

BENTON COUNTY COMMISSIONERS MEETING

APRIL 20, 2020

BE IT REMEMBERED THAT ON APRIL 20, 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.

Condolences go out to Commissioner Dayna Ferguson on the passing of her mother. Please keep her and her family in your Prayers.

Invocation was led by Mayor Brett Lashlee and Pledge of Allegiance was led by all in attendance.

ROLL CALL BY COUNTY CLERK WANDA MALIN

MEMBERS PRESENT: **COMMISSIONERS ABSENT - DAYNA FERGUSON, KELEAH DYE, NORMAN FRAZIER**

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		KENNETH MILLER	ROCKY PRESSON
DIST. 3			GARY FURR

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
 - *Proclamation to Recognize National Crime Victims' Rights Week: April 19-25, 2020*
9. Approval of Minutes (VV)

10. Report of Public Utilities (VV)
11. Resolution following the Executive Order No. 16 of the Governor of the State of Tennessee, the Honorable Bill Lee issued on the 20 day of March , 2020 that electronic participation shall be allowed and the participants are hereby encouraged to conduct all county meetings electronically because it is necessary to protect public health, safety, and welfare in light of the said pandemic virus. (20200420-01) (VV)
12. Resolution budgeting funds in the amount of \$1,540.00 within the Sheriff's budget (20200420-02) (VV)
13. Resolution budgeting funds in the amount of \$7,291.52 within the Sheriff's budget (20200420-03) (VV)
14. Resolution to appropriate the funds in the amount of \$ 2,000 from the unassigned fund balance within Fund 122 – Drug Control and budgeting within the Sheriff's Drug Enforcement budget (20200420-04) (RCV)
15. Resolution to appropriate funds in the amount of \$15,000 from the Unassigned Fund Balance within the County General Fund in order to allow the county medical examiner/investigator to purchase face shields, gloves, body bags, protective gowns and to pay the four outstanding autopsy bills recently received (20200420-05) (RCV)
16. Resolution to appropriate funds in the amount of \$5,000 from the Unassigned Fund Balance within the County General Fund in order for the county to pay the deductibles for legal counsel on two pending law suits (20200420-06) (RCV)
17. Resolution to appropriate funds in the amount of \$2,682.24 from the Unassigned Fund Balance within the General Fund in order to pay the invoice (# Benton Co. 20-002) received for Revenue Recovery by The Barrett Group (20200420-07) (RCV)
18. Resolution to appropriate funds in the amount of \$7,795.00 from the Unassigned Fund Balance within the General Fund in order to cover expenditure accounts within our general fund for the remainder of the fiscal year (20200420-08) (RCV)
19. Resolution to appropriate funds in the amount of \$1,000.00 from the Unassigned Fund Balance within Fund 151 – Debt Service in order to pay for the filing of the audited financial statements or CAFR for the Benton County General Obligation Refunding Bonds Series 2017 and the School Refunding Bond Series 2012 (20200420-09) (RCV)
20. Appointing Notaries (VV)
21. Any Other Business
22. Adjourn

ANNOUNCING OF QUORUM BY:

CHAIRMAN WARD PLANT

APPROVAL OF THE AGENDA

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

CITIZENS FORUM

NO SPEAKERS

COMMISSIONERS FORUM

NO SPEAKERS

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

PROCLAMATION

*Benton County
Office of the Mayor*

**Proclamation from the Governing Body of Benton County and County Mayor
to Recognize National Crime Victims' Rights Week – April 19-25, 2020**

Whereas, Tennesseans and Benton County citizens are the victims of thousands of crimes each year, affecting individuals, families and our communities;

Whereas, years of Tennessee's investment in crime victims' rights and services have developed a system of response that can help victims recover from crime;

Whereas, reaching and serving all victims of crime is essential to thriving communities, because those who receive holistic services and support are more likely to remain invested in their communities;

Whereas, dedicated victim service providers are working every day to meet the needs of victims, yet there are still too many survivors without meaningful access to rights and services;

Whereas, many survivors face barriers – such as isolation, language limitations, distrust of the system, lack of transportation, or cultural barriers – that keep them from accessing the services and systems that can help them recover;

Whereas, we, as Tennesseans and Benton County Citizens, must make a dedicated effort to expand the circle of those prepared to respond to victims and link them to resources;

