

**BENTON COUNTY, TENNESSEE
COUNTY MAYOR
BRETT LASHLEE**

July 18, 2022

TO: Board of County Commissioners
FROM: Brett Lashlee, County Mayor

The Board of County Commissioners will meet in regular session on Monday, July 18, 2022 at the Benton County Courthouse at 6:00 P.M.

AGENDA

- I. Opening of Meeting by Sheriff or his appointee.
- II. Invocation and Pledge of Allegiance
- III. Roll Call by County Clerk or Chief Deputy
- IV. Announcing of Quorum by County Clerk, Wanda Malin
 1. Approval of Agenda
 2. Citizens Forum
 3. Commissioners Forum
 4. County Mayor, Attorney, Finance Advisor, Invited Guest Speaker Forum, or Proclamations
 - Joe Barker of West TN Mayor's Group on Ford/Blue Oval Project Update
 5. Approval of Minutes
 6. Report of Public Utilities



1 Court Square
Room 102
Camden, TN 38320

PHONE (731) 584-6011
FAX (731) 584-9718
EMAIL [MAYOR@BENTONCOUNTYTN..GOV](mailto:MAYOR@BENTONCOUNTYTN.GOV)
WEBSITE WWW.BENTONCOUNTYTN.GOV

7. Resolution to approve the appointment of Francis Quint as the Secretary Treasurer of the Harbor Utility District for a two-year term set to expire on June 22, 2024. (20220718-01)
8. Resolution to appoint Alice Douglas and Jimmy Kenniston to the Parks & Rec board for four-year terms set to expire on July 17, 2026. (20220718-02)
9. Resolution to appoint Kenneth Miller to the Benton County Board of Electric for a four-year term set to expire on July 31, 2026. (20220718-03)
10. Resolution to have the county mayor procure bids and select the vendor to complete the roof repairs needed at the Sheriff's Department and County Jail buildings. (20220718-04)
11. Resolution to have the county mayor procure bids and select the vendor to replace the tankless water heaters at the Sheriff's Department and County Jail buildings. (20220718-05)
12. Resolution to establish an updated Occupational Safety and Health Plan. (20220718-06)
13. Resolution to transfer funds in the amount of \$170,000 from the Benton County Schools to the County Primary Government for debt service payments during the 2022-2023 fiscal year. (20220718-07)
14. Resolution appropriating funds in the amount of \$8,136.00 from the Jail, Workhouse, Courthouse Litigation Tax Reserve Account in order to complete a phone system upgrade for the Benton County Sheriff's Department. (20220718-08)
15. Resolution appropriating funds in the amount of \$18,733.20 from the Jail, Workhouse, Courthouse Litigation Tax Reserve in order to upgrade the County Jail with a new finger and palm scanner. (20220718-09)



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16. Resolution to re-appropriate the \$5,000 TCAD Grant received by the Senior Citizens Center from the State of Tennessee that was not fully expended within FY22 and reverted back to the unassigned fund balance within the County General Fund. (20220718-10)

17. Appointing Notaries

18. Any Other Business

19. Adjourn



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RESOLUTION NO. 20220718-01

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: NONE

WHEREAS, at a previous meeting of the Board of Commissioners of Harbor Utility District, Commissioner Stephen E. Clark resigned; and

WHEREAS, it is the recommendation of the Board of Commissioners of Harbor Utility District to appoint Francis Quint to fill this vacancy as the Secretary Treasurer for a two-year term set to expire June 22, 2024.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee, assembled in regular session on this the 18th day of July, 2022, that Francis Quint be nominated and appointed to the Board of Commissioners of Harbor Utility District as Secretary-Treasurer for a two (2) year term set to expire on June 22, 2024.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220718-02

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: NONE

WHEREAS, there are two vacancies on the Benton County Parks & Rec board; and

WHEREAS, the Benton County Mayor would like to re-appoint Alice Douglas and to appoint Jimmy Kenniston to fill these two positions for a four-year term set to expire on July 17, 2026.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18th Day of July 2022 that Alice Douglas and Jimmy Kenniston both be appointed to the Benton County Parks & Rec Board for a four-year term set to expire on July 17, 2026.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220718-03

