



AGENDA

HENRY COUNTY COMMISSION

MONDAY, AUGUST 15, 2022

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 Dick Tracy, Director of Facilities at Tennessee Board of Regents (TBR)
8. **BUSINESS:**
 - a. Approval of Consent Agenda and action thereon by the Commission.
 - b. Appointments, confirmations, and elections:

Consideration of a resolution making certain appointments to various boards and committees and action thereon by the Commission.

RESOLUTION #1-8-22

- c. Consideration of a resolution to approve budget amendments and action thereon by the Commission. **RESOLUTION #2-8-22**
 - d. Consideration of a resolution to grant Tennessee Board of Regents an option to acquire land. **RESOLUTION #3-8-22**
 - e. Consideration of a resolution to approve the Henry County Trustee Corporate Surety Bond. **RESOLUTION #4-8-22**
 - f. Consideration of a resolution to opt out of statewide building code standards for one-family and two-family dwellings in Henry County and action thereon by the Commission. **RESOLUTION #5-8-22**
 - g. Consideration of a resolution to elect a Henry County Constable for District 1. **RESOLUTION #6-8-22**
9. Announcements and Statements:
- a. **County Officials Orientation Program 2022 (COOP)** August 22 & 23, 2022 in Franklin, TN. Begins at 1PM on August 22 and is from 8AM-5PM on August 23. See Treva before you leave if you plan to attend so a hotel room can be secured.
 - b. **Swearing-in Ceremony** for Henry County officials August 31st at 2PM in Chancery Court Room. Photographs will be taken.
 - c. **TCCA Annual Regional Meeting** at Henry County Fairgrounds on September 15, 2022, 5:30-8:00PM. Please RSVP to Treva due to the catered meal. Also feel free to bring a door prize as in the past.
10. Adjournment

August

CONSENT AGENDA AUGUST 15, 2022

ITEMS TO BE APPROVED:

1. Minutes of the meeting of June 21, 2022, June 2022 Recessed Meeting (July 11, 2022) & July 2022 meeting (July 11, 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. Various Financial Reports for Year Ended June 30, 2022

RESOLUTION NO. 1-8-22
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 15th day of August, 2022, a majority or more of said Commissioner's concurring, that:

SECTION 1. The following be and hereby are recommended for appointment to the Board of Equalization for 2-year terms with terms to expire April, 2024:

- a. James Travis
- b. Drew Williams

SECTION 2. The following be and hereby is recommended for appointment as Vice-Chairman of the Commission for a one-year term beginning September 1, 2022 and expiring September, 2023.

- a. Randy Gean

SECTION 3. The following be and hereby are recommended for the Nominating Committee to fill unexpired one-year terms which expire January, 2023.

- a. Melissa McElroy – fill unexpired term of Don Jones
- b. Charles Elizondo – fill unexpired term of Drew Williams
- c. David Webb – fill 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 #2-8-22

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY OTHER SPECIAL REVENUE FUND FOR FISCAL 2022-2023

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2022, adopted the budget for the Henry County Other Special Revenue Fund for fiscal 2022-2023; 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 Other Special Revenue Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Other Special Revenue 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 Other Special Revenue 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 15th day of August 2022, a majority or more of said membership concurring, that the budget for the Henry County Other Special Revenue Fund be and hereby is amended as follows,

to-wit:

INCREASE ACCOUNT 58836-732, entitled "Building Purchases," in the amount of \$475,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$475,000.00

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. 3-8-22

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO GRANT TENNESSEE BOARD OF REGENTS AN OPTION TO ACQUIRE LAND

WHEREAS, the Tennessee Board of Regents, (hereinafter “TBR”) has requested that the County of Henry, Tennessee (hereinafter “County”) grant them an option to acquire land owned by the County and depicted on the maps of the Henry County Assessor of Property as Map 116, Parcel 044.05 more particularly described in the attached Option Agreement (the “Subject Property”); and

WHEREAS, TBR intends to construct an approximately 70,000–100,000 square foot postsecondary education facility on the Subject Property if funding can be obtained during the option period; and

WHEREAS, Section 5-7-101 of the Tennessee Code authorizes counties to acquire and sell real estate; and

WHEREAS, use of the Subject Property for a postsecondary education facility would be in the best interest of the citizens of Henry County, and the County presently has no other productive use for the Subject Property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee assembled in regular session on this 15th day of August, 2022, a majority or more of the membership concurring, that Henry County shall— for and in consideration of the option fee of \$1.00 to be paid by TBR to the County— grant TBR an option to purchase all or any portion of the Subject Property for the purchase price of \$1.00 plus a contractual obligation by TBR to construct an approximately 70,000–100,000 square foot postsecondary education facility on the Subject Property, with such option to expire if not exercised prior to the 15th day of August 20, 2025; and

BE IT FURTHER RESOLVED that the Henry County Mayor is authorized and directed to execute the attached Option Agreement on behalf of the County; and

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**

This Instrument Prepared
Without Benefit of Title Opinion By:
Greer, Greer & Whitfield, Attorneys, PLLC
PO Box 385, Paris, TN 38242

OPTION AGREEMENT

THIS OPTION AGREEMENT is hereby made and entered into by and between the Government of Henry County, Tennessee (herein called "Seller") and the Tennessee Board of Regents, (herein called "Purchaser").

