



february

**AGENDA
HENRY COUNTY COMMISSION
MONDAY, MARCH 4, 2024
5:00 PM
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. Commissioners' forum
7. Proclamation to honor the late Henry County Commissioner Randy Gean
8. Update on Henry County Medical Center from CEO John Tucker
9. **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 #1-2-24**

- c. Consideration of a resolution to appoint a Henry County commissioner for District 5 to the Courthouse Committee to serve a one-year term.
RESOLUTION #1a-2-24
- d. Consideration of a resolution to approve budget amendments and action thereon by the Commission. **RESOLUTION #2-2-24**
- e. Consideration of a resolution to approve budget amendments and action thereon by the Commission. **RESOLUTION #3-2-24**
- f. Consideration of a resolution to approve budget amendments and action thereon by the Commission. **RESOLUTION #4-2-24**
- g. Consideration of a resolution to approve the sale of certain properties to Henry County Habitat for Humanity. **RESOLUTION #5-2-24**
- h. Consideration of a resolution to update Code of Ethics policy for Henry County.
RESOLUTION #6-2-24
- i. Consideration of a resolution to accept proposal from TDOT for portion of highway construction. **RESOLUTION #7-2-24**
- j. Consideration of a resolution to establish rules of procedure for the special election to fill the vacant position for District 1 County Commissioner and action thereon by the Commission.
RESOLUTION #8-2-24
- k. Consideration of a resolution to accept resignation of County Mayor (Resolution to be distributed at the meeting) **RESOLUTION #9-2-24**

10. Announcements and Statements

11. Adjournment

February



CONSENT AGENDA
MARCH 4, 2024

ITEMS TO BE APPROVED:

1. Minutes of the meeting of January 22, 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 NO. 1-2-24

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 4th day of March, 2024, a majority or more of said Commissioners concurring, that:

SECTION 1. The following be and hereby are appointed to the Agriculture Committee for 2-year terms which expire January, 2026:

- a. Farm Woman – Mary Kate Paschall
- b. Farm Man – Derek Lamon
- c. County Commissioner – Melissa McElroy
- d. County Commissioner – Paul Neal

SECTION 2. The following be and hereby are appointed to the Airport Committee for 6-year terms to expire January, 2030:

- a. Scott Berryman
- b. Dell Carter

SECTION 3. The following be and hereby are appointed to the Audit Committee for 3-year terms with terms to expire December 31, 2026:

- a. Jill Coker
- b. Bobby Milam
- c. Melanie Dodd
- d. Steve Greer
- e. Kenneth Humphreys
- f. Andy Collins

SECTION 4. The following be and hereby are appointed to the Beer Board for 1-year terms with terms to expire January 2025:

- a. District 1 – Melissa McElroy
- b. District 2 – Ralph Wiles
- c. District 3 – Missy Hamilton
- d. District 4 – Dell Carter
- e. District 5 – David Webb
- f. County Attorney – Rob Whitfield (*non-voting member)

SECTION 5. The following be and hereby are appointed to the Budget Committee for 3-year terms which will expire January, 2027:

- a. County Commissioner – Charles Elizondo

- b. County Commissioner – Kenneth Humphreys
- c. County Commissioner – David (Jay) Travis, Jr.
- d. Citizen-at-Large – Melanie Dodd

SECTION 6. The following be and hereby is appointed as the County Attorney for a 4-year term which expires September, 2027:

- a. G. Robert Whitfield III

SECTION 7. The following be and hereby are appointed to the Delinquent Tax Committee for 1-year terms expiring January, 2025:

- a. District 1 – Ricky Wade
- b. District 2 – Paul Neal
- d. District 4 – David Hayes
- e. District 5 – Patrick Burns
- f. County Attorney – Rob Whitfield (*non-voting member)
- g. County Mayor – John Penn Ridgeway

SECTION 8. The following be and hereby are appointed to the Emergency Communications 911 Board for 4-year terms with terms to expire January, 2028:

- a. Twila Rose
- b. Ricky Watson
- c. Richie Chilcutt

SECTION 9. The following be and hereby are appointed to the Committee to Study Rural Fire Protection for Henry County for

1-year terms with terms to expire January, 2025:

- a. District 1 – Ricky Wade
- b. District 2 – Paul Neal
- c. District 3 – Monte Starks
- d. District 4 – Dell Carter
- e. District 5 – David Webb

