

BENTON COUNTY COMMISSIONERS MEETING

MARCH 16, 2020

BE IT REMEMBERED THAT ON MARCH 16, 2020, THAT THE BENTON COUNTY COMMISSIONERS MET IN REGULAR SESSION AT THE BENTON COUNTY COURTHOUSE @ 6:00 PM.

AGENDA

Opening of meeting was by Sheriff Kenny Christopher.

Invocation was led by Matthew and Ashley Arnold and Pledge of Allegiance was led by Commissioner Hall.

ROLL CALL BY COUNTY CLERK WANDA MALIN AND DEPUTY CLERK KATHY HOWE

<u>MEMBERS PRESENT:</u>	COMMISSIONERS ABSENT - <u>ROCKY PRESSON</u>		
DIST. 3 KELEAH DYE	NORMAN FRAZIER	GARY FURR	
DIST. 4 SONNY HALL	PHIL MELTON	DOUG VICKERS	
DIST. 5 RACHELLE HILL	JANET HIGDON	ROSANNE WARD	
DIST. 6 DARRELL HICKS	RONNIE HOPPER	MARY POWERS	
DIST. 1 ANGIE HERN	DON PATTON	WARD PLANT (CHAIRMAN)	
DIST. 2 DAYNA FERGUSON	KENNETH MILLER		

AGENDA

1. Opening of Meeting by Sheriff or his appointee.
2. Invocation and Pledge of Allegiance
3. Roll Call by County Clerk or Chief Deputy
4. Announcing of Quorum by County Clerk, Wanda Malin
5. Approval of Agenda
6. Citizens Forum
7. Commissioners Forum
8. County Mayor, Attorney, Finance Advisor, Invited Guest Speaker Forum, or Proclamations – *PAUL ALFORD with COVIA*
9. Approval of Minutes (VV)
10. Report of Public Utilities (VV)
11. Resolution to urge the General Assembly to amend the provisions of the Private Act authorizing Benton County to levy a county occupancy tax (20200218-01) RCV

12. Resolution stating that the People of Benton County, Tennessee oppose the enactment of any legislation that would infringe upon the Right of the People to Keep and Bear Arms within the Second Amendment, and consider such laws to be unconstitutional and beyond lawful legislative authority and adopting Benton County to become a "Sanctuary County".
(20200218-02) RCV
13. Resolution approving and adopting that Benton County, Tennessee become a non-consenting county, requesting that Governor Lee consider our actions as our desire to "opt-out" of accepting any resettlement of refugees in our county. (20200218-03)
RCV
14. Resolution recognizing that the SCR Network is no longer partnered with Area Wide Communications and that Scott Hill, with SCR Network, will continue working on behalf of Benton County as the IT Director. (20200218-04) VV
15. Resolution establishing a Solid Waste Department and appointing a Director to run and oversee the department to perform all non-planning services relating to garbage collection and solid waste management in which the county provides. (20200218-05)
VV
16. Resolution budgeting funds received in the amount of \$375,558.10 received from state aid grant reimbursements and insurance recovery within the Highway Department budget. (20200218-06) VV
17. Resolution budgeting funds in the amount of \$275.00 within the Sheriff's Department budget (20200218-07) VV
18. Resolution budgeting funds in the amount of \$12,750.00 received from city of Camden allocations within the Library budget (20200218-08) VV
19. Resolution budgeting funds in the amount of \$20,690.00 received from the sale of the delinquent tax property Eva Rd. Grocery located at 2333 Eva Rd. (20200218-09) VV
20. Resolution appropriating funds in the amount of \$341.70 from the Unassigned Fund Balance within the County General Fund in order to cover the maintenance fee increase for the water tank at the industrial park (20200218-10) RCV
21. Resolution appropriating funds in the amount of \$3,037.61 for the interest on the 2018 delinquent tax properties which have been turned over to the county (20200218-11) RCV
22. Resolution appropriating funds in the amount of \$23,907.00 from the Jail, Courthouse, or Workhouse Litigation Tax Reserve Account in order to purchase a 100-gallon water heater for the Benton County Jail (20200218-12) RCV
23. Resolution appropriating funds in the amount of \$540.00 from the Jail, Courthouse, or Workhouse Litigation Tax Reserve Account in order to pay the outstanding invoice to Hethcoat Davis for the review of the jail building modification project (20200218-13) RCV
24. Resolution appropriating funds in the amount of \$488.50 from the Unassigned Fund balance within the County General Fund in order to pay for half of the annual malpractice insurance policy premium that is required by law for Dr. Scott Portis to continue acting as the county medical examiner (20200218-14) RCV
25. Appointing Notaries (VV)
26. Any Other Business
27. Adjourn

ANNOUNCING OF QUORUM BY:

CHAIRMAN WARD PLANT

APPROVAL OF THE AGENDA

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve the Agenda. On a voice vote, all present voted Aye. Motion Carries

CITIZENS FORUM

Jim Bourne District 2 Citizen asked that the Highway Department be approved to move to the Terry Trucking property because of flooding in their current location.