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: NONE

WHEREAS, there is a recent vacancy on the Benton County Electric System board from a member's expired term; and

WHEREAS, it is the recommendation of the county mayor to appoint Kenneth Miller to the Benton County Electric System Board to begin August 1, 2022 for a four-year term set to expire on July 31, 2026.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18th day of July 2022 that Kenneth Miller be appointed to the Benton County Electric System Board for a four-year term set to expire on July 31, 2026.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220718-04

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR, BRETT LASHLEE, AND BENTON COUNTY SHERIFF, KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the roof on both the new and older portion of the Sheriff's Office is in need of repairs and;

WHEREAS, the projected cost may be over \$ 10,000.00. Sheriff Christopher would like the mayor's office to solicit bids on the project and then for the property committee to review the sealed bids and make their recommendation to the mayor for the best overall submission for the project. The necessary work should qualify for the jail litigation tax funds.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18st day of July, 2022 that the mayor's office be charged with procuring bids and selecting a vendor to complete the work needed.

Adopted this _____ day of _____, 20 ____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220718-05

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR, BRETT LASHLEE, AND BENTON COUNTY SHERIFF, KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the remaining tankless water heaters that were installed at the building of the sheriff's office and newer portion of the jail are in need of being replaced and;

WHEREAS, the projected cost will be over \$ 10,000.00. Sheriff Christopher would like the mayor's office to solicit bids on the project and then for the property committee to review the sealed bids and make their recommendation to the mayor for the best overall submission for the project. The necessary work should qualify for the jail litigation tax funds.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18th day of July, 2022 that the mayor's office be charged with procuring bids and selecting a vendor to complete the work needed.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NUMBER 20220718 - 06

RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS AND PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for 1972, the Board of County Commissioners of Benton County, Tennessee (BOARD) hereby updates the Occupational Safety and Health Program Plan for our employees.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE,

SECTION 1. BE IT RESOLVED BY the Board that there be and is hereby amended as follows:

TITLE:

This section shall be known as “The Occupational Safety and Health Program Plan” for Benton County, Tennessee employees.

PURPOSE:

The Board, in electing to update the established Program Plan, will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

- 1) Provide a safe and healthful place and condition of employment that includes:
 - a) Top Management Commitment and Employee Involvement;
 - b) Continually analyze the worksite to identify all hazards and potential hazards;
 - c) Develop and maintain methods for preventing or controlling the existing or potential hazards;
and
 - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
- 2) Acquire, maintain and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.
- 3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- 4) Consult with the Commissioner of Labor and Workforce Development concerning the adequacy of

the form and content of records.

5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems that are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.

6) Provide a reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices harmful to employee safety and health.

7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards and provide for education and notification of all employees of the existence of this Program Plan.

COVERAGE:

The provisions of the Occupational Safety and Health Program Plan for Benton County, Tennessee employees shall apply to all employees of each administrative department, commission, board, division, or other agency, whether part-time or full-time, seasonal, or permanent.

STANDARDS AUTHORIZED:

The Occupational Safety and Health standards adopted by the Board are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, per Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED:

Upon written application to the Commissioner of Labor and Workforce Development of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be per Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A., Title 50. Before requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. Posting notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION:

For this resolution, Greg Phifer is designated as the Safety Director of Occupational Safety and Health to perform duties and exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan per Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN:

According to this resolution, sufficient funds for administering and staffing the Program Plan shall be made available as authorized by the Board.

SEVERABILITY:

SECTION 2. BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase, or portion of this resolution is held invalid or unconstitutional by any court of competent jurisdiction, such part shall be deemed separate, distinct, and independent provision. Such holding shall not affect the validity of the remaining portions hereof.

AMENDMENTS, ETC:

SECTION 3. BE IT FURTHER RESOLVED that this resolution shall take effect from and after the date, it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of Benton County, Tennessee requiring it.

Adopted this the 18th day of April 2022, by the county legislative body of Benton County, Tennessee.