SECTION 10. The following be and hereby are appointed to the Board of Health for 1-year terms with terms to expire January, 2025:

- a. County Physician – Dr. Terry Harrison
- b. Medical Doctor – Dr. Scott Whitby
- c. Dentist – Dr. Jeff Morris
- d. Veterinarian – Dr. Buddy Gardner
- e. Director of County Schools – Dr. Leah Watkins
- f. Director of City Schools – Dr. Norma Gerrell
- g. Nurse – Lori Taylor
- h. Pharmacist – Randall Perkins
- i. Legal Profession – Bill Looney

SECTION 11. The following be and hereby are appointed to the Health Insurance Committee for a 1-year terms with terms to expire January, 2025:

- a. District 1 – Ricky Wade
- b. District 2 – Paul Neal
- c. District 3 – Monte Starks
- d. District 4 – Dell Carter

- e. District 5 – David (Jay) Travis, Jr.

SECTION 12. David Webb be and hereby is appointed as County Historian for a 1-year term with term to expire January, 2025.

SECTION 13. The following be and hereby are appointed to the Investment Committee for a 1-year term with term to expire January, 2025:

- a. John Penn Ridgeway
- b. Randi French
- c. Donna Craig
- d. Pat Hollingsworth
- e. Brent Greer – ex-officio

SECTION 14. The following be and hereby are appointed to the Legislative Committee for a 1-year term with term to expire January, 2025:

- a. District 1 – Ricky Wade
- b. District 2 – Paul Neal
- c. District 3 – Monte Starks
- d. District 4 – Kenneth Humphreys
- e. District 5 – David Webb
- f. County Attorney – Rob Whitfield (*non-voting member)

SECTION 15. Dr. Scott Portis be and hereby is appointed as Medical Examiner for a 1-year term with term to expire January, 2025.

SECTION 16. The following be and hereby are appointed as Assistant Medical Examiner for a 1-year term with term to expire January, 2025.

a. Dr. Terry Harrison

b. Dr. Paul Evans

SECTION 17. The following be and hereby are appointed to the Nominating Committee for

a 1-year term with term to expire January, 2025:

a. District 1 – Melissa McElroy

b. District 2 – Paul Neal

c. District 3 – Missy Hamilton

d. District 4 – David Hayes

e. District 5 – Patrick Burns

SECTION 18. The following be and hereby are appointed to the Employees Personnel

Policies and Procedures Committee for a 2-year term with term to expire January, 2026:

a. District 1 – Melissa McElroy

b. District 3 – Monte Starks

c. District 5 – David (Jay) Travis, Jr.

SECTION 19. The following be and hereby are appointed to the Planning Commission

for 4-year terms which expire January, 2028:

a. John Taylor

b. Terry Wimberley

SECTION 20. The following be and hereby are appointed to the Public Records

Commission for a 1-year term with term to expire January, 2025:

a. Donna Craig

b. John Penn Ridgeway

- c. Pam Martin
- d. Ricky Wade
- e. Vicki Snyder
- f. Paul Neal
- g. Missy Hamilton
- h. David Webb
- i. Stephanie Tayloe

SECTION 21. The following be and hereby are appointed to the Henry-Carroll County Railroad Authority for a 1-year term with term to expire January, 2025:

- a. John Penn Ridgeway
- b. Brent Greer

SECTION 22. The following be and hereby are appointed to the Solid Waste Committee for a 3-year term with term to expire January, 2027:

- a. Citizen-at-Large – Jeff Atkins
- b. County Commissioner – Melissa McElroy (District 1)
- c. County Commissioner – David Hayes (District 4)

SECTION 23. The following be and hereby are appointed to the Veterans Service Committee for a 1-year term with term to expire January, 2025:

- a. David (Jay) Travis, Jr.
- b. Kenneth Humphreys

SECTION 24. The following be and hereby are appointed to the Work Release Committee for a 1-year term with term to expire January, 2025:

- a. District 1 – Ricky Wade
- b. District 2 – Paul Neal
- c. District 3 – Monte Starks
- d. District 4 – Kenneth Humphreys
- e. District 5 – Patrick Burns

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. 1a-2-24

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPOINT A COMMISSIONER FOR DISTRICT 5 TO THE HENRY COUNTY COURTHOUSE COMMITTEE

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 4th day of March, 2024, a majority or more of said Commissioners concurring, that:

SECTION 1. The following is hereby appointed for District 5 to the Courthouse Committee for a 1-year term with term to expire January, 2025:

a. District 5 – _____

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**

APPROVE _____

JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR

RESOLUTION #2-2-24

**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:

CHANCERY COURT CLERK

INCREASE ACCOUNT 53400-332, entitled "Legal Notices," in the amount of \$125.00

DECREASE ACCOUNT 53400-355, entitled "Travel," in the amount of \$125.00

Please see emergency accounts payable request from Albert Wade regarding this request.