Debbie Kyle spoke about Code Red and EMA failing during the recent tornado in Benton County.

Heather Smith, UT/TSU Ag Extension, spoke about their office being open and available to our citizens and farmers. They are all about making our community a better place to live. Various agriculture programs are available.

Judge Paul Summers, Audit Committee, spoke about the findings of recent Audits being nearly perfect. Special Thanks to Ashley Travis and Gail Markham in the Mayors Office for their exemplary work in purchasing and payroll. He also stated we had "0" reports of fraud, abuse or theft in 2019.

Ryan Hall, Benton County Tax Assessor, spoke about the recent assessments and appraisals.

COMMISSIONERS FORUM

Commissioner Ward stated she wanted to thank all emergency first responders who came to help during the tornado.

COUNTY MAYOR, ATTORNEY, FINANCE ADVISOR, INVITED GUEST SPEAKER FORUM, OR PROCLAMATIONS

Mayor Lashlee addressed:

- prayers for Benton County during this tornado disaster. Keep the Carl Frazee family and County attorney, Shawn Johnson, in our prayers for the loss in their families. Code Red has been a great value to this community during this disaster. Last years funding of code red was a good decision and need to continue improving. Mayor has made decision to appoint a Deputy Director to EMA.
- commended UT/AG extension office Heather Smith and staff. Read proclamation.

**COUNTY OF Benton County
PROCLAMATION
BY THE Benton County Mayor**

WHEREAS, The University of Tennessee is Tennessee's land-grant university, and has a three-part mission of teaching, research, and Extension; and

WHEREAS, Extension is the outreach arm of the University and an integral part of the land-grant mission extending the knowledge and expertise of the University to the people of Tennessee through education delivered by agents, specialists, and volunteers in all 95 counties of the state; and

WHEREAS, Extension is a valuable resource for helping citizens to solve problems providing real life solutions in the places they live, work, and play through hundreds of programs; and

WHEREAS, Extension's efforts are based on local needs, research and a commitment to improve the quality of life.

WHEREAS, Extension's educational programs in 4-H youth development, agriculture and natural resources, family and consumer sciences, and community economic development produce substantial returns to the state.

WHEREAS, using research, questionnaires, observations, and sales records, an economic impact was estimated at more than \$687 million from January 1, 2019 through December 30, 2019 for statewide educational programs.

WHEREAS, a recent assessment indicates that every \$1 in public funds invested in Extension programs returns an estimated \$9.31 to the people of Tennessee.

NOW THEREFORE, I, Brett Lashlee, Mayor of Benton County, do hereby proclaim March, as

UT TSU EXTENSION MONTH

and encourage all citizens of Benton County to participate in Extension's educational programs and to learn how Extension benefits them.

IN WITNESS WHEREOF, I have hereunto set
my hand and caused the official seal of
Benton County to be affixed at
on this the _____ day of March, 2020.

- Audit Committee findings almost perfect findings. Commended commissioners for supporting Ms. Ashley Travis' pay raise. This Audit report is an example of Ms. Ashley's performance.

- Stated centralized purchasing process is something we need to eventually migrate toward.

- Mayor Lashlee explained this might possibly be our last public meeting in the forum as we know it due to corona virus. May have to modify/alter public meetings as a county government in the future.

- Assessor, Ryan Hall, did not mention the increase in property value by \$500,000.00 in the land auctions last fall. Love's Truck stop to add over \$10 million value. A lot of building in our county. Corona Virus will alter numbers some so mayor suggested to budget committee to use caution going forward – follow the state certified rate.

PREVIOUS MONTHS MINUTES

Motion was made by Commissioner Hill and seconded by Commissioner Ferguson to approve February 2020 minutes. On a Voice Vote, all present voted Aye. Motion Carries.

APPROVAL OF THE REPORT OF PUBLIC UTILITES

Motion was made by Commissioner Ferguson and seconded by Commissioner Hern to approve the Report of Public Utilities. On a Voice Vote, all present voted Aye. Motion Carries.

RESOLUTIONS

Motion was made by Commissioner Miller and seconded by Commissioner Vickers to approve **RESOLUTION 20200316-01**.

Motion was made by Commissioner Hopper to remove his name as sponsor on this resolution and seconded by Commissioner Ferguson. All members present voted aye. Motion carries.

Motion was made by Commissioner Higdon and 2nd by Commissioner Ferguson to change the year on **Resolution 20200316-01** from 2028 to 2024. All members present voted aye. Motion carries.

