.06 feet to a set iron pin; thence with lines severing the land of French the following three courses: North 03 degrees 15 minutes 33 seconds East 3.00 feet to a set iron pin; South 86 degrees 44 minutes 27 seconds East 100.06 feet to a set iron pin; and South 03 degrees 1.5 minutes 33 seconds West 3.00 feet to the point of beginning, containing 300.18 square feet and being subject to any rights held by third parties for road or utility easement. Bearings are based on magnetic north per reading taken March 13, 1996.

Tract 2 is subject to a perpetual easement for highway purposes dated March 19, 1970, from Isaac M. Jones, Paul D. Jones and Ruby Burton, to the State of Tennessee, of record in Deed Book 94, at pages 175-176, in the Register's Office of Henry County, Tennessee.

Tract 2 is the same real estate conveyed to the Grantor and Grantee herein by Deed Replacing a Lost Deed from Earl J. French and wife, Chloe A. French, dated November 16, 2004, and recorded in Record Book 160, p. 26 in the Register's Office of Henry County, Tennessee. By this conveyance, Grantee is now the sole owner of the real estate.

**THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING AGREEMENT BETWEEN GRANTOR AND GRANTEE WHICH SHALL EXPIRE IF THE PROPERTY REMAINS OWNED BY GRANTEE ON THE FIFTH ANNIVERSARY OF THE DATE OF THIS INSTRUMENT:**

If (prior to the expiration of this agreement) Grantee sells the real estate and the net proceeds (amount Grantee will net after expenses of sale) exceed \$950,000.00, Grantee shall be entitled to the first \$950,000.00 of the net proceeds and Grantor and Grantee will equally divide the net proceeds in excess of \$950,000.00.

This document was prepared without the benefit of an updated survey and the preparer makes no certification as to the accuracy of the boundaries or amount of acreage.

The parties hereto acknowledge that Greer, Greer & Whitfield Attorneys, PLLC is not the closing agent for this transaction, pursuant to the provisions of Section 6045(e) of the Internal Revenue Code, as amended by the Tax Reform Act 1986.

TO HAVE AND TO HOLD the aforesaid real estate unto the said Grantee, its successors and assigns, forever.

Grantor covenant with the said Grantee that Grantor is lawfully seized and possessed of said land in fee simple, and has a good right to convey it and the same is unencumbered.

Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said real estate to the Grantee herein against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

The CITY OF PARIS

By:

\_\_\_\_\_  
Carlton Gerrell, City Mayor

\_\_\_\_\_  
Kim Foster, City Manager

STATE OF TENNESSEE

COUNTY OF HENRY

Before me, a Notary Public in and for said county and state, personally appeared Carlton Gerrell and Kim Foster in their capacity as City Mayor and City Manager (respectively) of The CITY OF PARIS the within named bargainer, a municipal corporation, whose identities and capacities as such are personally known to me, and who in such capacities being duly authorized executed the within instrument for the purposes therein contained on behalf of The CITY OF PARIS.

WITNESS my hand and official seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Name & Address of Property Owner  
and Person or Entity Responsible  
for Payment of Property Taxes:

STATE OF TENNESSEE  
COUNTY OF HENRY  
AFFIDAVIT

Henry County Government  
c/o Henry County Mayor  
PO Box 7, Paris, TN 38242

I hereby swear or affirm that the actual  
consideration of this transfer or value of

the property transferred, whichever is  
greater, is \$475,000.00  
which amount is equal to or greater than  
the amount which the property transferred  
would command at a fair voluntary sale.

\_\_\_\_\_  
Affiant  
Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public  
My Comm. Expires: \_\_\_\_\_

NOTICE TO REGISTER: THIS CONVEYANCE IS EXEMPT FROM CONVEYANCE TAX  
NOTICE TO ASSESSOR: THIS PROPERTY IS EXEMPT FROM REAL ESTATE TAX

**RESOLUTION #5-4-22**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY COUNTY, TENNESSEE MAKING APPROPRIATIONS FOR THE OTHER SPECIAL REVENUE FUND WITH MONEY RECEIVED FROM THE AMERICAN RESCUE PLAN ACT GRANT FOR FISCAL 2021 2022**

**BE IT RESOLVED**, by the Board of County Commissioners of Henry County, Tennessee, assembled in session this the 18<sup>th</sup> day of April, 2022, a majority of the membership concurring, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices, and agencies of Henry County, Tennessee, for the capital outlay, and for meeting the payment of the principal and interest on the County's debt maturing during the fiscal year beginning April 18, 2022 and ending on June 30, 2022, according to the following schedule:

47901, American Rescue Plan Act Grant,	3,141,318.50
58836-799, Other Capital Outlay	1,500,000.00
58836-715, Land	375,000.00
58836-188, Bonus	250,000.00
58836-707, Building Improvements	500,000.00
<b>39000, Unappropriated Fund Balance</b>	<b>516,318.50</b>

**BE IT FURTHER RESOLVED**, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and be of no further effect at the end of fiscal year as of June 30, 2022.

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


4-18.22

  
JOHN PENN RIDGEWAY, CHAI

**CHAIRMAN, HENRY COUNTY COMMISSION**

Donna Craig  
DONNA CRAIG  
COUNTY CLERK

4-18.22

  
JOHN PENN RIDGEWAY  
COUNTY MAYOR