

BENTON COUNTY COMMISSIONERS MEETING

AUGUST 17, 2020

BE IT REMEMBERED THAT ON AUGUST 17, 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 Commissioner Darrell Hicks and Pledge of Allegiance was led by Commissioner Doug Vickers.

ROLL CALL BY COUNTY CLERK WANDA MALIN

MEMBERS PRESENT: **COMMISSIONERS ABSENT: NONE - 3 VIDEO CALLS**

DIST. 2	DAYNA FERGUSON	KENNETH MILLER	ROCKY PRESSON
DIST. 3	KELEAH DYE (Video)	NORMAN FRAZIER	GARY FURR
DIST. 4	SONNY HALL	PHIL MELTON	DOUG VICKERS
DIST. 5	RACHELLE HILL (Video)	JANET HIGDON	ROSANNE WARD
DIST. 6	DARRELL HICKS	RONNIE HOPPER	MARY POWERS
DIST. 1	ANGIE HERN (Video)	DON PATTON	WARD PLANT (CHAIR)

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 give the county mayor permission to conduct the sale of the county owned property located at S 641 to the E911 District at a fair or mutually agreed upon value and where the proceeds from the sale of said property will be applied directly to the construction of the Benton County Emergency Management Agency (EMA) Building / CDBG Grant Project (20200817-01) (RCV)
12. Resolution to budget funds received in the amount of \$218.14 within the Senior Citizens budget (20200817-02) (VV)
13. Resolution to give the county mayor permission to move forward with entering an agreement with the Magic Valley Golf and Country Club, Inc. and to move forward with the development of the unused portion of the county own land located at 2254 Eva Road, Camden, TN. (20200817-03) (RCV)
14. Resolution for local government participation in the electronic monitoring indigency fund. (20200817-04) (RCV)

15. Resolution appropriating funds in the amount of \$53,951.00 from the Unassigned Fund Balance within the County General Fund in order to provide full-time salary paid county employees who fall under the courthouse handbook a \$1,200 gross salary pay increase. (20200817-05) (RCV)
16. Resolution appropriating funds in the amount of \$30,788.00 from the Unassigned Fund Balance within the County General Fund in order to provide full-time salary paid county employees who fall under the courthouse handbook a \$50.00 per full-time year of service longevity supplement. (20200817-06) (RCV)
17. Resolution to appropriate funds in the amount of \$4,937.35 from the Unassigned Fund Balance within the County General Fund in order to pay the outstanding invoice (Benton Co. 20-003) received by The Barrett Group. (20200817-07) (RCV)
18. Resolution appropriating funds in the amount of \$41,000 from the Schools Unassigned Fund Balance in order to make additional repairs that were not anticipated. (20200817-08) (RCV)
19. Resolution appropriating funds in the amount of \$221,873.00 from the Schools Unassigned Fund Balance in order to increase necessary expenditures in order to counter exposure of COVID-19 within the school system. (20200817-09) (RCV)
20. Resolution to appropriate funds in the amount of \$7,000 from the Unassigned Fund Balance within the County General Fund in order to cover additional expenses that may be incurred by taking proper measures to counter the exposure of COVID-19 within the courthouse. (20200817-10) (RCV)
21. Resolution to appropriate funds in the amount of \$1,190.00 to cover a county employee's salary step raise that was not put in the FY 20-21 budget. (20200817-11) (RCV)
22. Resolution to appropriate the funds in the amount of \$16,763.90 from the Unassigned Fund Balance within the County General Fund in order to pay three county employees the backpay due for their 30 year salary step raises. (20200817-12) (RCV)
23. Resolution to appropriate funds in the amount of \$10,870.00 from the Jail, Workhouse, Courthouse Litigation Tax Reserve Account in order to cover the emergency HVAC replacement within the Benton County Jail (20200817-13) (RCV)
24. Appointing Notaries (VV)
25. Any Other Business
26. Adjourn

ANNOUNCING OF QUORUM BY: CHAIRMAN WARD PLANT

APPROVAL OF THE AGENDA

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

CITIZENS FORUM

Mike Melton (Representing the Suicide Network) spoke about the need for education on suicide prevention and that our citizens need to be involved and aware. Mr. Melton advised the Commission on an available website and additional resources on the subject.

PROCLAMATION

Benton County Tennessee Office of the Mayor

PROCLAMATION FROM THE OFFICE OF THE COUNTY MAYOR TO HONOR
AND RECOGNIZE SEPTEMBER 2020 AS SUICIDE PREVENTION AWARENESS
MONTH IN BENTON COUNTY:

WHEREAS, suicide is one of the most disruptive and tragic events a family and a community can experience, with more than 1100 lives lost in Tennessee each year and an estimated 25 attempted suicides for each suicide death; and

WHEREAS, suicide is the 9th-leading cause of all deaths in Tennessee, the second-leading cause of death among youth ages of 10 to 24, and the first leading cause for children ages 10-17; and

WHEREAS, more than three lives a day are lost to suicide in Tennessee, which means we lose 22 Tennesseans each week and 97 people per month; and

WHEREAS, Tennessee veterans, active-duty military, and National Guardsmen face a disproportionate risk as compared to the general population, with more dying from suicide than combat; and

WHEREAS, public awareness of this tragic problem is the key to preventing further suffering and loss of life; and the risk for human self-destruction can be reduced through awareness, education and treatment as the highest risk for suicide is among the survivors of those who died by suicide or those who have attempted suicide; and

WHEREAS, suicide prevention has been declared a state priority by the Governor; and the Tennessee Legislature has declared teen suicide prevention as a state priority in partnership with the Tennessee Suicide Prevention Network to implement the Tennessee Strategy for Suicide Prevention; and

WHEREAS, Tennessee is a national leader in the effort to prevent suicide, being one of the first states to develop a suicide prevention and evaluation plan covering the lifespan; and

WHEREAS, the Governor of Tennessee has appointed a Suicide Prevention Network Advisory Council to coordinate the implementation of the Tennessee Strategy for Suicide Prevention; and

PROCLAMATION

Benton County Tennessee Office of the Mayor

WHEREAS, the Tennessee Suicide Prevention Network is a grassroots collaboration of Tennesseans and organizations working to eliminate the stigma of suicide, educate the community about the warning signs of suicide, and ultimately reduce the rate of suicide in our state; and

WHEREAS, 2020 marks Tennessee Suicide Prevention Networks 20th year of dedicated efforts to reach every Tennessean in every county; and

WHEREAS, every member of our community should understand that throughout life's struggles we all need occasional reminder that we are all silently fighting our own battles; and

WHEREAS, we encourage all Tennesseans to take the time to inquire as to the wellbeing of their family, friends, and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer; and

NOW, THEREFORE, I, Brett W. Lashlee, Mayor of Benton County Tennessee, do hereby proclaim September 2020, as

SUICIDE PREVENTION AWARENESS MONTH

and do urge all citizens to work to prevent suicide and to raise awareness and tolerance around all people affected by this tragedy.

BRETT LASHLEE, MAYOR, BENTON COUNTY TENNESSEE

COMMISSIONERS FORUM

Commissioner Ward spoke about commission board raises.

Commissioner Vickers said he has been honored to serve on the commission. He shared his excitement on upcoming projects such as the Farmer's Market and Patsy Cline Memorial Enhancement.

Commissioner Hill spoke about board meeting member pay. She said every board's pay, not just a few.

Commissioner Frazier also spoke about the commissioner's pay and board member pay.

Commissioner Presson spoke on the Covid-19 pandemic and the effects on the schools.

Superintendent Mark Florence responded by saying he and his staff have worked diligently for the last 5 months preparing and planning a course of action going forward.

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

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: AUGUST 17, 2020

COURTHOUSE CLOSURE

The increasing cases of COVID-19 is beginning impact our county greatly. I have saved my personal comments on this for the end of this summary. However, our staff who works in the county courthouse has directly been impacted, as of this date 4 have been confirmed with positive COVID-19 tests. As a result, we closed the courthouse for nearly 2 weeks (thru Aug 17th), minimized staffing when open, and incorporated a restrictive access and contact between our citizens and the staff to minimize possible exposure as well as promote a protective and healthy working environment. We have instituted "Mask Only" environments in all county buildings and offices as of Monday, August 10th.

FAREWELL & WELCOME

I want to take this opportunity to thank Commissioners Doug Vickers and Janet Higdon who will be leaving us at the end of this month for their services to Benton County over the last one and two years. Anyone who is willing to sacrifice time and effort it takes to attend meetings, study the issues, address your constituent concerns is to be commended. Thank you for your service and we wish you continued success and good health. We also want to welcome two new members to our county government – Mr. Dwayne Fowler and Mr. Michael Nunnery, both who are no strangers to our citizens. Both have been lifelong citizens of our county and active all of their life in county activities, issues and concerns. Mr. Fowler will replace Doug Vickers from the 4th District, and Mr. Nunnery will be replacing Janet Higdon from the 5th District. We look forward to seating you in our September commission meeting.

