



AGENDA
HENRY COUNTY COMMISSION
Monday, September 19, 2022
5:00 P.M.
CHANCERY COURTROOM

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. Commissioner's forum.
7. **BUSINESS:**
 - a. Approval of Consent Agenda and action thereon by the Commission.
 - b. Consideration of a resolution to approve ARP funds of \$4.7M from TN Department of Environment & Conservation (TDEC).
RESOLUTION #1-9-22 to be distributed at the meeting Monday night.

- c. Consideration of a resolution to establish rules of procedure for the special election to fill the vacant office of Henry County Constable for District #5 and action thereon by the Commission. **RESOLUTION #2-9-22**
 - d. Consideration of a resolution to approve the corporate surety bonds for Henry County Constables for District 1-4 and action thereon by the Commission. **RESOLUTION #3-9-22**
 - e. Consideration of a resolution to authorize the sale of surplus property for County Clerk's Office. **RESOLUTION #4-9-22**
 - f. Consideration of a resolution making certain appointments to various boards and committees and action thereon by the Commission. **RESOLUTION #5-9-22**
 - g. Consideration of a resolution to establish rules of procedure for the special election to fill the vacant positions for the Hospital Board of the Henry County Medical Center and action thereon by the Commission. **RESOLUTION #6-9-22**
 - h. Election of two Hospital Board members by roll call vote to fill unexpired four-year terms of Kreg Kyle which expires November, 2023 James Travis which expires November, 2024.
8. Announcements and Statements.
Mayor Ridgeway to give update on Broadband.
- 2022 TCSA Fall Conference Oct 11-13, 2022 in Murfreesboro, TN
Let Treva know if you plan to attend. Registration and hotel reservations will be finalized next week.
9. Adjournment.



CONSENT AGENDA

September 19, 2022

ITEMS TO BE APPROVED:

1. Minutes of the meeting of August 15, 2022
2. Notary Public designations
3. Various quarterly reports
4. Henry County Medical Center Statement of Cash Flow
5. Trustee's month end report
6. Copy of Tennessee Comptroller's letter acknowledging receipt of a certified copy of the fiscal year 2023 budget.

RESOLUTION NO. 1-9-22

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS AUTHORIZING AMERICAN RESCUE PLAN FUNDS DISTRIBUTION FOR THE IMPROVEMENT OF WATER, WASTEWATER, DRAINAGE PROJECTS

WHEREAS, the governing body of Henry County, Tennessee, having committed itself to improving the economic vitality of the community that it represents, wishes to provide county-allocated ARP funds to rural utilities with infrastructure needs; and

WHEREAS, having accepted budget requests and finding those requests to align with TDEC/ARP priorities, said governing body wishes to make these grant funds (\$4.7Million) available to the following entities in the following amounts:

Town of Puryear: \$430,000

Northwest Henry Utility District: \$176,000

Northeast Henry Utility District: \$810,017.39

Springville Utility District: \$1,030,000

Paris Board of Public Utilities: \$2,253,982.61

NOW, THEREFORE BE IT RESOLVED by the governing body of Henry County, Tennessee, meeting in session on this the 19th day of September, 2022 that the Mayor of Henry County is authorized to distribute ARP funds, and to sign and all necessary assurances, agreements or contracts.

PASSED _____

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

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

RESOLUTION NO. 2-9-22

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 – 5th DISTRICT

WHEREAS, a vacancy now exists in the office of Henry County Constable for the 5th 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 19th day of September, 2022, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the office of Henry County Constable – 5th 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. 3-9-22

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE THE CORPORATE SURETY BONDS FOR HENRY COUNTY CONSTABLES FOR DISTRICTS 1-4

WHEREAS, the following were duly elected as Henry County Constables to four-year terms of office beginning September 1, 2022 through September 1, 2026; and

District 1 – Daniel Powell	District 3 – Thomas L. Bell
District 2 – Chris Coley	District 4 – Neely A. Owens

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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of September, 2022, a majority or more of the members concurring, that:

SECTION 1. The official corporate surety bond for Daniel Powell, Henry County District 1 Constable, for the sum of Five Thousand Dollars and No Cents (\$5,000.00) provided by Western Surety Company be and hereby is approved; and

SECTION 2. The official corporate surety bond for Chris Coley, Henry County District 2 Constable, for the sum of Four Thousand Dollars and No Cents (\$4,000.00) provided by RLI Insurance Company be and hereby is approved; and

SECTION 3. The official corporate surety bond for Thomas L. Bell, Henry County District 3 Constable, for the sum of Five Thousand Dollars and No Cents (\$5,000.00) provided by Western Surety Company be and hereby is approved; and

SECTION 4. The official corporate surety bond for Neely A. Owens, Henry County District 4 Constable, for the sum of Five Thousand Dollars and No Cents (\$5,000.00) provided by RLI Insurance Company be and hereby is approved; and

BE IT FURTHER RESOLVED that the Henry County Constables named herein above shall be bound under the Corporate Surety Bond for Henry County provided by Western Surety Company and/or RLI Surety Insurance Company.

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. 4-9-22

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

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

WHEREAS, the Henry County Clerk's Office declares the following property to be surplus property; and

**Item: Night Owl 1080p Wired HD Video Security System
with 4 wired cameras with night vision and 1 TB hard drive.
Purchased 10-28-2020**

WHEREAS, the Board of Commissioners deems it appropriate and beneficial to the public interest to grant authorization for sale by advertisement on Marketplace of such property by the Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 19th day of September, 2022, a majority or more of the membership concurring, that the item listed above be declared surplus property and does authorize the sale of such property.

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**

RESOLUTION NO. 5-9-22

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 19th day of September, 2022, a majority or more of said Commissioner's concurring, that:

SECTION 1: Appointment to the Adult Oriented Establishment Board for a co-terminus term.

- a. Patrick Burns – previously served by James Travis

SECTION 2. Appointments to Committee on Aging to fill unexpired three-year terms expiring May, 2023.

- a. Missy Hamilton – unexpired term of James Copeland
- b. Dell Carter – unexpired term of Wesley Bradley
- c. James Travis – fill Citizen's term of the late Helen White

SECTION 3. Appointment to the Agriculture Committee to fill unexpired two-year term which expires January, 2024.

- a. Melissa McElroy – fill unexpired term for Don Jones

SECTION 4. Appointment to the Airport Committee for a co-terminus term.

- a. Monte Starks – previously served by Don Jones

SECTION 5. Appointments to Beer Board to fill unexpired one-year terms which expire January, 2023.

- a. Melissa McElroy – unexpired term of Don Jones
- b. Ralph Wiles – unexpired term of Drew Williams
- c. Missy Hamilton – unexpired term of Jerry Berry

SECTION 6. Appointments to Budget Committee to fill unexpired three-year terms which expire in January, 2024 and January, 2025 as noted below.

- a. Charles Elizondo – unexpired term of Drew Williams which expires January, 2024
- b. Greg Carter – unexpired term of James Travis (1st Alternate) which expires January, 2024
- c. Melissa McElroy – unexpired term of Don Jones (2nd Alternate) which expires January, 2025

SECTION 7. Appointment as Chairman of the Commission for a one-year term which expires September, 2023.

- a. John Penn Ridgeway

SECTION 8. Appointment as County Attorney for a four-year term which expires September, 2026.

- a. G. Robert Whitfield

SECTION 9. Appointments to the Courthouse Committee to fill unexpired one-year terms expiring January, 2023.

- a. Charles Elizondo – unexpired term of Kreg Kyle
- b. David Hayes – replacing Dell Carter

SECTION 10. Appointments to the Delinquent Tax Committee to fill unexpired one-year terms expiring in January, 2023.

- a. Ricky Wade – unexpired term of Wesley Bradley
- b. David Hayes – unexpired term of James Copeland

SECTION 11. Appointments to the Committee to Study Fire Protection for Rural Henry County to fill unexpired one-year terms expiring January, 2023.

- a. Ricky Wade – unexpired term of Don Jones
- b. Monte Starks – unexpired term of Jerry Berry
- c. Dell Carter – unexpired term of James Copeland

SECTION 12. Appointments to the Health Insurance Committee to fill unexpired one-year terms which expire January, 2023.

- a. Paul Neal – unexpired term of Kreg Kyle'
- b. Dell Carter- unexpired term of James Copeland

- c. Greg Carter – unexpired term of James Travis

SECTION 13. Appointment to the Industrial Relations Committee for a term that is co-terminus.

- a. Melissa McElroy – replacing David Webb

SECTION 14. Appointments to the Legislative Committee to fill unexpired one-year terms that expire January, 2023.

- a. Ricky Wade – unexpired term of Wesley Bradley
- b. Kenneth Humphreys – unexpired term of James Copeland

SECTION 15. Appointments to the Liability Insurance Committee for a term that is co-terminus.

- a. Ralph Wiles – replacing Drew Williams

SECTION 16. Appointment to the Henry County Library Board to fill unexpired three-year term which will expire June 30, 2024.

- a. Missy Hamilton – unexpired term of James Copeland

SECTION 17. Appointments to the Non-Profit Committee to fill co-terminus terms.

- a. Charles Elizondo – replacing Drew Williams
- b. Patrick Burns – replacing James Travis

SECTION 18. Appointments to the Personnel Policies & Procedures Committee to fill unexpired two-year terms that will expire as listed below.

- a. Randy Gean – fill term of Wes Bradley (expires January '24)
- b. Paul Neal – fill term of Drew Williams (expires January '23)
- c. Monte Starks – fill term of Jerry Berry (expires January '24)
- d. Kenneth Humphreys–fill term of James Copeland (expires Jan. '23)
- e. Greg Carter – fill term of James Travis (expires January, '24)

SECTION 19. Appointments to the New Property Owners Tax Notice Committee to fill co-terminus terms.