Brett Lashlee, County Mayor

Wanda Malin, County Clerk

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH
PROGRAM PLAN FOR THE EMPLOYEES OF BENTON COUNTY, TENNESSEE

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I. PURPOSE AND COVERAGE

This plan aims to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for Benton County, Tennessee employees.

This plan applies to all employees, part-time or full-time, seasonal, or permanent.

The Board of County Commissioners of Benton County, Tennessee (BOARD) in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other reasonably necessary devices to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative about the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems that are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the Occupational Safety and Health Program Plan goals.
- h. Provide a reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees' safety and health.

II. DEFINITIONS

For this Program Plan, the following definitions apply:

- a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or exercise the powers assigned to the Commissioner of Labor and Workforce Development.
- b. EMPLOYER means the Benton County, Tennessee government and includes each administrative department, board, commission, division, or other Benton County, Tennessee government agency.

- c. SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or SAFETY DIRECTOR means the person designated by the establishing resolution or executive order to perform duties or to exercise powers assigned to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of Benton County, Tennessee.
- d. INSPECTOR(S) means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is appointed, inspections shall be completed by the Safety Director of Occupational Safety and Health.
- e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal therefrom for a specific department, board, commission, division, or other agency of this employer.
- f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons generally classified as "volunteers" provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, agents, servants, and employees.
- g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
- h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development per Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972, which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
- i. IMMINENT DANGER means any conditions or practices in any place of employment such that a hazard exists that could reasonably be expected to cause death or severe physical harm immediately or before the imminence of such hazard can be eliminated through routine compliance enforcement procedures.
- j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial-type operations are performed.
- k. SEVERE INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:
 - 1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
 - 2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause a reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute severe physical harm.

- l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
- m. GOVERNING BODY means the County Quarterly Court, Board of Aldermen, Board of

Commissioners, City or Town Council, Board of Governors, etc., whichever may apply to the local government, government agency, or utility to which this plan applies.

- n. CHIEF EXECUTIVE OFFICER means the chief administrative official, County Judge, County Chairman, County Mayor, Mayor, City Manager, General Manager, etc., as may be applicable.

III. EMPLOYER'S RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. Employer shall furnish each employee conditions of employment and a place of work free from recognized hazards that are causing or are likely to cause death or severe injury or harm to employees.
- b. Employer shall comply with occupational safety and health standards and regulations promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. Employer shall refrain from an unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employer's place(s) of business. The employer shall assist the Commissioner of Labor and Workforce Development in their monitoring duties by supplying or making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. Employer is entitled to participate in the development of standards by submitting comments on proposed standards, participating in a hearing on proposed standards, or requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- e. Employer is entitled to request an order granting a variance from occupational safety and health standard.
- f. Employer is entitled to the protection of its legally privileged communication.
- g. Employer shall inspect all worksites to ensure the provisions of this Program Plan are complied with and carried out.
- h. Employer shall notify and inform any employee who has been or is being exposed in a biologically meaningful manner to harmful agents or material in excess of the applicable standard and corrective action being taken.
- i. Employer shall notify all employees of their rights and duties under this Program Plan.

IV. EMPLOYEE'S RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued under this Program Plan and the Tennessee Occupational Safety and Health Act of 1972, which apply to his or her actions and conduct.
- b. Each employee shall be notified by the placing of notice up on bulletin boards or other places of common passage of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be allowed to participate in any hearing that concerns an employer's application

for a variance from a standard or regulation promulgated under the Act.

- d. Any employee who may be adversely affected by a standard or variance issued under the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued under this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Within thirty (30) days after such a violation occurs, an employee may also file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo a medical examination, immunization, or treatment for those who object to it on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for the performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours.

V. ADMINISTRATION

- a. The Safety Director of Occupational Safety and Health is designated to perform duties or exercise powers assigned to administer this Occupational Safety and Health Program Plan.
 - 1. The Safety Director may designate a person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
 - 2. The Safety Director may delegate the power to make inspections, provided procedures employed are as effective as those used by the Safety Director.
 - 3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and minimize any inconveniences under this Program Plan.
 - 4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate to carry out his duties under this Program Plan.