OTHER ADMINISTRATION OF JUSTICE

INCREASE ACCOUNT 53900-331, entitled "Legal Services," in the amount of \$13,055.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$13,055.00

This transfer is to pay for the notices for delinquent tax properties published in the local newspaper prior to sale through June 30, 2024.

SHERIFF'S OFFICE

INCREASE ACCOUNT 54110-355, entitled "Travel," in the amount of \$2,500.00

INCREASE ACCOUNT 54110-524, entitled "Staff Development/In Service," in the amount of \$9,500.00

INCREASE ACCOUNT 54110-716, entitled "Law Enforcement Equipment," in the amount of \$13,800.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$25,800.00

INCREASE ACCOUNT 54210-413, entitled "Drug & Medical Supplies," in the amount of \$35,000.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$35,000.00

INCREASE ACCOUNT 54210-707, entitled "Building Improvements," in the amount of \$12,000.00

DECREASE ACCOUNT 54210-716, entitled "Law Enforcement Equipment," in the amount of \$12,000.00

INCREASE ACCOUNT 54110-355, entitled "Travel," in the amount of \$2,000.00

DECREASE ACCOUNT 54110-524, entitled "Staff Development/In Service," in the amount of \$2,000.00

Please see the memo from Josh Frey regarding this transfer.

OFFICE ON AGING

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$8,000.00

INCREASE ACCOUNT 56100-599-001, entitled "Other Charges," in the amount of \$8,000.00

This transfer is put into the budget a grant received by the Office on Aging.

OTHER ECONOMIC & COMMUNITY DEVELOPMENT

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$287,784.92

INCREASE ACCOUNT 58190-399, entitled "Other Contracted Services," in the amount of \$287,784.92

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

AIRPORT

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$32,000.00

INCREASE ACCOUNT 58220-412, entitled "Diesel Fuel," in the amount of \$2,000.00

INCREASE ACCOUNT 58220-336, entitled "Maintenance & Repair - Equipment," in the amount of \$30,000.00

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 #3-2-24

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO
AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY GENERAL CAPITAL PROJECTS 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 Capital Projects 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 Capital Projects Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County General Capital Projects 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 Capital Projects 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 Capital Projects Fund be and hereby is amended as follows, to-wit:

INCREASE REVENUE ACCOUNT 46980, entitled "Other State Grants," in the amount of \$34,276.00

INCREASE ACCOUNT 91110-790, entitled "Other Equipment," in the amount of \$34,276.00

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 #4-2-24

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO
 AUTHORIZE CERTAIN CHANGES IN THE BUDGET
 FOR THE HENRY COUNTY GENERAL PURPOSE SCHOOL 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 Purpose School 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 Purpose School Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County General Purpose School 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 Purpose School 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 Purpose School Fund be and hereby is amended as follows, to-wit:

				<u>Debit</u>	<u>Credit</u>
Increase Revenue Account					
44570					
		122			
			Increase Revenue -Plus		
			Endowment		\$38,932.32
44570		121			
			Increase Revenue-U-Trust Grant		\$18,600.00
44570					
		298	10		
			Found		\$5,000.00
44570		511			
			Increase Revenue-Across the Fence		\$10,000.00
44170					
			Increase Revenue-Henry Bank Bldg		\$65,000.00
46530					
			Increase Revenue-TVA		
			Rebate		\$49,688.59
44570		325			
			Increase Revenue-QB Club		\$40,000.00
Increase Expenditure Account					
71100	599	999	122	Plus Endowment Grants	\$38,932.32
71100	599	121	10	U-Trust Grant -District	\$11,600.00
71100	599	121	12	U-Trust Grant -Harrelson	\$1,250.00
71100	599	121	15	U-Trust Grant-Grove	\$1,250.00
71100	599	121	20	U-Trust Grant-Henry	\$1,000.00

