



AGENDA
HENRY COUNTY COMMISSION
MONDAY, APRIL 15, 2024
5:00 PM
HENRY COUNTY COURTHOUSE

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. Commissioners' forum.
7. Update from Mayor Ridgeway on future County buildings & projects.
8. Update on Litter Grant from Diann McGuire.
9. **BUSINESS:**
 - a. Approval of Consent Agenda and action thereon by the Commission.

- b. Consideration of a resolution to approve budget amendment and action thereon by the Commission. **RESOLUTION #2-4-24**
- c. Consideration of a resolution to appoint a Henry County Commissioner for District 1. **RESOLUTION #3-4-24**
- d. Consideration of a resolution to accept resignation of Henry County Property Assessor and action thereon by the Commission. **RESOLUTION #4-4-24**
- e. Consideration of a resolution to approve authorization of a Litter Grant contract with the State of Tennessee and action thereon by the Commission. **RESOLUTION #5-4-24**
- f. Consideration of a resolution to approve authorization of a lease agreement between Henry County Chancery Office and Konica Minolta Business Solutions USA, Inc. **RESOLUTION #6-4-24**
- g. Consideration of a resolution to approve the amendment of Private Act for the sale or lease of the Henry County Healthcare Center and/or The Hospital District. **RESOLUTION #7-4-24**
- h. Consideration of a resolution to approve retaining an attorney for joint representation for Henry County Medical Center and Henry County, TN. **NOTE:** *Exhibit A* will be emailed separately and will be distributed at the County Commission meeting. **RESOLUTION #8-4-24**

10. Announcements and Statements.

For anyone wanting to help, we are scheduled to serve at the Fish Tent on Wednesday, April 24th from 7 – 9PM

The May meeting will be moved to Tuesday, May 28, 2024 due to the Legislative Conference the week of May 20th and the Memorial Day holiday.

11. Adjournment.



CONSENT AGENDA APRIL 15, 2024

ITEMS TO BE APPROVED:

1. Minutes of the meeting of April 1, 2024
2. Notary Public designations.
3. Various quarterly reports.
4. Henry County Medical Center Statement of Cash Flow.
5. Trustee's month end report.

RESOLUTION #2-4-24

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 2023-2024

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 26th day of February 2024, 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 51500-317, entitled "Data Processing Services," in the amount of \$3,000.00

DECREASE ACCOUNT 51500-349, entitled "Printing, Stationery & Forms," in the amount of \$2,000.00

DECREASE ACCOUNT 51500-709, entitled "Data Processing Equipment," in the amount of \$1,000.00

Please see emergency accounts payable request from DeLaina Green regarding this request.

GENERAL SESSIONS JUDGE

INCREASE ACCOUNT 53310-102, entitled "Judge's Salary," in the amount of \$1,735.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$1,735.00

This transfer is to pay for an additional 1% COLA per the attached memo from the AOC.

OTHER ADMINISTRATION OF JUSTICE

INCREASE ACCOUNT 53900-399, entitled "Other Contracted Services," in the amount of \$1,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$1,000.00

This is to put into the budget the expense for a code of ethics officer through June.

SHERIFF'S OFFICE

INCREASE ACCOUNT 54110-338, entitled "Maintenance & Repair – Vehicles," in the amount of \$4,000.00

DECREASE ACCOUNT 54110-450, entitled "Tires & Tubes," in the amount of \$4,000.00

INCREASE ACCOUNT 54210-330, entitled "Operating Lease Payments," in the amount of \$2,559.40

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$2,559.40

INCREASE REVENUE ACCOUNT 48610, entitled "Donations," in the amount of \$1,345.80

INCREASE ACCOUNT 55120-599, entitled "Other Charges," in the amount of \$1,345.80

INCREASE REVENUE ACCOUNT 48610, entitled "Donations," in the amount of \$3,467.00

INCREASE ACCOUNT 55510-599, entitled "Other Charges," in the amount of \$3,467.00

Please see the memo from Josh Frey regarding this transfer.

INCREASE ACCOUNT 54110-718, entitled "Vehicles," in the amount of \$31,429.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$31,429.00

This transfer is to reimburse the account from FY23 accounts payable not paid until this fiscal year.

INCREASE ACCOUNT 54210-712 entitled "A/C and Heating," in the amount of \$13,900.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$13,900.00

This transfer is for a new unit for the jail.

OFFICE ON AGING

INCREASE ACCOUNT 56100-718, entitled "Vehicles," in the amount of \$13,799.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$13,799.00

This transfer is put into the budget for a purchase of a van for the Office on Aging.