WITNESSETH:

For and in consideration of the sum of ONE (\$1.00) Dollar, cash in hand paid by Purchaser to Seller, the receipt and sufficiency of which is hereby acknowledged, Seller grants to Purchaser, or such other person or entity as Purchaser may direct, the option to purchase all or any portion of the real property located in Henry, County, Tennessee, described hereinbelow, together with any easements Seller owns in conjunction therewith, at any time after the effective date of this instrument and through and including the date of August, 15, 2025. The real property that is the subject of this option is described as follows:

An approximately 20-acre tract of land depicted on the maps of the Henry County Assessor of Property as Map 116, Parcel 044.05 more particularly described as:

BEGINNING at a set iron pin in the south right-of-way of Highway 218 Bypass; runs thence with the southern right-of-way of Highway 218 Bypass: North 87 degrees 58 minutes 17 seconds East, a distance of 499 .19 feet to a concrete right-of-way marker, North 79 degrees 26 minutes 14 seconds East, a distance of 717. 77 feet to a concrete right-of-way marker, North 66 degrees 31 minutes 42 seconds east, a distance of 373.47 feet to a concrete right-of-way marker, North 71 degrees 36 minutes 14 seconds East, a distance of 199.32 feet to a set iron pin in the west line of Williams, Deed Book 181, page 488; thence with the west line of Williams and a fence, South 02 degrees 53 minutes 03 seconds East, a distance of 691.52 feet to a fence post in the northeast corner of Fleming, Deed Book 125, page 302; thence with the north line Fleming, the north line of Hanson, Deed Book 210, page 726, and with a fence, South 86 degrees 37 minutes 45 seconds West, a distance of 1752.10 feet to a nail set in a stump at a fence corner, the northwest corner of Hanson and the east line of Bomar, Deed Book 29, page 365; thence with the east line of Bomar, North 02 degrees 53 minutes 55 seconds West, a distance of 433.32 feet to the point of beginning and containing 20.072 acres more or less. Bearings are record per highway plans.

This description taken from a Certificate of Survey dated April 4, 1995, prepared by Lucile D. Smith, Registered Land Surveyor of L.I. Smith & Associates, 2200 West Wood Street, Paris, Tennessee 38242, Tennessee License No. 1508 (file 116-44-B).

The property is subject to easements to the City of Paris Board of Public Utilities for sanitary sewer and other utility purposes.

All property and interests of Seller that are the subject of the option hereunder are herein sometimes collectively called the "Property."

THIS OPTION IS MADE SUBJECT TO THE FOLLOWING TERMS AND PROVISIONS:

1. Exercise of Option. Purchaser may exercise the option to purchase the Property at any time during the initial option period, or any extension thereof as hereinafter provided. Such option shall be exercised by Purchaser by giving written notice to Seller of Purchaser's intention to so exercise the option on or before the expiration of the option period, or any extension thereof. If such option is exercised, Seller shall, within 90 days after such exercise, close the sale of the Property to Purchaser.

2. Terms of Sale. Upon the exercise of the option, sale of the Property shall be made upon the following terms and provisions:

(a) Consideration. The consideration to be given by Purchaser to Seller for the Property shall be the sum of ONE (\$1.00) Dollar **plus** a contractual commitment by Purchaser to construct on the Property a 70,000–100,000 square foot postsecondary education facility. The contract shall specify that if the purchaser fails to commence construction within one year of the option exercise date or fails to substantially complete construction within four years of the option exercise date, then the Purchaser shall convey good title to the Property back to the Seller for no consideration.

(b) Conveyance of Property; Status of Title. Seller shall convey by quitclaim deed only; Purchaser shall be responsible for its own diligence with respect to status of title and status of the Property, which is sold "AS IS" with no representations or warranties whatsoever.

(c) Survey. Purchaser shall obtain a survey (if needed) at Purchaser's expense.

(d) Closing. Closing of sale shall be within 90 days after exercise of the option. At closing all documents necessary for conveyance of the Property shall be executed and delivered, all adjustments shall be made, and the purchase price shall be paid and the contractual commitment to construct on the Property a postsecondary education facility (on the terms specified above) shall be formalized. Seller shall execute and deliver all instruments reasonably deemed necessary by Purchaser to accomplish this transaction. All closing costs shall be paid by Purchaser.