71100	599	121	25	U-Trust HCHS	\$2,000.00	
71100	599	121	33	U-Trust Grant-Lakewood	\$1,500.00	
71100	429	298	10	Donation for STEM	\$5,000.00	
73300				Weekend Backpack		
	599	511		Donation	\$10,000.00	
76100	707	10	20	Building Improvements	\$114,688.59	
76100	799		325	Other Capital Outlay	\$40,000.00	
					<u>\$227,220.91</u>	<u>\$227,220.91</u>

*** Revision required to add revenue to budget

Account Number Description

General Purpose School Fund - FY2023 Safe School Grant

				<u>Debit</u>	<u>Credit</u>	
Increase Revenue Account						
46590		146	FY23 Safe School Revenue		\$60,737.44	
Increase Expenditure Account						
72130	399	146	Other Contracted Services	\$4,790.35		
72130	499	146	Other Materials & supplies	\$10,379.33		
72130	790	146	Equipment	\$46,000.26		
Decrease Expenditure Account						
72130			Inservice/staff			
	524	146	Development		\$ 432.50	
					<u>\$61,169.94</u>	<u>\$61,169.94</u>

*** Revision required to budget additional allocation

Account Number Description

General Purpose School Fund - State School Improvement Grant

				<u>Debit</u>	<u>Credit</u>	
Increase Revenue Account						
46980		895	State School Improvement Grant		\$141,232.59	
Increase Expenditure Account						
71100	399	895	Other Contracted Services	\$141,232.59		
					<u>\$141,232.59</u>	<u>\$ 141,232.59</u>

Account Number Description

General Purpose School Fund-Innovative School Models Grant

Increase Revenue Account					
46790		950	Innovative School Model		\$3,500,000.00
Increase Expenditures					
71300	116	950	Certified Teachers	\$153,655.18	
71300	201	950	Social Security	\$9,525.56	
71300	204	950	State Retirement	\$10,464.60	
71300	207	950	Medical Insurance	\$14,411.94	
71300	212	950	Employer Medicare	\$2,152.73	
71300	429	950	Instructional Materials & supplies	\$130,000.00	
71300	429	950	299 Instructional Materials -	\$45,500.00	

			consumables		
71300	599	950	Other Charges	\$1,955,289.99	
71300	730	950	Instructional Equipment	\$405,000.00	
72230			Inservice/Staff		
	524	950	Development	\$6,000.00	
72230	790	950	Other Equipment	\$510,000.00	
72250	790	950	Technology Equipment	\$150,000.00	
72710	399	950	Transportation	\$8,000.00	
76100	399	950	Other Capital Outlay	\$100,000.00	
				<u>\$3,500,000.00</u>	<u>\$3,500,000.00</u>

**Revision required to add Grant funds into our budget.

***ISM Plan was approved in FY2023

Account Number Description

General Purpose School Fund-State Special Education Pre-K

			<u>Debit</u>	<u>Credit</u>	
Increase Revenue Account					
46515					
	916		Increase Revenue -Pre-K Grant	\$47,151.90	
Decrease Expenditure Account					
71200	163	916	Educational Assistant	\$17,943.75	
71200	201	916	Social Security	\$1,112.51	
71200	204	916	State Retirement	\$997.67	
71200	207	916	Medical Insurance	\$12,308.67	
71200	212	916	Medicare	\$260.18	
71200	429	916	Instructional Materials & Supplies	\$4,529.12	
71200	725	916	Sp. Education Equipment	\$10,000.00	
				<u>\$47,151.90</u>	<u>\$47,151.90</u>

***Revision required to add new Grant funds to budget.

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. 5-2-24

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE THE SALE OF CERTAIN PROPERTIES IN HENRY COUNTY TO HABITAT FOR HUMANITY

WHEREAS, delinquent tax parcels known as Tax Map 105F, Group B, Parcels 21 and 20.01 (vacant lots on McSwain St) were struck off to the Government of Henry County, Tennessee, at a tax sale held in February, 2023 due to no bids being offered by members of the public; and

WHEREAS, Tenn. Code Ann. § 67-5-2509 authorizes counties to resell surplus delinquent tax parcels to nonprofit organizations with IRS 501(c)(3) status for purposes of “creating affordable and habitable housing for the disadvantaged and needy” on any terms; and

WHEREAS, Habitat for Humanity of Paris-Henry County, Inc. (“Habitat”) meets said criteria and the Delinquent Tax Committee has recommended that the Henry County Commission sell the aforesaid parcels to Habitat for \$1.00; and