5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
 6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
 7. The Safety Director shall assist any employer officials in investigating occupational accidents or illnesses.
 8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
 9. **The Safety Director shall, in the eventuality that there is a fatality, ensure that the Commissioner of Labor and Workforce Development receives the notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within 24 hours.**
- b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for implementing this Occupational Safety and Health Program Plan within their respective areas.
1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as outlined in this plan.
 2. The administrative or operational head shall comply with all abatement orders issued per the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
 3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations and attempt to correct such hazards or violations immediately.
 4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director and his findings and recommendations per APPENDIX IV of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

VII. VARIANCE PROCEDURE

The Safety Director may apply for a variance due to a complaint from an employee or of his knowledge of specific hazards or exposures. The Safety Director should believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

- a. The application for a variance shall be prepared in writing and shall contain:
 1. A specification of the standard or portion thereof from which the variance is sought.
 2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
 3. A statement of the steps employer has taken and will take (with a specific date) to protect employees against the hazard covered by the standard.
 4. A statement of when the employer expects to comply and what steps will be taken (with dates specified) to comply with the standard.
 5. A certification that the employer has informed employees, their authorized representative(s), and interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are customarily posted and by other appropriate means. The certification shall describe the means used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.
- c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
 1. The employer
 - i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
 - ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
 - iii. Has an effective program plan to comply with the standard as quickly as possible.
 2. The employee is engaged in an experimental program plan described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
- e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance to permit time for orderly

consideration of such application. No interim order may be effective for longer than one hundred eighty (180) days.

- f. The order or interim order granting a variance shall be posted at the worksite, and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORDKEEPING AND REPORTING

Recording and reporting all occupational accidents, injuries, and illnesses shall be according to instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to www.osha.gov and type Recordkeeping Forms in the search box.

The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.

Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions that might affect his health, safety, or general welfare at present or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
- b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Director will answer the complaint in writing, stating whether or not the complaint is deemed to be valid and, if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for three (3) working days.
- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is regarded to be too long, he may forward a letter to the Chief Executive Officer or the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.

- d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.
- e. After the above steps have been followed, and the complainant is still not satisfied with the results, he may file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.
- f. Copies of all complaints and answers thereto will be filed by the Safety Director, who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

X. EDUCATION AND TRAINING

- a. Safety Director and/or Compliance Inspector(s):
 - 1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.
 - 2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.
- b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

 - 1. Instruct each employee to recognize and avoid hazards or unsafe conditions and of standards and regulations, applicable to the employee's work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
 - 2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids or gases, explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
 - 3. Instruct employees who may be exposed to environments where harmful plants or animals are present on the hazards of the environment, how to avoid injury or exposure best, and the first aid procedures to be followed in the event of injury or exposure.
 - 4. Instruct all employees on the common deadly hazards and how to avoid them, such as Falls,

Equipment Turnover, Electrocution, Struck by/Caught In, Trench Cave In, Heat Stress, and Drowning.

5. Instruct employees on the hazards and dangers of confined or enclosed spaces.
 - i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen-deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open-top spaces more than four feet (4) in-depth such as pits, tubs, vaults, and vessels.
 - ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
 - iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on the danger of hazards that may be present, precautions to be taken, and use of personal protective and emergency equipment immediately before they entered such an area and shall require the use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

The governing body and responsible officials intend to have an Occupational Safety and Health Program Plan that will ensure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Therefore, inspections will be conducted randomly at intervals not to exceed thirty (30) calendar days.