Motion was made by Commissioner Powers and 2nd by Commissioner Ferguson to postpone **Resolution 20200316-01** until next month. On a roll call vote all members present voted aye. Motion passed.

RESOLUTION NO. 20200316-01

**SPONSORED BY BENTON COUNTY COMMISSIONERS RONNIE HOPPER, KENNETH MILLER,
WARD PLANT AND MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE**


WHEREAS, Benton County Emergency Management Agency has Director Richard Kee and he has served with honor and great merit. Mr. Kee is in the sole position of leadership and has no personnel to continue the effectiveness and consistency of the office in the case of incapacitation (retire), termination or absence; and


WHEREAS, in the event of an emergency, the executive branch of government has sole power to replace the director, an absence for any reason can cause unforeseen effects, and negative impact to the community if no continuity of operation is possible due to the absence of a director. The appointment of a Deputy Director shall not circumvent a direct hire to Director for any reason and a Deputy appointment shall only be to assist in the effective operation of the department; and

WHEREAS, Scott Hill Has many years of service in Fire, Police and EMS, and has the qualifications to act as the Deputy Director and,

WHEREAS, there is a need to have a Deputy Director of the Emergency Management Agency, that is appointed to the role on a 4 Year term by the legislative body with the recommendation of the Mayor to ensure the continuity of government.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the county government appoint Scott Hill as the Deputy Director of the Emergency Management Agency with the recommendation from the Mayor to and 4 year term expiring in 2028. Mr. Hill will have the same authority as the Director when the need arises to provide a continuity with the agency. Furthermore, the legislative body can remove the Deputy Director from position with 2/3 vote of commissioners.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hall and seconded by Commissioner Powers to approve **RESOLUTION 20200316-02**. On a voice vote all members present voted aye. Motion passed.

RESOLUTION NO. 20200316-02


SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

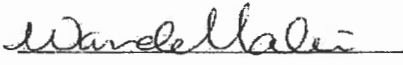
LEGISLATIVE REFERENCE: NONE

WHEREAS, the Benton County Committee on Aging member Rachelle Hill has been a very active member and helpful to the Benton County Senior Citizens Center; and

WHEREAS, it is the recommendation of the county mayor to add Rachelle Hill to the (NWTAAAD Advisory Board) to represent Benton County.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of March 2020 that Commissioner Rachelle Hill be added to the NWTAAAD Advisory Board to represent Benton County.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hill and seconded by Commissioner Higdon to approve **RESOLUTION 20200316-03**. On a voice vote, all members present voted Aye. Motion Carries.

RESOLUTION NO. 20200316-03


SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE


LEGISLATIVE REFERENCE: NONE

WHEREAS, there are two recent vacancies on the Benton County Audit Committee due to the resignation of Mr. Don Myers and the term expiration of Ms. Bonnie Evans; and

WHEREAS, it is the recommendation of the Benton County Mayor and Chairman Ward Plant to appoint both Sherri Hill and Ken Tapley to the Audit Committee to each serve a four year term set to expire on March 1, 2024.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that both Sherri Hill and Ken Tapley be appointed to the Benton County Audit Committee and each serve a four year term set to expire on March 1, 2024.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hill and seconded by Commissioner Ferguson to approve **RESOLUTION 20200316-04**. On a Voice Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200316-04

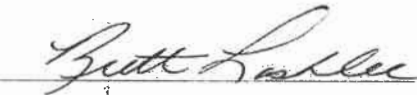
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: NONE

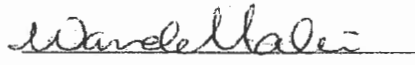
WHEREAS, there will soon be a recent vacancy on the Benton County Solid Waste Board due to the term expiration of Cindy Wheatley; and

WHEREAS, it is the recommendation of both the Benton County Mayor and Chairman Ward Plant to appoint Brad Ferrier to the Solid Waste Board to fill this vacancy and serve a three year term set to expire on March 1, 2023.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that Brad Ferrier be appointed to the Benton County Solid Waste Board for a three year term set to expire on March 1, 2023.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Powers to approve **RESOLUTION 20200316-05**.

Motion to amend Resolution 20200316-05 was made by Commissioner Miller and seconded by Commissioner Hicks to replace Tracy Chapman with Vickie Penn. On a Voice Vote all members present voted Aye. Motion passed.

Motion by Commissioner Ferguson and seconded by Commissioner Miller to approve Resolution 20200316-05 as amended. On a Voice Vote, all members present voted Aye. Motion Carries.