WHEREAS, development of said lots by Habitat will result in an increased tax assessment on the aforesaid parcels and may also raise property values in the surrounding areas; and

WHEREAS, it is in the best interest of the citizens and residents of Henry County, Tennessee, that affordable and habitable housing for the disadvantaged and needy be more readily available; and

WHEREAS, the Henry County Attorney has offered to prepare the necessary deed and close the transaction as an in-kind donation to Habitat; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 4th day of March, 2024 a majority or more of the membership concurring, does hereby approve to sell Tax Map 105F, Group B, Parcels 21 and 20.01 to Habitat for Humanity of Paris-Henry County, Inc. for \$1.00 for the purpose of creating affordable and habitable housing for the disadvantaged and needy.

BE IT FURTHER RESOLVED, that the County Mayor is authorized and directed to execute a deed on behalf of the County quitclaiming said parcels to Habitat.

BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting.

PASSED _____

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

**DONNA CRAIG
COUNTY CLERK**

APPROVED_____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

RESOLUTION NO. 6-2-24

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY COUNTY,
TENNESSEE TO UPDATE THE HENRY COUNTY CODE OF ETHICS POLICY**

WHEREAS, Title 8, Chapter 17 of the Tennessee Code required counties to adopt ethical standards on or before June 30, 2007, and Henry County adopted its current Code of Ethics in or about February, 2007; and

WHEREAS, Tennessee Code Annotated § 8-17-104 (as recently amended) now requires counties to designate a primary person responsible for administering and enforcing the county's ethical standards; and

WHEREAS, it is in the best interest of the citizens and residents of Henry County, Tennessee that the Henry County Attorney be designated as the primary person responsible for administering and enforcing the entity's ethical standards and that Henry County's Code of Ethics be amended to reflect this.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 4th day of March, 2024, a majority or more of said commissioners concurring, does hereby accept and approve that the Code of Ethics Policy in the form attached hereto as *Exhibit A* be adopted as the Code of Ethics Policy for Henry County; and

BE IT FURTHER RESOLVED, that all prior ethics policies, standards, and codes adopted by this body pursuant to Title 8, Chapter 17 of the Tennessee Code are hereby repealed and replaced by this resolution; and

BE IT FURTHER RESOLVED, that in consideration for the additional services to be rendered by the County Attorney in accordance with the Code of Ethics Policy, the Henry County Attorney's annual retainer shall be increased \$2,000 per fiscal year (prorated \$1,000 for fiscal year ending June 30, 2024), subject to any subsequent cost of living adjustments, and that the Henry County Attorney shall be entitled to bill at his standard hourly rate for time spent administering and enforcing the county's ethical standards exceeding eight (8) hours in any fiscal year (prorated four [4] hours in fiscal year ending June 30, 2024); and

BE IT FURTHER RESOLVED, that a copy of this Code of Ethics Policy be submitted to the Tennessee ethics commission and published on the official Henry County website; and

BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting.

PASSED _____

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

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**

EXHIBIT A
CODE OF ETHICS POLICY
HENRY COUNTY, TENNESSEE

Section 1. Definitions.

(1) “County” means Henry County, which includes all boards, committees, commissions, authorities, corporations, or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county election commission and the county health department.

(2) “Officials and employees” means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the county.

(3) “Personal interest” means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official’s or employee’s spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of personal interest in voting matters. An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official’s vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion, when possible, the interest on the attached disclosure form and file the disclosure form with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. An official or employee, or an official’s or employee’s spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county:

- (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
- (2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

An official or employee who accepts any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county shall disclose such acceptance on the attached disclosure form and file the disclosure form with the county clerk.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of county government officials or by an umbrella or affiliate organization of such statewide association of county government officials.

Gifts/favors from immediate family members and *de minimis* gifts are exempt from disclosure unless a reasonable person would understand the gift/favor was intended to influence the vote, official action, or judgment of the official or employee in executing county business. A gift is deemed *de minimis* if the fair market value of the gift (combined with the fair market value of *all* gifts given by the same donor within the year prior to the gift) is less than \$100.00. ***However, officials and employees are prohibited from accepting any gift (family, de minimis, or otherwise) from any current (or potential future) County vendors (i.e., persons or entities that conduct business with the County).***

Section 5. Ethics Complaints. The County Attorney shall be primarily responsible for administering and enforcing this policy.