- a. In order to carry out the purposes of this Resolution, the Safety Director and/or Compliance Inspector(s), if appointed, is authorized:
 1. To enter at any reasonable time any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
 2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and appropriately, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.
- b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation per Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.
- c. An administrative representative of the employer and a representative authorized by the employees shall be allowed to consult with and/or accompany the Safety Director or Inspector during the physical

- inspection of any worksite to aid such inspection.
- d. The right of accompaniment may be denied to any person whose conduct interferes with a complete and orderly inspection.
 - e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.
 - f. Interviews of employees during the inspection may be made when such interviews are considered essential to investigative techniques.
 - g. Advance Notice of Inspections.
 - 1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments to create a misleading impression of conditions in an establishment.
 - 2. There may be occasions when advance notice of inspections is necessary to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.
 - h. The Safety Director need not personally inspect every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:
 - 1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.
 - 2. Records are made of the inspections, discrepancies found, and corrective actions taken. This information is forwarded to the Safety Director.
 - i. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action is taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

XII. IMMINENT DANGER PROCEDURES

- a. Any discovery, any allegation, or any report of imminent danger shall be handled per the following procedures:
 - 1. The Safety Director shall immediately be informed of the alleged imminent danger situation, and he shall immediately ascertain whether there is a reasonable basis for the allegation.
 - 2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
 - 3. As soon as it is concluded from such inspection that conditions or practices exist which constitute an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger, and the supervisor or person in charge of the worksite shall be requested to remove employees from the area if deemed

necessary.

4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining how the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.
5. The imminent danger shall be deemed abated if:
 - i. The imminence of the danger has been eliminated by removing employees from the area of danger.
 - ii. Conditions or practices which resulted in imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.
6. A written report shall be made by or to the Safety Director describing the imminent danger and its abatement in detail. The Safety Director will maintain this report per subsection (i) of Section XI of this plan.

b. Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be immediately reported to the Safety Director and Chief Executive Officer.
2. The Safety Director and/or Chief Executive Officer shall take whatever necessary action to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

- a. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules, or regulations under this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:
 1. Issue an abatement order to the head of the worksite.
 2. Post or cause to be posted a copy of the abatement order at or near each location referred to in the abatement order.
- b. Abatement orders shall contain the following information:
 1. The standard, rule, or regulation that was violated.
 2. A description of the nature and location of the violation.
 3. Describe what is required to abate or correct the violation.
 4. A reasonable period of time during which the violation must be abated or corrected.
- c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Director in writing of any objections to the terms and conditions of the order.

Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible parties to resolve any objections. Following such hearing, the Safety Director shall issue an abatement order within three (3) working days, and such subsequent order shall be binding on all parties and shall be final.

XIV. PENALTIES

- a. No civil or criminal penalties shall be issued against any official, employee, or another person for failure to comply with safety and health standards or any rules or regulations issued under this Program Plan.
- b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:
 1. Oral reprimand.
 2. Written reprimand.
 3. Suspension for three (3) or more working days.
 4. Termination of employment.

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Safety Director under this plan of operation or the legislation (resolution or executive order) enabling this Occupational Safety and Health Program Plan that contains or might reveal information otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes that he or she has been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency/safety director within 30 days of alleged discrimination. Also, the agency agrees that the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30-day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

- a. Compliance with any other law, statute, resolution, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
- b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued under this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, resolution, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, resolution, or executive order, as applicable, is expressly repealed.

Signature: Safety Director, Occupational Safety and Health and Date

APPENDIX - I WORK LOCATIONS
(ORGANIZATIONAL CHART)

Benton County Sheriff's Department 116 Rosemary Avenue Camden, Tennessee 38320 731.584.4632	62 employees
Benton County Courthouse 1 Court Square #102 Camden, Tennessee 38320 731.584.6011	37 employees
Benton County Airport 275 Airport Drive Camden, Tennessee 38320 731.584.5343	1 employee
Benton County Animal Shelter 915 Divider/Natchez Trace Road Camden, Tennessee 38320 731.584.3152	8 employees
Benton County Annex 122 W. Walnut Street Camden, Tennessee 38320 731.584.3050	5 employees
Benton County Tire Recycling Center 1590 Mt. Carmel Road Camden, Tennessee 38320 731.584.6771	1 employee
Benton County Senior Citizens Center 119 Cole Avenue Camden, Tennessee 38320 731.584.4101	5 employees
Benton County Highway Department 3360 HWY 70 Bypass Camden, Tennessee 38320 731.584.6145	25 employees