RESOLUTION NO. 20200316-05

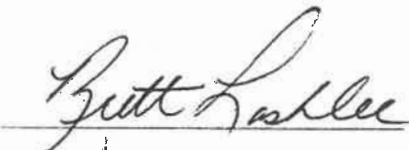
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: NONE

WHEREAS, there are two recent vacancies on the Benton County Animal Shelter Board; and

WHEREAS, it is the recommendation of both the Benton County Mayor and the shelter board members to appoint both Leslie Ferrier, as the veterinarian rep, and Tracy Chapman, as the animal shelter designee, and each to serve a four year term set to expire on March 1, 2024.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that both Leslie Ferrier and Tracy Chapman be appointed to the Benton County Animal Shelter Board for a four year term set to expire on March 1, 2024.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Miller to approve **RESOLUTION 20200316-06**. On a Roll Call Vote 14 Ayes, 3 No, 1 absent. Motion carries. (Commissioner Dye changed vote from Pass to Aye)

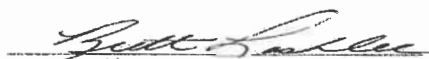
RESOLUTION NO. 20200316-06
SPONSORED BY COMMISSIONERS HALL, VICKERS, HICKS, HOPPER, POWERS, HERN,
PLANT AND PATTON
LEGISLATIVE REFERENCE: NONE


WHEREAS, in previous action by the full legislative body, Benton County voted to approve Resolution No. 20191021-17, which was a resolution authorizing the issuance of general obligation public improvement bonds of Benton County, Tennessee in the aggregate principle amount of not to exceed \$6,000,000 (six million dollars), in one or more series; making provisions for the issuance, sale and payment of said bonds, establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds; and

WHEREAS, it is the recommendation of the sponsors of this resolution to rescind Resolution No. 20191021-17 that was voted on and approved during the October 21st 2019 commission meeting in order to further educate the public.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that Resolution No. 20191021-17 be rescinded.

RESOLUTION 20200316-06							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
KELEAH DYE		X			X		
NORMAN FRAZIER		X			X		
GARY FURR		X			X		
SONNY HALL		X			X		
PHIL MELTON		X				X	
DOUG VICKERS		X			X		
RACHELLE HILL		X			X		
JANET HIGDON		X			X		
ROSANNE WARD		X				X	
DARRELL HICKS		X			X		
RONNIE HOPPER		X			X		
MARY POWERS		X			X		
ANGIE HERN		X			X		
DON PATTON		X	X		X		
DAYNA FERGUSON		X				X	
KENNETH MILLER		X		X	X		
ROCKY PRESSON	X						
WARD PLANT		X			X		


 Brett Lashlee, County Mayor


 Wanda Malin, County Clerk

Motion was made by Commissioner Powers and seconded by Commissioner Ferguson to take a 5-minute recess. All Ayes. Motion passed.

Back in session.

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve **RESOLUTION 20200316-07**. On a roll call vote 10 Ayes, 5 No, 2 Pass. Motion failed

Motion by Commissioner Frazier and seconded by Commissioner Hill to postpone **Resolution 20200316-07** for 2 months and remove civil. Commissioner Frazier withdrew his motion.

RESOLUTION NO. 20200316-07
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, TCA 67-4-601 permits counties to levy all or any of the three (3) litigation taxes authorized under TCA 67-4-601(b)(1) or(b)(5), and (b)(6), so long as each tax is adopted, and its proceeds are used in accordance with the applicable statutory requirements; and

WHEREAS, Benton County currently levies privilege taxes on litigation pursuant to TCI 67-4-601(b)(1), (b)(5), and (b)(6); and

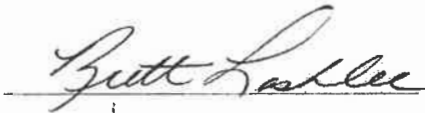
WHEREAS, the County is in need of additional funding for courthouse and jail renovation/expansion in order to maintain these public facilities in compliance with various State and Federal unfunded mandates such as Title II ADA and TCI Jail Standards.

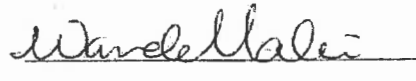
NOW, THEREFORE, BE IT RESOLVED by the Benton County Board of Commissioners that the State Delegation representing Benton County is formally requested to put forth the following amendment to State General Law in the upcoming legislative session -

That TCA 67-4-601 be amended to state "...notwithstanding any law to the contrary, any county having a population of not less than thirteen thousand seven hundred and fifty (13,750) nor more than sixteen thousand eight hundred and fifty (16,850) according to the 2010 federal census or any subsequent federal census, may, upon the adoption of a resolution by two-thirds (2/3) majority vote of the county legislative body, levy an additional privilege tax on litigation in all civil and criminal case in an amount not to exceed fifty dollars (\$50) per case, to be used for jail construction and maintenance, or courthouse construction and maintenance, or to retire debt, including principal and interest and related expenses, on such jail and courthouse construction and maintenance projects.."

