



AGENDA
HENRY COUNTY COMMISSION
Monday, September 18, 2023
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. Discussion of joint session with hospital regarding Private Act amendment.
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 #1-9-23

c. Consideration of a resolution to approve budget amendments and action thereon by the Commission. **RESOLUTION #2-9-23**

d. Consideration of a resolution to authorize the sale of a delinquent tax property at a reduced price and action thereon by the Commission.

RESOLUTION #3-9-23

e. Consideration of a resolution to approve a Capital Outlay Note in the amount of \$691,007 and action thereon by the Commission.

RESOLUTION #4-9-23

9. Announcements and Statements.

- **TCCA Annual Regional Meeting** - Obion County Discovery Park on September 21, 2023, 5:30-8:00PM.
- **TCSA Fall Conference** – Oct 18-20, 2023 in Chattanooga.

10. Adjournment.



CONSENT AGENDA

September 18, 2023

ITEMS TO BE APPROVED:

1. Minutes of the meeting of August 21, 2023
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 2024 budget.

RESOLUTION NO. 1-9-23

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 18th day of September, 2023, a majority or more of said Commissioner's concurring, that:

SECTION 1. Appointment as Chairman of the Commission for a one-year term which expires September, 2024.

a. John Penn Ridgeway

SECTION 2: Appointment as Vice-Chairman of the Commission for a one-year term which expires September, 2024

a. Charles Elizondo

SECTION 3. Appointment to the Henry County Hospital Board to fill the unexpired four-year term of Dr. Scott Whitby which expires November, 2025.

a. _____

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 #2-9-23

**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 2022-2023**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its July Session, 2023, adopted the budget for the Henry County General Fund for fiscal 2023-2024; 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 18th day of September 2023, 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:

ELECTION COMMISSION

INCREASE ACCOUNT 51500-106, entitled "Deputy Clerk," in the amount of \$2,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$2,000.00

This transfer is due to clerk not retiring and amount budgeted was for a minimum deputy pay.

SHERIFF'S OFFICE

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$107,544.00

INCREASE ACCOUNT 54110-431-001, entitled "Law Enforcement Supplies," in the amount of \$107,544.00

INCREASE ACCOUNT 54110-170-009, entitled "School Resource Officer," in the amount of \$39,154.00

INCREASE ACCOUNT 58600-201, entitled "Social Security," in the amount of \$2,428.00

INCREASE ACCOUNT 58600-212, entitled "Medicare," in the amount of \$568.00

INCREASE ACCOUNT 58600-207, entitled "Medical Insurance," in the amount of \$6,298.00

INCREASE ACCOUNT 58600-204, entitled "Retirement," in the amount of \$327.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$48,775.00

INCREASE ACCOUNT 54110-106-017, entitled "Deputy Salary," in the amount of \$2,365.00

DECREASE ACCOUNT 54110-106-006, entitled "Deputy Salary," in the amount of \$2,365.00

INCREASE ACCOUNT 54210-160-011, entitled "Correction Officer Salary," in the amount of \$1,465.00

DECREASE ACCOUNT 54110-106-006, entitled "Deputy Salary," in the amount of \$1,465.00

INCREASE ACCOUNT 54210-160-001, entitled "Correction Officer Salary," in the amount of \$1,465.00

DECREASE ACCOUNT 54110-106-006, entitled "Deputy Salary," in the amount of \$1,465.00

INCREASE ACCOUNT 54210-335, entitled "Maintenance & Repairs - Building," in the amount of \$11,000.00

INCREASE ACCOUNT 54110-335, entitled "Maintenance & Repairs - Building," in the amount of \$4,500.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$15,500.00

INCREASE REVENUE ACCOUNT 48610, entitled "Donations," in the amount of \$2,595.00

INCREASE ACCOUNT 55120-599, entitled "Other Charges," in the amount of \$2,595.00

INCREASE ACCOUNT 54210-712, entitled "HVAC Equipment," in the amount of \$22,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$22,000.00

Please see attached memo from Josh Frey regarding this request.