Complaints regarding violations of this Code of Ethics or any violation of state law governing ethical conduct must be mailed to the County Attorney's office (electronic submissions shall not be accepted). To be considered, a complaint must meet the following minimum requirements:

- a) The complaint shall be in writing, signed by the complainant, and set forth in reasonable detail the facts upon which the complaint is based. The complaint shall include (at minimum) the following information: (i) the identity of the official(s) and/or employee(s) who are the subject of the complaint, (ii) detailed description of the conduct which is the basis for the complaint, (iii) any witnesses and/or evidence which substantiate the complaint, (iv) the date(s) the conduct occurred, and (v) the specific ethics policy or statute that complainant believes the conduct violated. Any evidence (documents or otherwise) the complainant has which substantiates the complaint shall be submitted along with the complaint. Unsubstantiated complaints may not be accepted; anonymous complaints shall not be accepted.
- b) The complainant must be a Tennessee citizen and furnish proof of citizenship and identification (ex., copy of driver's license) along with the complaint.
- c) The complainant must provide the complainant's current contact information, including mailing address, phone number, and (if possible) email address.

As to any credible complaint against an employee or official who is supervised by another County official, the County Attorney shall refer the complaint to the supervising official for investigation and possible disciplinary action if the supervising official finds discipline warranted.

As to any credible complaint against an official who is not supervised by another County official: The County Attorney shall take reasonable steps to investigate the complaint. If in the County Attorney's judgment, the conduct complained of may constitute a violation of this Code of Ethics, the County Attorney may:

- (1) Refer the matter to the county legislative body for possible public censure if the county legislative body finds such action warranted;

- (2) In a case involving possible violation of state statutes, refer the matter to the district attorney or possible ouster or criminal prosecution; or
- (3) If warranted under the circumstances, pursue ouster in accordance with Article 7, Section 1 of the Tennessee Constitution and Title 8, Chapter 47 of the Tennessee Code.

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

The County Attorney shall have no duty to respond to a complainant or inform the complainant concerning the investigation or disposition of a complaint.

Section 6. Applicable State Laws. In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in county government. For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign finance – T.C.A. Title 2, Chapter 10. Part One (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part Three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

Conflict of interest – T.C.A. § 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of interest – T.C.A. § 49-6-2003 applies to the department of education in all counties and prohibits direct and indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of interest – T.C.A. § 5-1-125 applies in all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of interest – T.C.A. § 54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the highway department and members of the county legislative body from having any personal interest in purchases of supplies, materials, machinery, and equipment for the highway department.

Conflict of interest – T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the county purchasing commission, members of the

county legislative body, and other officials of the county from having a direct interest in a contract or purchase order for supplies, materials, equipment, or contractual services used by or furnished to a department or agency of the county government.

Conflict of interest – T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the director, purchasing agent, members of the committee, members of the county legislative body, other officials of the county, members of the board of education, members of the highway commission, and employees of the finance department and purchasing department from having a direct interest in the purchase of supplies, materials, equipment, or contractual services for the county. In addition, it requires the disclosure of indirect financial interests by public acknowledgment.

Conflict of interest – T.C.A. § 5-5-112 governs conflict of interests of members of the county legislative body who are also employees of the county or whose spouse is an employee of the county.

Conflict of interest disclosure statements – T.C.A. § 8-50-501 and the following sections require candidates and appointees to local public offices to file a disclosure statement with the state ethics commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

Gifts – T.C.A. § 5-4-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the county purchasing commission, members of the county legislative body, and other officials of the county from accepting or receiving, directly or indirectly, from a person, firm, or corporation to which a contract or purchase order may be awarded, by rebate, gift, or otherwise, money or anything of value whatsoever, or a promise, obligation, or contract for future reward of compensation.

Gifts – T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials or equipment to the county.

Honoraria – T.C.A. § 2-10-116 prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

Private use of public property – T.C.A. § 54-7-202 applies in counties that are governed by the County Uniform Highway Law. It prohibits the private use of equipment, rock, and other highway materials.

Court sales- T.C.A. § 39-16-405 prohibits judges, clerks of court, court officers, and employees of court, from bidding on or purchasing any property sold through the court for which such person discharges official duties.

Sheriff sales – T.C.A. § 8-8-206 prohibits sheriffs and deputy sheriffs from purchasing, either directly or indirectly, any property sold through their own judicial sale no matter which court is involved.

Rules of the Supreme Court – Rule 10, Cannon 5 (Code of Judicial Conduct) establishes ethical rules for judges and other court personnel when exercising judicial functions.

Fee statutes – T.C.A. § 8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are authorized, prohibit officials from requiring payment of fees in advance of performance of services except where specifically authorized, and set penalties for charging excessive or unauthorized fees.

Consulting fee prohibition for elected county officials – T.C.A. § 2-10-122 and 2-10-124 prohibit officials from receiving compensation for advising or assisting a person or entity in influencing county legislative or administrative action.

Crimes involving public officials – T.C.A. § 39-16-101 and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

Official misconduct – T.C.A. § 39-16-402 applies to public servants and candidates for office and prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

Official oppression – T.C.A. § 39-16-403 prohibits abuse of power by a public servant.

Bribery for votes – T.C.A. § 2-19-121, 2-19-126, and 2-19-127 prohibit bribery of voters in elections.

Misuse of official information – T.C.A. § 39-16-404 prohibits a public servant from attaining a benefit or aiding another person in attaining a benefit from information which was obtained in an official capacity and is not available to the public.

Ouster law – T.C.A. § 8-47-101 sets out conduct which is punishable by ouster from office, including misconduct in office and neglect of duty.

HENRY COUNTY CODE OF ETHICS

CONFLICT OF INTEREST DISCLOSURE STATEMENT

Instructions: This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of this county. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that it would affect the exercise of discretion of an official or employee.

1. Date of disclosure: _____

2. Name of official or employee: _____

3. Office and position: _____

4. Description of personal interest (describe below in detail):

Signature of official or employee

Witness Signature

Printed name of witness

HENRY COUNTY CODE OF ETHICS
GIFT DISCLOSURE STATEMENT

Instructions: This form is for reporting the acceptance of any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county required to be disclosed under Section 4 of the Code of Ethics of this county.

1. Date of disclosure: _____
2. Name of official or employee: _____
3. Office and position: _____
4. Description of gift, money, gratuity, or other consideration or favor (describe below in detail):

Signature of official or employee

Witness Signature

Printed name of witness

RESOLUTION NO. 7-2-24

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HENRY COUNTY,
TENNESSEE TO ACCEPT PROPOSAL FROM TENNESSEE DEPARTMENT OF
TRANSPORTATION FOR CONSTRUCTION OF HIGHWAY**

WHEREAS, the Tennessee Department of Transportation (TDOT) has proposed to construct a highway from near Howard Road to the Kentucky State Line as more particularly described in the Memorandum, Letter, and Proposal attached as collective *Exhibit A* hereto; and

WHEREAS, the said Proposal requires Henry County to agree to certain matters more particularly described therein; and

WHEREAS, the Henry County Road Board and this Commission concur that it is in the best interest of the citizens and residents of Henry County that the proposed highway be constructed and that Henry County accept said Proposal;

NOW, THEREFORE, be it resolved ... that Henry County accepts the Proposal attached as *Exhibit A* and that the Henry County Mayor be authorized and directed to execute said Proposal on behalf of Henry County to confirm Henry County's agreement to the Proposal; and

BE IT FURTHER RESOLVED that a copy of this resolution and the Proposal (after execution by the County Mayor) shall be forwarded to TDOT; and

BE IT FINALLY RESOLVED that a copy of this resolution be spread upon the minutes of this meeting.

PASSED _____

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

**DONNA CRAIG
COUNTY CLERK**

APPROVED _____

**JOHN PENN RIDGEWAY
HENRY COUNTY MAYOR**



STATE OF TENNESSEE

DEPARTMENT OF
TRANSPORTATION

BUTCH ELEY
DEPUTY GOVERNOR &
COMMISSIONER OF TRANSPORTATION

REGION 4 RIGHT OF WAY
300 BENCHMARK PLACE
JACKSON, TENNESSEE 38301
(731) 935-0134

BILL LEE
GOVERNOR

MEMORANDUM

TO: John Penn Ridgeway, County Executive
Henry County

FROM: Steve Chipman
TOOT Regional ROW Manager

D August 2, 2023

ATE: **Proposal for Acceptance**

RE: STATE PROJ. #: **40S054-F2-002**

FED PROJ. #: **NA**

COUNTY: **Henry**

PIN#: **101886.05**

DESCRIPTION: From Near Howard Road to the Kentucky State Line (IA)

Please notify when you will be having your next scheduled county commission meeting; and, if the proposal can be passed on the first reading, or the date you estimate it will be passed on the last reading.

DELIVERED BY: **Jeffrey K. Webb** Date: 8/17/23

RECEIVED BY: **John Penn Ridgeway** Date: 8/17/23

DATE OF THE FIRST MEETING: _____

ESTIMATED DATE ON THE LAST READING: _____



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

REGION 4 RIGHT OF WAY DIVISION
300 BENCHMARK PLACE
JACKSON, TENNESSEE 38301
(731) 935-0134

HOWARD H. HEY
COMMISSIONER

BILL LEE
GOVERNOR

August 2, 2023

Mayor John Penn Ridgeway
Henry County
101 W. Washington
St.
Paris, TN 38242

Re.: Proposal to Henry County
State Project: 40S054-F2-
002 Federal Project: NA
From Near Howard Road to the
Kentucky State Line **(IA)**
Pin# 101886.05
Henry County

Dear Sir:

I am submitting herewith three (3) copies of the proposal of the State Department of Transportation relative to the captioned project, together with one (1) set of right-of-way plans. The proposal indicates the required procedure for acceptance.

Following acceptance, two (2) copies of the signed proposal (please sign in blue ink) should be returned to me, each accompanied by two (2) certified copies of the Ordinance/Resolution, and two (2) notarized certificate letters verifying acceptance of the State's proposal "**as is**" on the above referenced project.

If I can be of assistance prior to your meeting concerning this matter, please advise.

Sincerely,

A handwritten signature in black ink that reads "Steve Chipman".

Steve Chipman
Transportation Manager II

SC/SH

PROPOSAL

OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE TO THE COUNTY OF HENRY, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the County of Henry, Tennessee, hereinafter "COUNTY", designated as Federal Project No., State Project No. 40000-0000-00,40S054-F2-002, that is described as "From Near Howard Road to the Kentucky State Line (IA)", provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The COUNTY will close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law.

3. The COUNTY will transfer or cause to be transferred to the DEPARTMENT, without cost to the DEPARTMENT, all land owned by the COUNTY or by any of its instrumentalities as

required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY.

5. The COUNTY will maintain any frontage road to be constructed as part of the project;

6. After the project is completed and open to traffic, the COUNTY will accept jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities

within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the

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DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the COUNTY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a COUNTY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the COUNTY agrees to waive enforcement of the COUNTY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a COUNTY zoning regulation or requirement, the COUNTY agrees to waive enforcement of the COUNTY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The COUNTY will not authorize encroachments of any kind upon the right-of-way, nor will the COUNTY authorize use of the easements for the project in any manner which affects the DEPARTMENT's use thereof.

14. The COUNTY will obtain the approval of the DEPARTMENT before authorizing parking on the right-of-way and easements for the project.

15 The COUNTY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

16. If the project is classified as full access control (i.e. a project which has no intersecting streets at grade), then the DEPARTMENT will maintain the completed project. If the project is not classified as full access control, then the DEPARTMENT will maintain the pavement from curb to curb where curbs exist, or will maintain full width of the roadway where no curb exist. The COUNTY agrees to maintain all other parts of non-access control projects; provided, however, that any retaining walls, box culverts, or other like structures constructed as part of the project that supports the structural integrity or stability of the roadway surface shall be maintained by the DEPARTMENT.

17. If a sidewalk is constructed as a component of this project, the COUNTY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT'S maintenance responsibilities as set forth in section 16 of this proposal.

18. When said project is completed, the COUNTY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.

19. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney General has received the notice and pleadings provided for herein; provided, however, that if the project is being constructed pursuant to a contract administered by the DEPARTMENT's Local Programs

Development Office, the terms of that contract shall control in the event of a conflict with this proposal.

20. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

21. The acceptance of this proposal shall be evidenced by the passage of a resolution or by other proper governmental action, which shall incorporate this proposal verbatim or make reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this the _____ day of _____, 24__.

THE COUNTY OF _____, TENNESSEE

BY: _____
MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
HOWARD H. ELEY
COMMISSIONER

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
JOHN REINBOLD
GENERAL COUNSEL

DATE: _____

RESOLUTION NO. 8-2-24

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 COUNTY COMMISSIONER – 1ST DISTRICT

WHEREAS, a vacancy now exists in the office of Henry County Commissioner in the 1st 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 4th day of March, 2024, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the office of County Commissioner-1st 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 on 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 votes shall be by voice roll call.

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**