BE IT FURTHER RESOLVED that, upon adoption of this resolution by the Benton County Board of Commissioners that the Benton County Clerk will mail a certified copy of the resolution to the county's State delegation.

RESOLUTION 20200316-07							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
KELEAH DYE		X			X		
NORMAN FRAZIER		X			X		
GARY FURR		X			X		
SONNY HALL		X			X		
PHIL MELTON		X					X
DOUG VICKERS		X			X		
RACHELLE HILL		X				X	
JANET HIGDON		X			X		
ROSANNE WARD		X				X	
DARRELL HICKS		X				X	
RONNIE HOPPER		X			X		
MARY POWERS		X			X		
ANGIE HERN		X			X		
DON PATTON		X				X	
DAYNA FERGUSON		X	X			X	
KENNETH MILLER		X		X			X
ROCKY PRESSON	X						
WARD PLANT		X			X		


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Powers to approve **RESOLUTION 20200316-08.**

Motion was made by Commission Ferguson and seconded by Commissioner Hill to amend **Resolution 20200317-08** to correct the typo in the third WHEREAS paragraph to reflect the word **such**. On a voice vote all members present voted Aye. Motion passed.

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve **Resolution 20200316-08** as amended. On a roll call vote 14 Ayes, 3 no, 1 absent. Motion passed. (Commissioner Frazier changed vote from Pass to No)

RESOLUTION NO. 20200316-08

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

**RESOLUTION TO URGE THE GENERAL ASSEMBLY TO AMEND THE PROVISIONS OF
THE PRIVATE ACT
AUTHORIZING BENTON COUNTY TO AUDIT PULPWOOD SEVERANCE TAX
COLLECTIONS**

WHEREAS, Benton County enacted a Pulpwood Severance Tax on May 14, 1997.


WHEREAS, The Benton County Commission desires that the operator liable for the collection and payment to the county of the tax imposed to keep and preserve for a period of three (3) years all records necessary to determine the amount of tax due and payable to the county.

WHEREAS, The Benton County Commission desires that the county clerk has the right to inspect such records at all reasonable times.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Benton County, Tennessee, meeting in regular session on this 16th day of March, 2020, that the Tennessee General Assembly be urged to amend the provisions of the Benton County, TN Private Acts of 1997 Chapter 55 to state it is the duty of every operator liable for the collection and payment to the county of any tax imposed by this act to keep and preserve for a period of three (3) years all records necessary to determine the amount of tax due and payable to the county. The clerk has the right to inspect such records at all reasonable times.

BE IT FURTHER RESOLVED that the Benton County Clerk shall send signed copies of this resolution to the State Delegation of Benton County immediately upon the passage of the resolution.

RESOLUTION 20200316-08 (AS AMENDED)							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
KELEAH DYE		X			X		
NORMAN FRAZIER		X				X	
GARY FURR		X				X	
SONNY HALL		X			X		
PHIL MELTON		X			X		
DOUG VICKERS		X			X		
RACHELLE HILL		X			X		
JANET HIGDON		X			X		
ROSANNE WARD		X			X		
DARRELL HICKS		X		X	X		
RONNIE HOPPER		X			X		
MARY POWERS		X			X		
ANGIE HERN		X			X		
DON PATTON		X			X		
DAYNA FERGUSON		X	X		X		
KENNETH MILLER		X				X	
ROCKY PRESSON	X						
WARD PLANT		X			X		


 Brett Lashlee, County Mayor


 Wanda Malin, County Clerk

Motion was made by Commissioner Hill and seconded by Commissioner Higdon to combine RESOLUTIONS 20200316-09, 20200316-10, 20200316-11. On a voice vote all members present voted Aye. Motion passed.

Motion was made by Commissioner Ferguson and seconded by Commissioner Hill to approve RESOLUTIONS 20200316-09, 20200316-10, 20200316-11 as combined. On a voice vote all members present voted Aye. Motion passed.

RESOLUTION NO. 20200316-09

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the Benton County Sheriff's Office has received monies in the amount of \$ 3,329.71 for car accident insurance claims and;

WHEREAS, it will be necessary to budget said funds in the amount of \$ 3,329.71 to the appropriate expenditure account within the Sheriff's budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of March 2020 that the funds in the amount of \$ 3,329.71 received by the Benton County Sheriff's Office for insurance claims be budgeted as follows:

DECREASE REVENUES:

101.49700	INSURANCE RECOVERY	\$ 3,329.71
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INCREASE EXPENDITURES:

101.54110.338	MAINTENANCE & REPAIR - VEHICLES	\$ 3,329.71
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Brett Lashlee, County Mayor