Whereas, engaging a broader array of healthcare providers, community leaders, faith organizations, educators, and businesses can provide new links between victims and services that improve their safety, healing and access to justice;

PROCLAMATION

Whereas, National Crime Victims' Rights Week provides us an opportunity to recommit to ensuring that all victims of crime – especially those who are challenging to reach or serve – are afforded their rights and receive trauma-informed response;

Whereas, The Tennessee Board of Parole, Tennessee Bureau of Investigation, and the Tennessee Department of Correction Victim Service professionals are dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim responders, and working for justice for all victims and survivors;

Now, therefore, I, Brett Lashlee, as Mayor of Benton County, Tennessee, do hereby proclaim the week of April 19-25, 2020 as

Crime Victims' Rights Week in Benton County;

And reaffirm this county's commitment to creating services and criminal justice responses that assist all victim of crime during Crime Victims' Rights Week and throughout the year; and to express our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to victims so that they may find relevant assistance, support, justice and peace.

Respectfully Submitted and Approved to the Benton County Commission on this 20th day of April, 2020.


BRETT LASHLEE, MAYOR, BENTON COUNTY, TENNESSEE

PREVIOUS MONTHS MINUTES

Motion was made by Commissioner Hicks and seconded by Commissioner Vickers to approve MARCH 2020 minutes. On a Roll Call Vote, all present voted Aye. Motion Carries.

APPROVAL OF THE REPORT OF PUBLIC UTILITES

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

RESOLUTIONS

Motion was made by Commissioner Hicks and seconded by Commissioner Patton to approve **RESOLUTION 20200420-01**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-01

ELECTRONIC PARTICATION RESOLUTION

Sponsored by Mayor Brett Lashlee and Commissioner Ward Plant

Whereas, the Coronavirus Disease 2019 (Covid-19) is a Respiratory Disease that can lead to serious illness or death; and

Whereas, on January 21, 2020, the Tennessee Department of Health designated the COVID-19 as a reportable disease in Tennessee; and


Whereas, the World Health Organization has declared the said virus as a global pandemic; and

Whereas, on March 12, 2020, and thereafter, the Governor of the State of Tennessee has issued certain Executive Orders designed to facilitate, contain, or diminish the spread of the said disease in Tennessee; and

Where, on March 13, 2020, the President of the United States has declared a National Emergency in response to the Covid-19 pandemic; and

Whereas, many of our adjacent counties in Middle and West Tennessee have had resident citizens confirmed as infected with the said disease, which is reputed as highly contagious.

IT IS THEREFORE RESOLVED that the County Commission of Benton County, Tennessee, held of April 20, 2020, beginning at 6:00 p. m. Central Standard time shall be held at the Main Court Room in the Courthouse located on 1 Court Square, Camden, Tennessee; and further that due to the premises stated herein above the said meeting shall be conducted in accordance with the Executive Order No. 16 of the Governor of the State of Tennessee, the Honorable Bill Lee issued on the 20 day of March, 2020 (Attached as Addendum A); and further that electronic participation shall be allowed and the participants are hereby encouraged to do so because it is necessary to protect public health, safety, and welfare in light of the said pandemic virus and this said resolution be entered upon the minutes of said commission as evidence thereon.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hall and seconded by Commissioner Vickers to approve **RESOLUTION 20200420-02**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-02

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the Benton County Sheriff's Office has received funds in the amount of \$ 1,540.00 for revenues for the month of March, 2020; and

WHEREAS, it will be necessary to budget said funds in the amount of \$ 1,540.00 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 20th day of April, 2020 that the funds in the amount of \$1,540.00 received by the Benton County Sheriff's Office for revenues for the month of March, 2020 be budgeted as follows:

DECREASE REVENUES:

101.43395	SEX OFFENDER REGISTRATION FEE	\$ 1050.00
101.44170	MISCELLANEOUS REFUNDS	\$ 490.00
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		\$ 1540.00

INCREASE EXPENDITURE:

101.54110.353	TOW-IN SERVICES	\$ 490.00
101.54160.599	OTHER CHARGES	<u>\$ 1050.00</u>
		\$ 1540.00


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hicks and seconded by Commissioner Vickers to approve **RESOLUTION 20200420-03**. On a Roll Call vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-03

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the Mayor's Office has received funds in the amount of \$ 7,291.52 for insurance claims for the Sheriff's Office. The Sheriff's Office had two separate vehicle incidents and there was flood damage at the inmate garden to a shed and equipment.

WHEREAS, it will be necessary to budget said funds in the amount of \$ 7,291.52 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 20th day of April, 2020 that the funds in the amount of \$7,291.52 received by the Mayor's Office for insurance payments for the month of March, 2020 be budgeted as follows:


DECREASE REVENUES:


101.49700	INSURANCE RECOVERY	\$ 7,291.52
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INCREASE EXPENDITURE:

101.54110.338	MAINTENANCE & REPAIR - VEHICLES	\$ 3,554.52
101.54210.790	OTHER EQUIPMENT	\$ 3,737.00

\$7,291.52


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hicks and seconded by Commissioner Hall to approve **RESOLUTION 20200420-04**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-04

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the Benton County Sheriff's Office needs to replenish their confidential drug funds; and,

WHEREAS, it will be necessary to appropriate said funds in the amount of \$ 2,000 from the unassigned fund balance within Fund 122 – Drug Control and budget to the appropriate expenditure account within the Sheriff's Drug Enforcement budget.


NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th day of April, 2020 that the funds in the amount of \$ 2,000.00 be appropriated and budgeted as the following:

DECREASE REVENUES:

122.39000	FUND BALANCE – DRUG CONTROL	\$ 2,000.00
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INCREASE EXPENDITURES:

122.54150.319	CONFIDENTIAL DRUG ENFORCEMENT PAYMENTS	\$ 2,000.00
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Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hall and seconded by Commissioner Vickers to approve **RESOLUTION 20200420-05**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-05

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, Benton County will need to purchase items for the county medical examiner/investigator to properly prepare them to correctly perform their job responsibilities; and


WHEREAS, the county has received invoices for four recent autopsies and is now negative in this account; and


WHEREAS, it will be necessary to appropriate \$15,000 from the Unassigned Fund Balance within the County General Fund in order to allow the county medical examiner/investigator to purchase face shields, gloves, body bags, protective gowns and to pay the outstanding autopsy bills received; and

WHEREAS, the expense for the items purchased will be reported on the county's FEMA report and is reimbursable as apart of our disaster relief during the COVID-19 pandemic.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th day of April, 2020 that the funds in the amount of \$15,000 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted as the following:

<u>DECREASE REVENUES:</u>		
101.39000 COUNTY GENERAL FUND BALANCE		\$15,000
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		\$15,000
<u>INCREASE EXPENDITURES:</u>		
101.54610.309	COUNTY CORONER AUTOPSIES	\$10,000
101.54610.499	COUNTY CORONER OTHER SUPPLIES & MATERIALS	\$ 5,000
		<hr/>
		\$15,000


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Hicks and seconded by Commissioner Vickers to approve **RESOLUTION 20200420-06.**

Motion was made by Commissioner Patton for the Sheriff's Department to pay this out of their budget. No second and motion fails.

Back to the original Motion to approve, On a Roll Call Vote, 14 Ayes and 1 Nay. Motion Carries.
RESOLUTION NO. 20200420-06

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, Benton County has received an Invoice from Tennessee Risk Management for a deductible to be paid in the amount of \$5,000 in order for the trust to provide legal counsel on two law suits against the county:

- *Wrongful arrest* *\$2,500 deductible*
- *Lack of Medical Treatment* *\$2,500 deductible*

WHEREAS, it will be necessary to appropriate the said funds in the total amount of \$5,000 from the Unassigned Fund Balance and budget within the appropriate expenditure account. **NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th day of April, 2020 that the funds in the amount of \$5,000 be appropriated from the Unassigned Fund Balance within the County General Fund and budget to the Expenditure Account No. 101.51900.506 - Other General Admin. Liability Insurance in order for the county to pay the deductibles for legal counsel on two pending law suits.

RESOLUTION 20200420-06							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
SONNY HALL		X			X		
PHIL MELTON		X			X		
DOUG VICKERS		X		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						
KENNETH MILLER		X			X		
ROCKY PRESSON		X			X		
KELEAH DYE	X						
NORMAN FRAZIER	X						
GARY FURR		X			X		
WARD PLANT - CHAIR		X			X		


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Miller to approve **RESOLUTION 20200420-07**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-07

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, it will be necessary to appropriate the funds in the amount of \$2,682.24 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 20th Day of April 2020 that the funds in the amount of \$2,682.24 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. 20-002) received for Revenue Recovery by The Barrett Group.



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Miller to approve **RESOLUTION 20200420-08**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-08

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, there are a few accounts within the County General Fund that are running with an insufficient balance to cover the remainder of the fiscal year; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$7,795.00 from the Unassigned Fund Balance within the County General Fund in order to cover the expenditure accounts listed below for the remainder of this fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th Day of April 2020 that the funds in the amount of \$7,795.00 be appropriated from the Unassigned Fund Balance within the General Fund and budgeted within the appropriate expenditure accounts as follows:

DECREASE REVENUES:

101.39000	COUNTY GENERAL FUND BALANCE	\$7,795.00
		\$7,795.00

INCREASE EXPENDITURES:

101.51220.191	BEER BOARD COMMITTEE MEMBER DUES	\$ 400.00
101.51220.201	BEER BOARD SOCIAL SECURITY	\$ 20.00
101.51220.210	BEER BOARD UNEMPLOYMENT	\$ 15.00
101.51220.212	BEER BOARD MEDICARE	\$ 15.00
101.54610.201	COUNTY CORONER SOCIAL SECURITY	\$ 200.00
101.54610.210	COUNTY CORONER UNEMPLOYMENT	\$ 50.00
101.55710.149	WASTE TIRES LABORERS	\$ 60.00
101.55710.201	WASTE TIRES SOCIAL SECURITY	\$ 20.00
101.55710.212	WASTE TIRES MEDICARE	\$ 15.00
101.55710.399	WASTE TIRES OTHER CONTRACTED SERVICES	\$4,000.00
101.55710.452	WASTE TIRES UTILITIES	\$3,000.00
		\$7,795.00



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Patton seconded by Commissioner Hicks to combine **RESOLUTIONS 20200420-09**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200420-09

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, it is time for Benton County to file their recurring financial disclosures on the General Obligation Refunding Bonds Series 2017 and the School Refunding Bond Series 2012; and

WHEREAS, the previous County Financial Advisor, Guardian Advisors LLC, was responsible for providing this service of "Continuing Disclosure" as a part of their annual fiscal agent fee; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$1,000.00 from the Unassigned Fund Balance within the Debt Service Fund 151 in order to pay for the filing of the audited financial statements or CAFR for the Benton County bonds listed above.


NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th Day of April 2020 that the funds in the amount of \$1,000.00 be appropriated from the Unassigned Fund Balance within Fund 151 – Debt Service.

DECREASE REVENUES:

151.39000	DEBT SERVICE FUND BALANCE	\$1,000.00
		<i>\$1,000.00</i>

INCREASE EXPENDITURES:

151.82310.699	GENERAL GOVERNMENT OTHER DEBT SERVICE	\$ 500.00
151.82330.699	EDUCATION OTHER DEBT SERVICE	\$ 500.00
		<i>\$1,000.00</i>


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

NOTARIES

Motion was made by Commissioner Patton and seconded by Commissioner Hall to approve APRIL Notaries. On a Roll Call Vote, all present voted Aye. Motion Carries.

NANCY ARNOLD DEANA OATSVALL

ANY OTHER BUSINESS

Commissioner Hopper brought up that Resolution 20020316-01 was tabled last month for this April Meeting. This resolution will now be tabled until the May 2020 meeting.

Sheriff Christopher brought up the business of replacing the camera system at the jail. He has a bid price \$250,000 inside the jail and \$100,000 outside and the fence for a total of \$350,000 and wants to get an engineer started on it.

After much discussion, it was decided the Mayor and commissioners will need more information on the system and future replacement options. An IT person will be sent to the jail to inspect the condition of the current system and recommendations for replacement.

ADJOURNMENT

Motion was made by Commissioner Hicks 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 APRIL 20, 2020 BENTON COUNTY COMMISSION MEETING.



BRETT LASHLEE, MAYOR



WANDA MALIN, COUNTY CLERK