Benton County Board of Education 197 Briarwood Street Camden, Tennessee 38320 731.584.6111	19 employees
Big Sandy School 13305 HWY 69A Big Sandy, Tennessee 38221 731.593.3221	37 employees
Briarwood Elementary School 169 Briarwood Drive Camden, Tennessee 38320 731.584.4257	55 employees
Camden Central High School 115 Schools Drive Camden, Tennessee 38320 731.584.7254	58 employees
Camden Elementary School 208 Washington Avenue Camden, Tennessee 38320 731.584.4918	67 employees
Camden Junior High School 75 Schools Drive Camden, Tennessee 38320 731.584.4513	45 employees
Holladay Elementary School 148 Stokes Road Holladay, Tennessee 38341 731.584.6874	66 employees
Career and Technical Center 155 Schools Drive Camden, Tennessee 38320 731.584.4492	14 employees
TOTAL NUMBER OF EMPLOYEES :	505

APPENDIX – II NOTICE TO ALL EMPLOYEES

NOTICE TO ALL EMPLOYEES OF BENTON COUNTY, TENNESSEE GOVERNMENT

The Tennessee Occupational Safety and Health Act of 1972 provides job safety and health protection for Tennessee workers by promoting safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards, and Jobsite inspections will be conducted to ensure compliance with the Act.

- Employees shall be furnished conditions of employment and a place of work free from recognized hazards that are causing or are likely to cause death or severe injury or harm to employees.
- Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued under this Program Plan which apply to his or her actions and conduct.
- Each employee shall be notified by placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.
- Each employee shall be allowed to participate in any hearing which concerns an application for a variance from a standard.
- Any employee who may be adversely affected by a standard or variance issued under this Program Plan may file a petition with the Safety Director or the Benton County Mayor.
- Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.
- Subject to regulations issued under this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.
- No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.
- Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before the Benton County Mayor for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of Benton County, Tennessee government, is available for inspection by any employee at the Benton County Mayor's office during regular office hours.

COUNTY MAYOR AND DATE

APPENDIX - III PROGRAM PLAN BUDGET

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that the Board of County Commissioners of Benton County, Tennessee has sufficient financial resources available or will make sufficient financial resources available as may be required to administer and staff its Occupational Safety and Health Program Plan and comply with standards.

APPENDIX – IV ACCIDENT REPORTING PROCEDURES

- (1-15) Employees shall report all accidents, injuries, or illnesses directly to the Safety Director as soon as possible, but not later than twenty-four (24) hours after the occurrence. Such reports may be verbal or in writing. All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The Safety Director will ensure the completion of required reports and records per Section VIII of the basic plan.
- (16-50) Employees shall report all accidents, injuries, or illnesses to their supervisor as soon as possible, but not later than two (2) hours after the occurrence. All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will investigate the accident or illness, complete an accident report, and forward the accident report to the Safety Director and/or record keeper within twenty-four (24) hours of the accident or injury occurring or the time of the first report of the illness.
- (51-250) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours after the accident or injury occurred or the time of the first report of the illness. All fatalities, inpatient hospitalizations, amputations, and losses of an eye shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.
- (251-Plus) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after their occurrence. The supervisor will provide the administrative head of the department with a verbal or telephone report of the accident as soon as possible, but not later than four (4) hours after the accident. If the accident involves a fatality, inpatient hospitalization, amputation, loss of an eye, loss of consciousness, broken bones, or third-degree burns, the Safety Director will be notified by telephone immediately and will be given the name of the injured, a description of the injury, and a brief description of how the accident occurred. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director

or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the record keeper.

As Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether the accident occurred on premises owned or operated by the employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of the injured or ill employee.
3. Title of the department or division in which the injured or ill employee is usually employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. Describe the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If an employee was hospitalized, name and address of the hospital.
11. Date of report.

NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan. If desired, this information may be submitted in flow chart form instead of in narrative form. These procedures may be modified to fit local situations as they have been prepared as a guide only.