Wanda Malin, County Clerk

RESOLUTION NO. 20200316-10

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the Benton County Sheriff's Office has received monies in the amount of \$ 2,565.58 for revenues for the month of February, 2020 and;

WHEREAS, it will be necessary to budget said funds in the amount of \$ 2,565.58 to the appropriate expenditure accounts within the Sheriff's budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of March 2020 that the funds in the amount of \$ 2,565.58 received by the Benton County Sheriff's Office for reimbursements for the month of February, 2020 be budgeted as follows:

DECREASE REVENUES:

101.44170	MISCELLANEOUS REFUNDS	\$ 200.00
101.46290	GOVERNOR HWY SAFETY GRANT	\$ 2,365.58

\$ 2,565.58

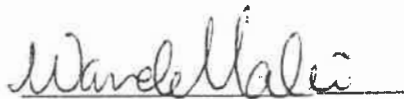
INCREASE EXPENDITURES:

101.54110.353	TOW IN SERVICES	\$ 200.00
101.54110.716	LAW ENFORCEMENT EQUIPMENT	\$ 2,365.58

\$ 2,565.58



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

RESOLUTION NO. 20200316-11

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Benton County Animal Shelter is negative in their expenditure account No. 101.55120.399 – Other Contracted Services; and

WHEREAS, the animal shelter has collected revenues from January through February in the total amount of \$5,077.15 ; and

WHEREAS, it will be necessary to budget the said funds in the amount of \$5,077.15 to the appropriate expenditure accounts in order to cover the negative balances and future expenditures.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$5,077.15 be budgeted within the animal shelter budget as the following:

INCREASE REVENUES:

101.41130	ANIMAL VACCINATIONS	\$2,962.00
101.44130	SALE OF MATERIALS AND SUPPLIES	\$ 30.00
101.48610	DONATIONS	\$2,085.15
		<hr/>
		\$5,077.15

INCREASE EXPENDITURES:

101.55120..399	OTHER CONTRACTED SERVICES	\$5,077.15
		<hr/>
		\$5,077.15



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Hopper and seconded by Commissioner Higdon to approve **RESOLUTION 20200316-12**. On a voice vote all members present voted Aye. Motion passed.

RESOLUTION NO. 20200316-12

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, there are two payroll line items that have insufficient funds to complete the fiscal year and;

WHEREAS, it will be necessary to transfer funds from two other payroll line items that have a surplus to complete the fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of March, 2020 that the following funds be transferred within the Sheriff's budget.

DECREASE EXPENDITURES

101.54110.106	DEPUTY(IES)	\$ 40,000.00
<u>101.54210.165</u>	<u>CAFETERIA PERSONNEL</u>	<u>\$ 12,930.00</u>
		\$ 52,930.00

INCREASE EXPENDITURES

101.54110.140	SALARY SUPPLEMENTS	\$ 40,000.00
<u>101.54210.140</u>	<u>SALARY SUPPLEMENTS</u>	<u>\$ 12,930.00</u>
		\$ 52,930.00



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Vickers to approve RESOLUTION 20200316-13.

Motion was made by Commissioner Hern and seconded by Commissioner Hicks to amend RESOLUTION 20200316-13 in the 4th paragraph to change the year from 2018 to 2019. On a voice vote all members present voted Aye. Motion passed.

Motion was made Commissioner Ferguson and seconded by Commissioner Hern to approve RESOLUTION 20200316-13 as amended. On a Roll Call vote all members present voted Aye. Motion passed.


RESOLUTION NO. 20200316-13
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, Dr. Scott Portis has made the county aware that he has failed to invoice the county for cremation permits over the past year; and

WHEREAS, Dr. Portis was under the impression cremation permits were being invoiced for on the monthly invoices submitted by the county medical investigator, however they have not been; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$5,550.00 from the Unassigned Fund Balance within the County General Fund in order to pay Dr. Scott Portis for the cremation permits signed on behalf of Benton County for the entire year of 2019 and budget the said funds to the Expenditure Account No. 101.54610.199.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$5,550.00 be appropriated from the Unassigned Fund Balance within the County General Fund in order to pay Dr. Scott Portis for the cremation permits signed on behalf of Benton County for the entire year of 2018 and budget the said funds to the Expenditure Account No. 101.54610.199 – County Coroner/Medical Examiner Other Per-Diem & Fees.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve RESOLUTION 20200316-14. On a Roll Call Vote all members present voted Aye. Motion Carries.