DRUG ENFORCEMENT

INCREASE REVENUE ACCOUNT 49800, entitled "Operating Transfers," in the amount of \$1,823.00

INCREASE ACCOUNT 54150-106-001, entitled "Deputy Salary," in the amount of \$509.00

INCREASE ACCOUNT 54150-106-002, entitled "Deputy Salary," in the amount of \$700.00

INCREASE ACCOUNT 54150-188, entitled "Bonus," in the amount of \$400.00

INCREASE ACCOUNT 58600-201, entitled "Social Security," in the amount of \$100.00

INCREASE ACCOUNT 58600-212, entitled "Medicare," in the amount of \$24.00

INCREASE ACCOUNT 58600-204, entitled "Retirement," in the amount of \$90.00

This transfer is to reflect a 5% COLA (4% was originally budgeted) and to reflect a bonus for the clerical staff person.

EMERGENCY MANAGEMENT

INCREASE REVENUE ACCOUNT 48990, entitled "Other Revenue," in the amount of \$68,366.25

INCREASE ACCOUNT 54490-708, entitled "Communication Equipment," in the amount of \$68,366.25

This transfer is to put into the budget the funds for the interlocal agreement with Henry County Emergency Communications District for the backup radio system.

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. 3-9-23

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 parcel described below is impossible to sell for an amount equal to the total amount of the taxes, penalty, cost and interest accrued against such parcel;

1. Smith Street, Group A, Control Map 096M, Parcel 032.01. Offer by Cynthia Gornick for \$500.00 plus closing costs.

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

WHEREAS, the individual named above has made an offer for quitclaim deed to said delinquent tax parcel;

WHEREAS, after investigation of said delinquent tax parcel, the Delinquent Tax Committee recommends that the County Mayor be authorized to accept the minimum offer as listed above, subject to publication of the offer and the opportunity for any other interested party to raise to the offer 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 the offer for a quitclaim deed to the delinquent tax parcel described above;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 18th day of September, 2023, a majority or more of the membership concurring that the delinquent tax parcel cannot be sold for the accumulated total of taxes, interest, penalties and costs against it; therefore, pursuant to TENN. CODE ANN. §67-5-2507, the County Mayor is authorized to accept an offer for a quitclaim deed to said parcel in consideration of a minimum offer 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**

RESOLUTION NO. 4-9-23

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE, SALE, AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO EXCEED \$691,007

WHEREAS, the Governing Body of Henry County, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project (the “Project”): Capital Outlay Note 2023-2024 Fiscal Year (See Attachment A).

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated (the “Act”), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest-bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Henry County, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed six-hundred ninety one thousand and seven dollars (\$691,007) (the “Notes”) at either a competitive public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated “2024 Capital Outlay Notes, Series 2024a”, shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed 3 percent (3%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than one (1) year after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least See Attachment year. The existing balance of said note will be retired prior to the end of the 2023-2024 fiscal year.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

If applicable, the Notes shall be further secured by Not Applicable.

(If the revenues generated by Project are to be applied as additional security for the Notes, describe such revenues here.)

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the County Mayor of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the County Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remain outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note

shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That, the Notes shall be sold only after the receipt of the written approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

Section 11. That, if any of the Notes shall remain unpaid at the end of one (1) year from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any

other law, or be otherwise liquidated as approval by the State Director of Local Finance.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 18th day of September, 2023.

PASSED_____

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

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

ATTACHMENT "A"
CAPITAL PROJECTS

<u>General Admin</u>		<u>Estimated Life</u>
Building Improvements	\$ 45,000	Various
Communication Equip	\$100,000	5 yrs.
Data Processing	\$ 38,800	5 yrs.
Law Enforcement Equipment	\$ 65,000	5 yrs.
Motor Vehicles	\$125,000	5 yrs.
Voting Machines	\$289,707	5 yrs.
Other Equipment	\$ 27,500	5 yrs.
Total	\$691,007	