OTHER ECONOMIC & COMMUNITY DEVELOPMENT

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$384,415.08

INCREASE ACCOUNT 58190-399, entitled "Other Contracted Services," in the amount of \$384,415.08

This transfer is to put a TDEC water grant into the budget. This grant will be administered by PHCIC but we are the grantee.

EMPLOYEE BENEFITS

INCREASE ACCOUNT 58600-513, entitled "Worker's Compensation Insurance," in the amount of \$3,651.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$3,651.00

This transfer was to pay for an additional premium from FY23 actual payroll.

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. 3-4-24
A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY
COUNTY, TENNESSEE TO APPOINT HENRY COUNTY COMMISSIONER
FOR DISTRICT #1

WHEREAS, a vacancy now exists on the Henry County Commission 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 appointment to the Commission.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 15th day of April, 2024, the majority of the Commissioners concurring, that _____ is appointed to the Henry County Commission for an interim period effective immediately and ending August 31, 2024, to fill the unexpired term of First District Commissioner Randy Gean. This position will be open for election again at the next countywide general election to be held in August, 2024.

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

RESOLUTION NO. #4-4-24

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE, BOARD OF COMMISSIONERS TO ACCEPT RESIGNATION OF HENRY COUNTY PROPERTY ASSESSOR

WHEREAS, the Honorable Charles VanDyke—after having served with distinction as Henry County Property Assessor for twenty-five years—has announced his intent to resign the office of Henry County Property Assessor; and

WHEREAS, Charles VanDyke has (in his individual capacity) signed this Resolution for purposes of irrevocably resigning from the office of Henry County Property Assessor, with his final day of service in such office to be April 30, 2024; and

WHEREAS, immediately upon the acceptance of said resignation by approval of this Resolution by the Board of Commissioners of Henry County, Tennessee, the office of Henry County Property Assessor shall be deemed vacant; and

WHEREAS, as contemplated by TENN. CODE ANN. § 5-1-104, there is sufficient time for the vacancy of the Office of Henry County Property Assessor to be placed on the ballot of the August 1, 2024 election and filled by a vote of the citizens of Henry County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 15th day of April, 2024, a majority or more of the membership concurring that Charles VanDyke’s resignation from the office of Henry County Property Assessor is accepted and irrevocable, and the office of Henry County Property Assessor is

deemed vacant effective May 1, 2024; provided, however, that Charles VanDyke shall continue to serve as Henry County Property Assessor and fulfill the duties of that office until 11:59 PM on April 30, 2024.

BE IT FURTHER RESOLVED that the members of this body waive formal notice of the vacancy created by the resignation contemplated herein pursuant to TENN. CODE ANN. § 5-1-104; and

BE IT FURTHER RESOLVED that this Board requests that vacancy created by the resignation contemplated herein be placed on the ballot of the August 1, 2024 election to be filled by vote of the citizens of Henry County, Tennessee; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be delivered to the Henry County Administrator of Elections and each member of the Henry County Election Commission; 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
HENRY COUNTY MAYOR**

I, Charles VanDyke, individually, join in this resolution for purposes of irrevocably resigning from the Office of Henry County Property Assessor as stated in the above resolution (with my final day of service in such capacities to be April 30, 2024), subject to the approval of said Resolution by the Board of Commissioners of Henry County, Tennessee.

CHARLES VANDYKE

Date _____

RESOLUTION NO. 5-4-24

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER AND TRASH COLLECTING GRANT FOR FY 2024-2025 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ACCEPTANCE OF SAID GRANT

WHEREAS, the Henry County Commission intends to apply for the aforementioned Grant from the Tennessee Department of Transportation; and

WHEREAS, the contract for the Grant for FY 2024-2025 will impose certain legal obligations upon Henry County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 15th day of April, 2024, a majority or more of the membership concurring,

1. That the County Mayor is hereby authorized to apply on behalf of Henry County for a Litter and Trash Collecting Grant for FY 2024-2025 from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then the County Mayor of Henry County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Henry County.

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**

RESOLUTON NO. 6-4-24

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE A LEASE AGREEMENT BETWEEN THE HENRY COUNTY CHANCERY OFFICE AND KONICA MINOLTA BUSINESS SOLUTIONS USA, INC.

WHEREAS, Henry County finds it is essential and in the best interest of the citizens of Henry County to approve a lease agreement between the Henry County Chancery Office and Konica Minolta Business Solutions USA, Inc. for the upgrading of office equipment; and

WHEREAS, it is necessary for the Board of Commissioners of Henry County, Tennessee to approve a lease agreement for the Chancery Office for a copier/printer for sixty (60) months beginning August 1, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 15th day of April, 2024, a majority or more of the membership concurring, does hereby authorize the lease agreement described in the attached documents between the Henry County Chancery Office and Konica Minolta Business Solutions USA, Inc.