RESOLUTION NO. 20200316-14
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE


WHEREAS, Benton County utilized the contracted services with The Barrett Group to complete a revenue analysis on the Hotel/Motel tax within Benton County; and


WHEREAS, we learned the county had not been receiving the proper Hotel/Motel tax payments by particular businesses as we should be; and

WHEREAS, the total fund the county will be receiving for two businesses, Country Hearth/Colonial Inn/Neil Hospitality and Sulphur Creek B&B comes to \$59,727.49, which includes interest and penalty fees; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$5,177.00 from the Unassigned Fund Balance and budget to the appropriate expenditure account in order to pay The Barrett Group the recovery fee on these new revenues.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$5,177.00 be appropriated from the Unassigned Fund Balance within the General Fund and budgeted to the Expenditure Account No. 101.51300.599 – County Mayor Other Charges in order to pay the invoice (# Benton Co. 20-001) received for Revenue Recovery by The Barrett Group.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve **RESOLUTION 20200316-15**. On a Roll Call Vote all members present Voted Aye. Motion Carries.

RESOLUTION NO. 20200316-15

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the communications for both phones and internet services for Benton County departments have all recently increased and there will be insufficient funds in order to complete this fiscal year; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$20,500.00 from the unassigned fund balance and budget to the appropriate expenditure account in order to pay the communication expenses for the remainder of the fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$20,500.00 from the Unassigned Fund Balance within the County General Fund and budget to the Expenditure Account No. 101.51800.307 – County Buildings Communications.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Higdon to approve **RESOLUTION 20200316-16**. On a Roll Call Vote all members present Voted Aye. Motion Carries.

RESOLUTION NO. 20200316-16

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Drug Fund 122 has insufficient funds in the expenditure line for the Trustees commission, which is based on the amount of revenue collected each month; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$2,000 from the Unassigned Fund Balance of Fund 122 – Drug Control in order to cover this expense for the remainder of the fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$2,000 be appropriated from the Unassigned Fund Balance of Fund 122 – Drug Control and budgeted to the Expenditure Account No. 122,58400.510 – Trustees Commission.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hern to approve **RESOLUTION 20200316-17**. On a Roll Call Vote all members present Voted Aye. Motion Carries.

RESOLUTION NO. 20200316-17

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Fund 171 – Capital Projects has insufficient funds in the expenditure line for the Trustees commission, which is based on the amount of revenue collected each month; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$3,000 from the Unassigned Fund Balance of Fund 171 – Capital Projects in order to cover this expense for the remainder of the fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$3,000 be appropriated from the Unassigned Fund Balance of Fund 171 – Capital Projects and budgeted to the Expenditure Account No. 171.91110.510 – Trustees Commission.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Frazier and seconded by Commissioner Hern to approve **RESOLUTION 20200316-18**. On a Roll Call Vote all members present Voted Aye. Motion Carries.

RESOLUTION NO. 20200316-18

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Fund 101 – County General Fund has insufficient funds in the expenditure line for the Trustees commission, which is based on the amount of revenue collected each month; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$120,000 from the Unassigned Fund Balance of Fund 101 – County General Fund in order to cover this expense for the remainder of the fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March 2020 that the funds in the amount of \$120,000 be appropriated from the Unassigned Fund Balance of Fund 101 – County General Fund and budgeted to the Expenditure Account No. 101.58400.510 – Trustees Commission.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hern to approve **RESOLUTION 20200316-19**. On a Roll Call Vote, all members present voted Aye. Motion Carries.


RESOLUTION NO. 20200316-19
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the court room security board has voted and approved to have 6 panic buttons installed and tested throughout the courthouse; and


WHEREAS, it will be necessary to appropriate the funds in the amount of \$1,510.00 from the Court Room Security 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 16th Day of March that the funds in the amount of \$1,510.00 be appropriated from the Court Room Security Reserve Account and budgeted as the following:

DECREASE REVENUES:		
101.34520	RESERVE FOR COURTROOM SECURITY	\$1,510.00
		\$1,510.00
INCREASE EXPENDITURES:		
101.53400.790	CHANCERY COURT OTHER EQUIPMENT	\$1,510.00
		\$1,510.00



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Frazier and seconded by Commissioner Higdon to approve **RESOLUTION 20200316-20**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200316-20
SPONSORED BY THE BENTON COUNTY HIGHWAY SUPERINTENDENT BARRY "BUCK" CARTER
LEGISLATIVE REFERENCE: BUDGET COMMITTEE


WHEREAS, the Benton County Highway has been working towards moving locations of the department for many months now and has kept the legislative body aware of the process; and

WHEREAS, the highway department is now moving forward with the purchase of the new building and making the physical move; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$356,100 from the Unassigned Fund Balance within the Highway Fund and budget to the appropriate expenditure accounts in order to move forward with the purchase and renovation of the new Benton County Highway Department building located at 3300 Hwy 70 Bypass in Camden, Tennessee.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of March that the funds in the amount of \$356,100 be appropriated from the Unassigned Fund Balance of the Highway Fund and budgeted as follows:

DECREASE REVENUES:		
131.39000	UNASSIGNED FUND BALANCE HIGHWAY DEPT.	\$356,100.00
		\$356,100.00
INCREASE EXPENDITURES:		
131.61000.709	HIGHWAY DEPT. DATA PROCESSING EQUIPMENT	\$ 7,000.00
131.61000.719	HIGHWAY DEPT. OFFICE EQUIPMENT	\$ 1,600.00
131.62000.300	HIGHWAY DEPT. OTHER CONTRACTED SERVICES	\$ 15,000.00
131.68000.355	HIGHWAY DEPT. MAINTENANCE/REPAIR BUILDING	\$ 90,000.00
131.68000.732	HIGHWAY DEPT. BUILDING PURCHASE	\$212,500.00
131.68000.717	HIGHWAY DEPT. MAINTENANCE EQUIPMENT	\$ 30,000.00
		\$356,100.00



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

NOTARIES

Motion was made by Commissioner Ferguson and seconded by Commissioner Hill to approve March Notaries. On a Voice Vote, all present voted Aye. Motion Carries.

SHAWN HATLER SABRINA WYATT TINA ALLEN
MARCUS NOLES STEPHANIE LEE MELISA HOOPER

ANY OTHER BUSINESS

Motion was made by Commissioner Ferguson and seconded by Commissioner Hill to suspend the rules of order to bring **Resolutions 20200316-21 - 20200316-23** to the floor. On a Roll Call Vote, all present voted Aye. Motion Carries.

Motion was made by Commissioner Ferguson and seconded by Commissioner Ward to approve Resolution 20200316-21. On a Roll Call Vote all members present voted Aye. Motion carries.

RESOLUTION NO. 20200316-21

SPONSORED BY BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

March 16, 2020

WHEREAS: The English Language Arts Textbook Adoption for 2020 will need to be purchased and the purchase of a building in conjunction with the Hwy Department for a bus garage;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2019-20 budget as follows;

		<u>INCREASE</u>	
71100 449	Textbooks		\$350,000.00
76100-732	Building Purchases		<u>100,000.00</u>
			\$450,000.00

		<u>DECREASE</u>	
39000	Fund Balance		\$450,000.00



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Miller to approve Resolution 20200316-22. On a Roll Call Vote all members present voted Aye. Motion carries.

RESOLUTION NO. 20200316-22

SPONSORED BY BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

March 16, 2020

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 2019-20 budget as follows;

<u>INCREASE</u>		
71100 370	Contracted Substitutes	\$ 20,000.00
71200 370	Contracted Substitutes	3,000.00
71300 370	Contracted Substitutes	5,000.00
73400 370	Contracted Substitutes	600.00
72610 370	Contracted Substitutes	<u>20,000.00</u>
		\$48,600.00

<u>DECREASE</u>		
71100 198	Non-Certified Substitutes	\$ 25,000.00
71200 128	Homebound Teachers	3,000.00
73400 198	Non-Certified Substitutes	600.00
72610 166	Custodial Personnel	<u>20,000.00</u>
		\$ 48,600.00



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Patton to approve Resolution 20200316-23. On a roll call vote All members present Voted Aye. Motion carries.

RESOLUTION NO. 20200316-23

SPONSORED BY BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

March 16, 2020

WHEREAS: The Maintenance Shop was broken into and tools were stolen from the shop. Tennessee Risk Management has reimbursed the Board for the stolen items;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2019-20 budget as follows;

		<u>INCREASE</u>	
49700	Insurance Recovery		\$ 4,147.92
72620 499	Other Supplies & Materials		\$ 4,147.92



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Hill to make a decision on bids for the boiler at sheriffs dept. Commissioner Hill pulled this motion.

Motion was made by Commissioner Hill and seconded by Commissioner Hicks to allow the Commission to approve the Property Committee's recommendation for the company to use in the replacement of the boiler at the jail. On a voice vote all members present Voted Aye. Motion carries.

Commissioner Hill explained United Mechanical (replaced water heaters) sent a letter with the bill priced \$2000 more than the estimate due to their mistake. Commissioner Hill stated she would present this to the County Commission.

Sheriff Kenny Christopher addressed the commission about issues with camera system.

ADJOURNMENT

Motion was made by Commissioner Hern and seconded by Commissioner Miller to adjourn this meeting. On a Voice Vote, all present voted Aye. Meeting was adjourned.

WANDA MALIN, COUNTY CLERK, DO CERTIFY THIS TO BE A TRUE AND COMPLETE COPY OF THE MARCH 16, 2020 BENTON COUNTY COMMISSION MEETING.



BRETT LASHLEE, MAYOR



WANDA MALIN, COUNTY CLERK