The four (4) procedures listed above are based on the size of the workforce and the relative complexity of the organization. The approximate size of the organization for which each procedure is suggested is indicated in parenthesis in the left-hand margin at the beginning, i.e., (1-15), (16-50), (51-250), and (251 Plus), and the figures relate to the total number of employees including the Chief Executive Officer but excluding the governing body (County Court, City Council, Board of Directors, etc.).

Generally, the more straightforward an accident reporting procedure is, the more effective it is. Please select the one procedure listed above or prepare a similar procedure or flow chart that most nearly fits what will be the most effective for your local situation. Note also that the specific information listed for written reports applies to all three of the procedures listed for those organizations with sixteen (16) or more employees.

RESOLUTION NO. 20220718-07

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

RESOLUTION FOR THE BENTON COUNTY BOARD OF COMMISSIONERS

JULY 18, 2022

WHEREAS: The estimate of expenditures was not enough to meet the necessary expenditures for certain subsidiary items in the primary series in the School Budget;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2022-23 budget as follows;

INCREASE

82130 620 Debt Service To Primary Government \$170,000.00

DECREASE

99100 590 Debt Service Transfers \$170,000.00

Respectfully submitted,

Mark Florence, Director of Schools

APPROVED _____

Joe D. Cooper, Chairman of Board

RESOLUTION NO. 20220718-08

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR, BRETT LASHLEE, AND BENTON COUNTY SHERIFF, KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the NEC phone system that was installed at the building of the sheriff's office and newer portion of the jail is beginning to fail and is no longer supported by NEC and;

WHEREAS, Sheriff Christopher would like to contract with TEC to provide the upgrade necessary and provide a system that will be maintained and upgraded as needed without a future outlay of funds. The necessary work should qualify for the jail litigation tax funds; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$8,136.00 from the Litigation Tax Reserve Account in order to cover this expense.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18st day of July, 2022 that the funds in the amount of \$8,136.00 be appropriated from the Jail, Workhouse, Courthouse Litigation Tax Reserve Account and budgeted to the appropriate expenditure account as follows:

DECREASE REVENUES:

101.34525	Jail, Workhouse, Courthouse Litigation Tax Reserve	\$8,136.00
		<hr/>
		\$8,136.00

INCREASE EXPENDITURES:

101.51800.707	County Buildings – Building Improvements	\$8,136.00
		<hr/>
		\$8,136.00

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220718-09

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR, BRETT LASHLEE, AND BENTON COUNTY SHERIFF, KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the finger & palm scanner used in the jail has reached its end of life and will no longer be supported for hardware and software. Please, see the attached quote as well as DataWorks Plus, LLC's sole source letter.

WHEREAS, it will be necessary to appropriate funds in the amount of \$18,733.20 from the jail litigation tax fund to upgrade to the new supported system so that we do not fall out of compliance with federal and state real time reporting requirements.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18th day of July, 2022 that the funds in the amount of \$18,733.20 be appropriated from the Jail, Workhouse, Courthouse Litigation Tax Reserve Account and budgeted to the appropriate expenditure account as follows:

INCREASE REVENUES:

101.34525	JAIL, WORKHOUSE, COURTHOUSE LITIGATION RESERVE	\$18, 733.20
		\$18,733.20

INCREASE EXPENDITURE:

171.91130.709	DATA PROCESSING EQUIPMENT	\$18,733.20
		\$18,733.20

Adopted this _____ day of _____, 20___, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220718-10

RESOLUTION SPONSORED BY BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, in previous action by the legislative body the \$5,000 TCAD grant received from the State of Tennessee for the Benton County Senior Citizens Center was received and budgeted within the Senior Citizens Center in February 2022; and

WHEREAS, this grant was not expended prior to fiscal year-end at June 30th and reverted to the Unassigned Fund Balance within the County General Fund; and

WHEREAS, it will be necessary to re-appropriate the \$5,000 TCAD grant from the Unassigned Fund Balance within the County General Fund and re-budget within the Senior Citizens budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 18th day of July 2022 that the funds in the amount of \$5,000 be appropriated from the Unassigned Fund Balance within the County General Fund and budget to 101.56300.599 – Senior Citizens Other Charges.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

BRETT LASHLEE, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK