

BENTON COUNTY COMMISSIONERS MEETING

JULY 20, 2020

BE IT REMEMBERED THAT ON JULY 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.

Invocation was led by Mayor Brett Lashlee and Pledge of Allegiance was led by Commissioner Presson.

ROLL CALL BY COUNTY CLERK WANDA MALIN

MEMBERS PRESENT: **COMMISSIONERS ABSENT: NORMAN FRAZIER**

DIST. 1	ANGIE HERN	WARD PLANT (CHAIR)	DON PATTON
DIST. 2	DAYNA FERGUSON	KENNETH MILLER	ROCKY PRESSON
DIST. 3	KELEAH DYE		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

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 (VV)
6. Citizens Forum
7. Commissioners Forum
8. County Mayor, Attorney, Finance Advisor, Invited Guest Speaker Forum, or Proclamations
9. Approval of Minutes (VV)
10. Report of Public Utilities (VV)
11. Resolution to declare an enclosed trailer obtained by the Sheriff's Department from the LESO program as surplus property and allow disposal per the Sheriff's discretion. (20200720-01) (VV)
12. Resolution to declare four Hewlett Packard printers in the Trustee's office as surplus property and allow disposal per the Trustee's discretion. (20200720-02) (VV)

13. Resolution making a budget amendment to the 20-21 FY budget to remove the \$28,000 increase for commissioners pay and revert these funds back to the unassigned fund balance within the county general fund. (20200720-03) (RCV)
14. Resolution budgeting funds in the amount of \$70.60 received from the annual interest earned from the Will and Testament left by Ona W. Florence to help assist the Project Help with the Benton County Electric System. (20200720-04) (RCV)
15. Resolution budgeting funds within the County Coroner/Medical Examiner budget in the amount of \$175.00 received from the State of Tennessee for the ROI Fees in order for supplies and materials to be purchased. (20200720-05) (RCV)
16. Resolution to appropriate funds in the amount of \$6,574.07 from the Litigation Tax Reserve and budget to Other Public Safety Building Improvements in order to update the cabling throughout the jail building. (20200720-06) (RCV)
17. Appointing Notaries (VV)
18. Any Other Business
19. Adjourn

ANNOUNCING OF QUORUM BY: CHAIRMAN WARD PLANT

Presentation by Donna Barrett

Donna Barrett gave an update on the Hotel/Motel tax audit and the change to the Private Act to add State Government owned hotels, lodges and campgrounds as entities that must collect and remit occupancy tax.

Motion was made by Commissioner Miller and seconded by Commissioner Patton to suspend the rules of order to bring up **RESOLUTION 20200720-08**. On a roll call vote, all present voted Aye. Motion Carries.

Motion was made by Commissioner Patton and seconded by Commissioner Hicks to Approve **RESOLUTION 20200720-08**. On a roll call vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200720-08
RESOLUTION TO APPROVE AN AMENDMENT TO THE PRIVATE ACT
AUTHORIZING BENTON COUNTY TO LEVY AN OCCUPANCY TAX

WHEREAS, the Benton County Board of County Commissioners has previously voted to request the State General Assembly to amend the Benton County Private Act of 1994, Chapter 189 to add State Government owned hotels, lodges and campgrounds as entities that must collect and remit the county occupancy tax

WHEREAS, the State General Assembly has honored the request of the Benton County Board of County Commissioners and recently amended the Private Act of 1994, Chapter 189 pending a subsequent 2/3rd majority vote of the Benton County Board of County Commissioners to confirm;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Benton County, Tennessee, meeting in regular session on this 20th day of July, 2020,

Section 1. That the County Occupancy Tax be amended by a 2/3rd majority vote of the county commission as detailed in the proposed amendment to the Private Act of 1994, Chapter 189.

Section 3. That, for purposes of collection of this tax by State Government owned hotels, lodges and campground operators in Benton County, the effective date will be upon passage.

BE IT FURTHER RESOLVED, that the Benton County Clerk shall send copies of this approved resolution to the Tennessee Secretary of State after it is voted upon by the Board of County Commissioners of Benton County, Tennessee.

Approved this 20th day of July, 2020.

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve **RESOLUTION 20200720-07**. On a roll call vote, 16 Ayes and 1 Pass. Motion Carries.

RESOLUTION NO. 20200720-07
SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE

WHEREAS, the Tennessee Department of Economic & Community Development has a reimbursable Tourism Enhancement Grant that was developed to help communities improve their tourism assets and increase related economic impact; and


WHEREAS, the maximum reimbursable grant amount would be up to \$75,000 at a 95/05 match due to Benton County being a Tier 4; and

WHEREAS, the county match and upfront project costs will be funded from the Capital Project Fund, which is already budgeted in this FY 20-21 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 July 2020 that the County Mayor be approved to write the 2020 Tourism Enhancement Grant for Benton County to submit and apply for in hopes to receive funding in order to improve county tourism and increase related economic impact.

<u>RESOLUTION 20200720-07</u>							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
ANGIE HERN		X			X		
DON PATTON		X			X		
DAYNA FERGUSON		X	X		X		
KENNETH MILLER		X		X	X		
ROCKY PRESSON		X			X		
KELEAH DYE		X			X		
NORMAN FRAZIER	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		
WARD PLANT - CHAIR		X			X		


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

CITIZENS FORUM

COMMISSIONERS FORUM

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

Motion was made by Commissioner Miller and seconded by Commissioner Furr to allow the County Attorney to represent Benton County on the insurance lawsuit. On a roll call vote, 16 Ayes and 1 Nay. Motion Carries.

<u>LAWSUIT</u>							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
ANGIE HERN		X			X		
DON PATTON		X			X		
DAYNA FERGUSON		X				X	
KENNETH MILLER		X	X		X		
ROCKY PRESSON		X			X		
KELEAH DYE		X			X		
NORMAN FRAZIER	X						
GARY FURR		X		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		
WARD PLANT - CHAIR		X			X		


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: JULY 20, 2020

The state comptroller's office has certified our budget (as of July 10th)! This is the benefit of a timely passage of the budget and probably the earliest such certification in decades. Many thanks to the county commission for your efforts and commitment to pass the budget on time.

We (Mayor's office and Budget Committee) are looking at employee step raises and a better structuring of our human resources guidance and payroll structure. We know salary and pay review is long-overdue, but the timing has not been well. Our main focus was on passing a budget in an assessment reappraisal year which is a complicated endeavor. Now that such efforts are out of the way and successful, our focus is now to review the county administrative and law enforcement employee salary scales and human resources guidance. We have been in discussions with an HR Consultant (The Summit HR Group) out of Knoxville, TN and have secured a mutual partnership agreement and will commence work immediately. More information to follow as this continues forward.

I met with West TN River Basin Authority Director David Blackwood on Friday, July 3. We met at the "Old Depot/Fairgrounds area to look over our Cane Creek flooding which impacts our fairgrounds area in a negative way. I walked away from that onsite meeting with a commitment from WTRBA that they would begin engineering review. We located multiple creek obstructions that will be addressed as soon as equipment is available from other projects. This alone will improve the water flows. We looked over the curved area at Midway Materials and he saw a few complications. From our review, I will be working with the USACE (Army Corp of Engineers) to begin flood mapping studies via a couple of programs they offer. Director Blackwood, (along with our county engineer Alton Hethcoat) will contact the State Revolving Fund on a project redevelopment of the wastewater/sewer lines that run across the area and local creeks to see if a redesign project can be funded by the state. If successful, this could really transform the Old Depot area and make it ripe for business development.

Our next County Mayor's Townhall meeting will be in Holladay, on the last Tuesday of the month (July 28th) at 6PM. Any and all county officials are welcome to attend and weigh in on discussions.

Ag Extension and Commodities are now operating fully in the Annex Building.

Our County EMA Operations Center is moving forward now that the State ECD has approved our plan and environmental surveys. We are NOT moving forward with a joint project with E-911. Although they had originally sought a partnership for a mutually needed and beneficial facility, the long-term impact of the agreement was not favorable or commensurate to our county's fiscal commitment. The E-911 Board was committing \$800,000 upfront payment toward the building construction in exchange for a 40-year lease and operating agreement. Myself, the county engineer and attorney met with the E-911 board to express our concerns. \$800,000 divided by 40 years/480 months came to a quick calculation of \$1666 per month. The county's position was that sum does not equate to the financial commitment we would assume in operations, utility, and building maintenance cost over a long period of time. After diligent thought and consideration, we both felt it was better to embark on our own individual capital endeavors. We support E-911 and are still committed to their success and mission as they are our EMA

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: JULY 20, 2020

operation. In the end, we both felt our futures are bright and prosperous and we are both excited about the upcoming progress of our emergency management operation center.

We conducted a "Virtual" Townhall with Senator Marsha Blackburn on Wednesday, July 1. We had the honor of also having join us US Senate Candidate Bill Hagerty, who is seeking the republican nomination. Knowing a potential US Senator chose to be in Benton County and get to learn and hear our concerns was flattering enough, but to do this via a live discussion with US Senator Blackburn shows me promise that Benton County concerns will be heard in Washington and with our federal leaders.

We are reviewing our TVA PILOT/Lake Acreage allocations and are preparing a presentation to state leaders over our concerns that Benton County, although giving up the lion's share of TVA utilized acreage, is not getting our financial fair-share.

GRANTS: PATSY CLINE MEMORIAL PARK

We have applied for a \$75,000 Tourism Enhancement Grant which if successful, will be applied at the Patsy Cline Memorial Park. It will cost the county 5% of that cost or \$3750. We are looking to construct an earthen amphitheater and stage facility for entertainment events, as well as improving parking and drainage along the pathways. We have adequate additional funds from the Governor's Grant to supplement the cost of this project which might be in excess to the grant.

We are in the preparation phases of preparing TDOT grant applications for sidewalk projects in Holladay and Big Sandy. These will be "multimodal" type projects of \$1,000,000 each, which will cost the county only a 5% match of \$50,000 each. We have allocated these funds into our Capital Projects budget accounts via the Governor's Grant we recently were awarded.

GRANTS: ROWSEY STREET PARK

The County owns two adjacent lots on Rowsey Street. I have discussed with a Parks Architect and Engineering firm to look into a Blue Cross / Blue Shield Health Place Grant (100% funded) to turn these lots into a community park. We believe that since these parcels sit in a minority section of town, which is very depicting of unique health issues (high blood pressure, diabetes, heart disease) that would be a very attractive candidate for a grant award. This section is also historic. We believe the minority ethnic demographic in Benton County is severely neglected. Such a project like this will go a very long way to improving an area that is in bad need of such.

GRANTS: TDOT MULTIMODAL

Our Engineer has submitted applications for a 95/5 TDOT Multimodal Grant for a sidewalk project for the City of Big Sandy. This grant, valued at \$1,000,000 will cost the county \$50,000. We have allocated that funding from the Governor's Grant recently received. We are also pursuing an identical grant for the Holladay Community.

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: JULY 20, 2020

GRANTS: AG ENTERPRISE FUND

Our Engineer has submitted an application for an AG Enterprise Fund Grant with the TN Dept of Agriculture. Although our application was rated highly, the funding for such grant has not been awarded. We will continue to seek this opportunity for supplemental funding for the construction of our Ag Civic Complex and Farmers Market. The value of such grant can range up to \$100,000 at no cost to the county.

3-STAR PROGRAM STATUS

Our 3-Star Grant quarterly report is complete and we are awaiting our next committee meeting. We have secured a verbal agreement with Bethel University who will commence classes once we can finalize a formal agreement and statement of understanding. Dr. Randy Shannon is facilitating this action. Our hopes are once we complete our Agricultural Civic Complex and Farmers Market, the classes will move from the county career and technical center to the Ag Extension Office.

COUNTY SPORTS COMPLEX

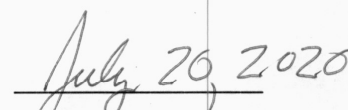
The timbering is complete at the ballpark and we have the cash in hand for pursuing some parks and recreation grants to extend, enhance, and expand our park capacity as far as softball fields are concerned. With the obtainment of grant funding, we believe we can leverage further the development of a soccer field complex adjacent to the area where the sheriff's inmate garden is located. We hope to know more of our grant applications as they come open in the Fall timeframe. Our strategy is to leverage the \$150,000 from timber sales into additional parks & recreation grant funding that will amount from \$600,000 to \$1,000,000 at no additional cost to the taxpayers other than the \$150,000 already in the bank. We will also use \$50,000 of the governor's grant money as the final step in paving and improving the roadway to and from the ballpark.

JOINT USE FIRING RANGE FOR COUNTY AND CITY OF BIG SANDY AND CAMDEN AUTHORIZED PERSONNEL

This is a facility that will aid our law enforcement throughout the county to utilize for training. Camden Police Chief George Smith has been asked to represent the City of Camden in advising the Property Committee on the location of this firing range and what we envision over the coming years. Our sheriff's dept will have full access to this site as well as it will potentially aid the TWRA in local "Hunter's Safety Courses". This site will also be open to county authorized personnel for firearm training.



BRETT W. LASHLEE, COUNTY MAYOR



DATE

APPROVAL OF THE AGENDA

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

PREVIOUS MONTHS MINUTES

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve JUNE 2020 minutes. On a roll call Vote, all present voted Aye. Motion Carries.

APPROVAL OF THE REPORT OF PUBLIC UTILITIES

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

RESOLUTIONS

Motion was made by Commissioner Patton and seconded by Commissioner Ferguson to approve **RESOLUTION 20200720-01**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200720-01

**SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER
LEGISLATIVE REFERENCE: PROPERTY, LAW ENFORCEMENT & BUDGET COMMITTEES**

WHEREAS, the Sheriff's Office has an enclosed trailer that was obtained from the LESO program and;

WHEREAS, the Sheriff's Office no longer has need for said trailer and wishes to dispose of it.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th day of July, 2020 to approve the disposal of said item.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve **RESOLUTION 20200720-02**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200720-02

**SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: PROPERTY COMMITTEE & BUDGET COMMITTEE**

WHEREAS, the Benton County Trustee would like to declare four outdated and inoperable Hewlett Packard printers as surplus property, which have all been replaced back in 2015 and are now taking up storage space in the office:

- #VNB3TO3922
- #VNBCTO3833
- #VNB3TO3915
- #VNB3TO3924

WHEREAS, the disposal of the said property would be at the discretion of the department head.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th Day of July 2020 that the four Hewlett Packard printers listed above in the Benton County Trustee's office be declared as surplus property and disposed of as the office holders sees fit.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Furr to approve **RESOLUTION 20200720-03**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200720-03

SPONSORED BY THE BENTON COUNTY BUDGET COMMITTEE
LEGISLATIVE REFERENCE: FULL COMMISSION

WHEREAS, the budget committee included a pay increase in the 20-21 FY budget for county commissioners; and
WHEREAS, it was learned that in the 2020 legislative session there was a revision to § TCA 5-5-107 (e) stating:

(e) Any increase in compensation for members of the county legislative body does not take effect until the beginning of the term following the next election of county commissioners after the resolution increasing the compensation is adopted.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County,

Tennessee assembled in regular session on this the 20th Day of July 2020 that the budgeted increase amount of \$28,000 in 101.51100.191 – County Commission Board & Committee Member Fees be removed from this expenditure account and put back into the Unassigned Fund Balance within the County General Fund 101.39000.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Miller and seconded by Commissioner Ferguson to approve **RESOLUTION 20200720-04**. On a roll call vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200720-04

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, in a Will and Testament Ona W. Florence left \$4,000.00 to Benton County; and

WHEREAS, only the annual interest earned can be spent and used to help the underprivileged; and

WHEREAS, it will be necessary to budget the interest earned in the amount of \$70.60 so it can be used to assist the Project Help with the Benton County Electric System.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County,

Tennessee assembled in regular session on this the 20th Day of July 2020 that the interest earned in the amount of \$70.60 be budgeted to the Revenue Account No. 101.44110 – Interest Earned and to the Expenditure Account No. 101.51300.599 – County Mayor Other Charges so it can be donated to Project Help with the Benton County Electric System to help aid the underprivileged.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Miller to approve **RESOLUTION 20200720-05**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200720-05

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, Benton County receives a reimbursement from the State of Tennessee for ROI fees (\$25.00 per death) from the medical investigator(s) submitting reports on all deaths; and

WHEREAS, Benton County received a reimbursement in ROI fees during the month of June in last 2019-2020 Fiscal Year in the amount of \$175.00 for the death records that were submitted; and

WHEREAS, it will be necessary to budget the funds in the amount of \$175.00 within the county coroner/medical examiner budget in this new 2020-2021 fiscal year budget in order to help with expenses for supplies.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th Day of July 2020 that the funds in the amount of \$175.00 received from the State of Tennessee for reimbursed ROI fees be appropriated from the unassigned fund balance in the county general fund and budgeted within the county coroner/medical examiner budget Expenditure Account No. 101.54610.499 – Other Supplies and Materials.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Vickers to approve **RESOLUTION 20200720-06**. Sheriff Christopher pull this resolution.

RESOLUTION NO. 20200720-06

**SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER
LEGISLATIVE REFERENCE: PROPERTY, LAW ENFORCEMENT & BUDGET COMMITTEES**

WHEREAS, by previous action of the full legislative body, Resolution No. 20200518-16 was tabled until the July 2020 commission meeting; and

THEREFORE, the Benton County Jail has a need for additional cabling to be run in the jail; and,

WHEREAS, it will be necessary to appropriate the funds in the amount of \$6,574.07 from the Jail, Courthouse, Workhouse Litigation Tax Reserve Account and budget to 101.54900.707 – Other Public Safety Building Improvements so that the work can proceed.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 20th day of July, 2020 to appropriate funds in the amount of \$ 6,574.07 from the Jail, Courthouse, Workhouse Litigation Tax Reserve Account and budgeted within the appropriate expenditure account as follows:

DECREASE REVENUE:

101.34525	JAIL, COURTHOUSE, WORKHOUSE LITIGATION TAX RESERVE	\$ 6,574.07
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\$ 6,574.07

INCREASE EXPENDITURE:

101.54900.707	OTHER PUBLIC SAFETY BUILDING IMPROVEMENTS	\$ 6,574.07
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\$ 6,574.07

NOTARIES

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

SANDRA RIDGELL

HEATHER SCHEIDERER

DEBORA WORKMAN

ANY OTHER BUSINESS

Sheriff Christopher has a 10-year old AC unit that needs repaired or replaced. The cost of repairs was over \$9,860 and replacement is \$12,900. Chairman Plant suggested that he get another bid because it is over \$10,000.

Darrell Hicks announced that he was resigning from the Law Enforcement Committee. A replacement will be in the works.

ADJOURNMENT

Motion was made by Commissioner Ferguson and seconded by Commissioner Higdon 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 JULY 20, 2020 BENTON COUNTY COMMISSION MEETING.

BRETT LASHLEE, MAYOR

WANDA MALIN, COUNTY CLERK