Also, a special mention to Property Assessor Ryan Hall on his reelection August 6th. He will serve another 4-year term. Lynn Cagle ran a commendable race and put forth a lot of hard work and tireless effort. We are lucky to have such great citizens in our county who desire to serve and we greatly appreciate both of these candidates for the love they have for Benton County.

MAGIC VALLEY GOLF COURSE

I have proposed the extension of the MVGC Lease. I want to encourage commissioners to go out and visit the golf club and ask to ride around the property. The golf course is a tremendous asset to the quality of life in our county, as well as a tremendous tourism draw.

E-911

I have asked Property Assessor and E-911 Director to be available in case you have questions at our commission meeting, but we are in the process of appraising and valuing a tract of land the county owns or which E-911 has expressed interest in buying. There is a resolution asking the legislative body to support and allow me to conduct the sale of this property they have interest in. The actual approval came back in July 2019 when we conducted the large parcel sale, however due to the time that has passed and the recent efforts to get this project going, I wanted to re-visit this issue with the Commission.

We will ask E-911 to conduct their due-diligence, survey and provide the adequate legal services to map and record the parcel should they decide to buy the property. We believe our estimates of Fair Market Value will come in from \$45,000 to \$50,000. Much of the property is unusable, but

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: AUGUST 17, 2020

E-911 still will purchase the entire tract. I have asked that the sale proceeds roll over into the construction funding of our County Emergency Management Agency Office.

The bottom line is this property produces no tax impact to the county since we own it, there is no taxes received on it. We are able to support our valuable E-911 service, utilize a piece of property we have no plans to develop, and gain approximately \$50,000 in funds to invest back into Benton County public good and welfare. We are fortunate E-911 has proposed this win-win option.

GRANTS: PATSY CLINE MEMORIAL PARK

As mentioned last month, we applied for a \$75,000 Tourism Enhancement Grant which if successful, will be applied at the Patsy Cline Memorial Park. **I am happy to say we have been awarded that grant!**

Ultimately, it will cost the county 5% of that cost (or \$3750) toward the grant writer fee with NWTN-DD, and an additional \$3750 as our out-of-pocket cash match. In essence, we will net out \$67,500 toward park infrastructure improvement. We have also budgeted an additional \$25,000 from our Governor's Grant to be applied toward upgrades in the park (lighting, gate, parking, and drainage).

With the grant funding we are looking to construct an earthen amphitheater and stage facility for entertainment events. We have been in contact with the Patsy Cline Museum administrative folks and are looking to make the grand opening one that will honor the families impacted by the tragedy as well as earn the respect of all in the country music profession.

The bottom line is we will put \$92,500 into needed improvements and enhancements of which \$0 / zero had to come from our Benton County tax base.

GRANTS: TDOT MULTIMODAL

Our Engineer has submitted applications for a 95/5 TDOT Multimodal Grant for a sidewalk project for the Holladay Community, from the inner core area near the school and thru to the Post Office and Holladay Baptist Church. 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 so in essence, our match money is already budgeted and in the bank. We will do the same with an application for the City of Big Sandy's sidewalk project. Again, as with the above, the funds are already in the bank.

The bottom line is we will put \$2,000,000 into needed improvements and enhancements to these communities of which \$0 / zero had to come from our Benton County tax base.

GRANTS: AG

We were not successful in being awarded an Ag Enterprise Fund grant, but the Ag Commissioner awarded us a discretionary grant of \$50,000. This is a 100% funded grant which will go towards the Ag Civic Center & Farmers Market.

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: AUGUST 17, 2020

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 further leverage 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 upward to \$600,000 at little or no additional cost to the taxpayers other than the \$150,000 already in the bank. We will leverage land values of an unused industrial tract located where the Inmate Garden is toward the development of soccer fields which we believe can be accomplished without a cash investment. 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.

The bottom line is we will put up to \$600,000 into needed and capital improvements and enhancements of which \$0 / zero had to come from our Benton County tax base (other than sacrificing timber from the land).

FARMERS MARKET COMPLEX

We are nearing the grant application phase toward directing financial awards toward the construction of our Ag Extension Civic Complex and Farmers Market. We will apply for a 50/50 matching Local Parks and Recreation Fund (LPRF) Grant through the State of Tennessee. Additionally, the City of Camden has agreed to allow us to apply for their LPRF Grant so long as we make the financial match. In leveraging Grant Funds already allocated in our budget as well as and our property purchase value toward the Farmers Market project, we will end up building this entire complex (estimated at \$1.1 to \$1.5 million dollars) for only the cost of the land (\$150,000). This project will also include the remodel of the strip-mall buildings, walking paths & sidewalks, fountains and splash-pad, adequate parking & paving, and a large Farmers Market Pavilion Building. Should the project with residual funds, those funds will be directed toward the completion of our Agricultural Extension and Civic Center construction.