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. 7-4-24

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO APPROVE THE AMENDMENT OF PRIVATE ACT CHAPTERS 176, 524, 157, AND 354 PERMITTING THE SALE OR LEASE OF THE HENRY COUNTY HEALTHCARE CENTER AND/OR THE HOSPITAL DISTRICT

WHEREAS, on the 18th day of December, 2023, this Body passed a Resolution to urge the General Assembly to amend a Private Act permitting the sale or lease and other changes of the Henry County Healthcare Center and/or The Hospital District; and

WHEREAS, the 113th Tennessee General Assembly passed a Private Act providing for changes to the Hospital District Private Act by this Body, said Private Act being Private Chapter Nos. 176, Chapter 524, Chapter 157, and Chapter 354 (House Bill No. 2992, substituted for Senate Bill No 2975); and

WHEREAS, said Private Chapter Nos. 176, Chapter 524, Chapter 157, and Chapter 354 specifies that the method of local approval is by a two-thirds majority vote of the county legislative body pursuant to TENN. CODE ANN. §§ 8-3-201 and 8-3-202; and

WHEREAS, it is in the public interest that the amendment of Private Chapter Nos. 176, Chapter 524, Chapter 157, and Chapter 354 be approved by this Body; and

NOW, THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the county legislative body of Henry County, meeting in regular session on this **15th day of April, 2024**, that Private Chapter Nos. 176, Chapter 524, Chapter 157, and Chapter 354 (House Bill No. 2992, substituted for Senate Bill No 2975, 113th General Assembly), a copy of which is attached as *Exhibit A*, is hereby approved and ratified in its entirety; and

BE IT FURTHER RESOLVED, that the presiding officer of the county legislative body shall proclaim the approval of said Private Chapter Nos. 176, Chapter 524, Chapter 157, and Chapter 354 and the County Clerk shall certify the same to the Tennessee Secretary of State; and

BE IT FURTHER RESOLVED, that the County Clerk shall mail a certified copy of this Resolution along with the required Notice to Secretary of State of Ratification of Private Act to the Tennessee Secretary of State; and

BE IT FINALLY RESOLVED, that true copy of this Resolution be spread upon the commission record as of this date.

PASSED _____

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

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

RESOLUTION NO. 8-4-24

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO RETAIN AN ATTORNEY FOR JOINT REPRESENTATION FOR HENRY COUNTY MEDICAL CENTER AND HENRY COUNTY, TENNESSEE

WHEREAS, the Henry County Hospital District ("HCMC") has requested that the Henry County Board of Commissioners consider approving the lease and/or sale of substantially all of HCMC's assets to a third-party hospital company (the "Proposed Transaction"); and

WHEREAS, the Henry County Board of Commissioners believes it to be in the best interest of the citizens and residents of Henry County that qualified legal counsel experienced in handling transactions similar to the Proposed Transaction be retained to represent the County's interests with respect to the Proposed Transaction; and

WHEREAS, the Henry County Board of Commissioners acknowledges that the Henry County Attorney is not representing or providing legal advice to Henry County with respect to the Proposed Transaction; and

WHEREAS, the Henry County Board of Commissioners has determined that the law firm (the "Law Firm") identified in the representation agreement attached as *Exhibit A* (the "Representation Agreement") to this resolution is qualified and experienced in handling transactions similar to the Proposed Transaction; and

WHEREAS, HCMC has agreed to pay the entire cost of retaining qualified legal counsel to jointly represent HCMC and Henry County with respect to the Proposed Transaction (it being understood that HCMC's agreement to pay such cost is between HCMC and Henry County [under the Representation Agreement, both entities may be jointly and severally liable to the Law Firm for payment of the Law Firm's fee]); and

WHEREAS, the Henry County Board of Commissioners has determined that joint representation of HCMC and Henry County with respect to the proposed transaction would be in the best interest of the citizens and residents of Henry County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 15th day of April, 2024, the majority concurring that the Commissioners shall retain the Law

Firm to represent Henry County jointly with HCMC on the terms outlined in the Representation Agreement; and

BE IT FURTHER RESOLVED that the Henry County Mayor in his capacity as such and/or in his capacity as Chairperson of the Henry County Board of Commissioners is authorized and directed to sign the Representation Agreement and any other associated documents necessary to retain the Law Firm (including without limitation any conflict of interest waiver or other documents necessary due to the joint representation of HCMC in the Proposed Transaction) upon (a) HCMC executing those same documents and (b) HCMC signing a written agreement requiring it to pay the Law Firm's entire cost (attorney's fees and expenses) associated with representing HCMC and Henry County with respect to the Proposed Transaction; and

BE IT FINALLY RESOLVED that a true and correct 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**