(e) Land use. The Property may be used only for construction of a 70,000–100,000 square foot postsecondary education facility. (This provision applies to Purchaser and shall not be a restrictive covenant running with the land.)

3. Miscellaneous. This Option Agreement is binding on the heirs, successors, and assigns of the respective parties, and constitutes the entire agreement between the parties. Captions are for convenience only and shall not limit the scope or intent of this agreement, or any part hereof. Any notice required or allowed hereunder shall be hand-delivered, or sent by or other similar express service, or sent by United States certified mail, postage prepaid, return receipt requested, if to Seller, at Henry County Mayor, 101 W Washington St., PO Box 7, Paris, TN 38242, and if to Purchaser, to General Counsel at 1 Bridgestone Park, Nashville, TN 37214. Any such notice shall be effective upon sending. This instrument is severable such that the invalidity or unenforceability of any provision hereof shall not affect the validity or enforceability of the remaining provisions.

IN WITNESS WHEREOF, the parties have executed this instrument to be effective regardless of when signed on August 15, 2022.

Government of Henry County, Tennessee

By:

JOHN PENN RIDGEWAY, COUNTY MAYOR

Tennessee Board of Regents

By:

Print Name: _____

Print Title: _____

State of Tennessee
County of Henry

Before me, a Notary Public, of the State and County of aforesaid, personally appeared **JOHN PENN RIDGEWAY**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be COUNTY MAYOR (or other officer authorized to execute the instrument) of HENRY COUNTY, TENNESSEE, the within bargainor, a Tennessee County government, and that he as such COUNTY MAYOR, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing as COUNTY MAYOR.

WITNESS my hand and official seal of office this ____ day of _____, 2022.

Notary Public
My Commission Expires: _____

State of Tennessee
County of Henry

Before me, a Notary Public, of the State and County of aforesaid, personally appeared

[Print Name:] _____ with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be

Print Title: _____ (or other officer authorized to execute the instrument) of the **Tennessee Board of Regents**, the within bargainor, and that he in such capacity, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of the **Tennessee Board of Regents** by himself in such capacity aforesaid.

WITNESS my hand and official seal of office this ____ day of _____, 2022.

Notary Public
My Commission Expires: _____

RESOLUTION NO. 4-8-22

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO APPROVE THE
HENRY COUNTY TRUSTEE CORPORATE SURETY BOND**

WHEREAS, Randi French, Henry County Trustee, was duly elected to a four-year term of office in the County General Election on August 4, 2022, said term beginning September 1, 2022; and

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 15th day of August, 2022, a majority or more of the members concurring, that:

SECTION 1. The official corporate surety bond for Randi French, Henry County Trustee, for the sum of One Million Six Hundred Eighty-Two Thousand Eight Hundred Thirty-Three Dollars and No Cents (\$1,682,833.00) be and hereby is approved for the four (4) year term beginning September 1, 2022, and ending September 1, 2026.

BE IT FURTHER RESOLVED that the Henry County Public Official named herein above shall be bound under the Corporate Surety Bond for Henry County Public Officials provided by 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. 5-8-22

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO OPT OUT OF STATEWIDE BUILDING CODE STANDARDS FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS IN HENRY COUNTY

WHEREAS, Public Chapter 529 of the Public Acts of 2009, known as the “Tennessee Clean Energy Future Act of 2009,” amends T.C.A. § 68-120-101 to apply statewide building code standards to one-family and two-family dwellings; and

WHEREAS, Public Chapter 529 authorizes counties to opt out of these standards for one-family and two-family dwellings within the county’s jurisdiction outside any municipality located within the county; and

WHEREAS, The Board of Commissioners of Henry County has determined that it is in the best interest of the citizens of the county for these standards not to apply to one-family and two-family dwellings within the county’s jurisdiction outside any municipality located within the county.

NOW, THEREFORE BE IT RESOLVED by a two-thirds (2/3) vote of the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 15th day of August, 2022, that statewide building code standards, adopted pursuant to Title 68, chapter 120, shall not apply to one-family and two-family dwellings located within the jurisdictional boundaries of Henry County outside any municipality located within the county.

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. 6-8-22

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY COUNTY, TENNESSEE TO APPOINT A HENRY COUNTY CONSTABLE FOR DISTRICT #1

WHEREAS, a vacancy now exists for a Henry County Constable for District #1; and

WHEREAS, it is the duty and responsibility of the Board of Commissioners of Henry County, Tennessee to appoint a qualified citizen to fill the said vacancy; and

WHEREAS, the Board of Commissioners has examined and evaluated the qualifications of certain citizens for the said appointment.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 15th day of August 2022, the majority of the Commissioners concurring, that _____ is appointed as Constable in the First District in Henry County, Tennessee; and

BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage by this Board of County Commissioners and approval by the County Mayor, 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
COUNTY COMMISSION**

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
COUNTY MAYOR**