- a. Dell Carter – replacing James Copeland
- b. Paul Neal – replacing Drew Williams

SECTION 20. Appointments to the Public Records Commission to fill unexpired one-year terms which will expire January, 2023.

- a. Ricky Wade – unexpired term of Wesley Bradley
- b. Missy Hamilton – unexpired term of Jerry Berry

SECTION 21. Appointments to the Solid Waste Committee to fill unexpired three-year terms which will expire as listed below.

- a. Charles Elizondo – fill term of Kreg Kyle (expires January, 2025)
- b. Melissa McElroy – fill term of We Bradley (expires January, 2024)
- c. David Hayes – fill term of James Copeland (expires January, 2024)

SECTION 22. Appointments to the Henry Co. Tourism Authority to fill co-terminus terms.

- a. Ricky Wade – replacing Don Jones
- b. Charles Elizondo – replacing Drew Williams
- c. Patrick Burns – replacing James Travis

SECTION 23. Appointments to the Vacant Property Review Committee to fill co-terminus terms.

- a. Ricky Wade – replacing Don Jones
- b. Ralph Wiles – replacing Kreg Kyle

SECTION 24. Appointment as the Veterans Service Officer for a four-year term which expires September, 2026.

- a. Jon Bolding

SECTION 25. Appointments to the Veterans Service Committee for one-year terms which will expire as listed below.

- a. John Penn Ridgeway – term expires September, 2023
- b. Kenneth Humphreys – fill term of James Copeland (expires January, 2023)

SECTION 26. Appointments to the Work Release Committee to fill unexpired one-year terms which will expire January, 2023.

- a. Ricky Wade – unexpired term of Don Jones
- b. Patrick Burns – unexpired term of James Travis

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. 6-9-22

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS ESTABLISHING THE RULES OF PROCEDURE FOR CONDUCTING A SPECIAL ELECTION TO FILL TWO VACANCIES ON THE HOSPITAL BOARD OF THE HENRY COUNTY MEDICAL CENTER

WHEREAS, pursuant to the Private Acts of 1953 Chapter 176 as amended, two Trustees on the Board of Trustees of the Henry County General Hospital (d/b/a Henry County Medical Center and hereinafter “HCMC”) shall be members of the Henry County Board of Commission (the “County Commission”); and

WHEREAS, former Henry County Commissioners James Travis and Kreg Kyle were serving as the County Commission members of the HCMC Board of Trustees, but upon the end of their terms of office as County Commissioners on August 31, 2022, their seats on the HCMC Board of Trustees became vacant; and

WHEREAS, pursuant to the Private Acts of 1953 Chapter 176 as amended, should a vacancy occur on the HCMC Board of Trustees for any reason during the unexpired term of any member, then such vacancy shall be filled by the County Commission at its next regular meeting for the remainder of such unexpired term; and

WHEREAS, the unexpired term of James Travis ends November 2024; and

WHEREAS, the unexpired term of Kreg Kyle ends November 2023; and

WHEREAS, a special election for the purpose of filling the said vacancies 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 19th day of September, 2022, a majority or more of the membership concurring, that:

SECTION 1: Separate Votes. Each HCMC Board of Trustee vacancy shall be filled separately, with the nomination and voting process for each vacancy to follow the same procedure set forth below.

SECTION 2: Nominations. Any County Commissioner may nominate a candidate to fill the vacancy. Nominations do not require a second. If the person nominated is not present at the meeting, the person making the nomination shall submit a signed statement from the nominee that the nominee is willing to serve in the office if appointed. If the person nominated is present, the nominee is presumed willing to serve unless the nominee requests that his/her name be removed from consideration. Nominations will be closed upon majority vote of the County Commission

SECTION 3: Nominee's Time to Address County Commission. Each nominee (or such nominee's designee) shall be granted the opportunity to address the County Commission for a period of time not to exceed five (5) minutes. (Because two vacancies are being filled: If the same person is

nominated for each vacancy, such person shall only have one opportunity to address the County Commission.)

SECTION 4: Nominees are Prohibited from Voting. Each nominee shall be prohibited from voting on the appointment or any motions or resolutions relative to making the appointment until the office or vacancy is filled.

SECTION 5: Majority Vote Required for Election. To be elected, a candidate must receive the vote of the majority of the members of the County Commission. For the purposes of determining a majority, the membership of the county legislative body shall be reduced to reflect any member or members prohibited from voting on the appointment.

SECTION 6: Eliminating Nominees; Multiple Rounds of Voting. In the event that no nominee receives the 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 nominee receives the minimum vote; provided, that before proceeding to a second or any subsequent ballot, the name of the nominee 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 nominee shall not be deleted from any ballot when such deletion would result in a ballot containing the name of only one (1) nominee that had received less than the 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**