Agriculture is the #1 Industry in Benton County! We have not done anything to recognize, assist, or award our farming community. It is time we move forward with this grand project which will put Benton County on the public forefront of Agriculture second to no other county in Tennessee. We have purposely chosen this site as it adjoins our County Fairgrounds, CO-OP, and in a primary historic business area of our county seat (Camden). What a tribute this will be to our farmers and county agricultural operations. Even University of Tennessee President Randy Boyd, on his visit to Benton County recently asked to be invited to the opening when we get to that point, and excitedly commented on how this complex will be a pride of University of Tennessee Agricultural Extension Offices.

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: AUGUST 17, 2020

The bottom line is we will put up to \$1,500,000 into this project which \$0 / zero had to come from our Benton County tax base. In essence we will have built this Farmers Market Complex for free!

BENTON COUNTY CREDIT STANDING

I have been in discussions with Moody's rating analyst about the financial standing for Benton County, and I am very pleased with their report (see below summary). Moody's (see <https://www.moody.com/>) is one of the premier Investor and Credit rating agencies in the world, and they evaluate Benton County's financial status on a periodic basis. The last credit rating came from our General Obligation Bond refinance in 2017. Below is a draft summary of their official report to be released by the end of August:

Benton County, TN
Annual Comment on Benton County

Issuer Profile

Benton County is located in northwestern Tennessee. The county seat of Camden is approximately 70 miles west of Nashville. The county has a population of 16,112 and a low population density of 41 people per square mile. The county's median family income is \$46,858 (4th quartile) and the June 2020 unemployment rate was 9.7% (2nd quartile). The largest industry sectors that drive the local economy are retail trade, manufacturing, and local government. We regard the coronavirus outbreak as a social risk under our environmental, social and governance framework, given the substantial implications for public health and safety and the economy. We do not see any material immediate credit risks for Benton County. However, the situation surrounding coronavirus is rapidly evolving and the longer-term impact will depend on both the severity and duration of the crisis. If our view of the credit quality of Benton County changes, we will update our opinion at that time.

Credit Overview

The credit position for Benton County is solid, though its A1 rating falls short of the median rating of Aa2 for US counties. The key credit factors include a very healthy financial position, a low debt burden, a moderate pension liability, an adequate tax base, but a low wealth and income profile.

Finances: The financial position of the county is robust and is a notable strength in relation to the assigned rating of A1. The cash balance as a percent of operating revenues (41.4%) is on par with the US median, and stayed the same between 2015 and 2019. Moreover, the fund balance as a percent of operating revenues (38.7%) is slightly stronger than the US median.

Debt and Pensions: Overall, the debt and pension liabilities of the county are low and are a modest credit strength in comparison to its A1 rating. The net direct debt to full value (0.7%) is consistent with the US median, and this metric fell slightly from 2015 to 2019. Furthermore, the Moody's-adjusted net pension liability to operating revenues (1.4x) is roughly equivalent to the US median.

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: AUGUST 17, 2020

Economy and Tax Base: Benton County has a sound economy and tax base, yet they are slightly unfavorable when compared to the A1 rating assigned. The full value per capita (\$63,528) is slightly below the US median. That said, this number increased significantly between 2015 and 2019. Additionally, the total full value (\$1 billion) is much smaller than other Moody's-rated counties nationwide. Lastly, the median family income is 63.4% of the US level.

EMPLOYEE COMPLAINTS

It has come to my attention that a county employee was told by their dept head and or elected official that they were NOT to speak to the mayor's office about anything related to their work environment, duties, or county issues. Any county employee is welcomed and has full right to bring matters to the county mayor. We administrate all employee benefits and, in most cases, human resource policies. Not all of these concerns or ideas relate to a peer, supervisor, official and such, but even if they did, I would hope they could bring their matters to the county mayor.

Additionally, I have an open-door policy and regardless of department, NO employee should be fearful for bringing concerns to the county mayor. This is a potential form of harassment or intimidation and a prime example of why we get lawsuits rather than preventing lawsuits. Additionally, there is a federal law protecting whistleblower type actions. I have 5 years' experience as an Army Inspector General and this is a prime example of why we have Inspector Generals. If I hear of an employee being harassed or threatened for bringing a legitimate concern to me, I will call in the state ethics board ASAP and file the complaint myself

COVID-19

I wanted to convey my thoughts and possible actions related to the increase of COVID-19 cases recently reported in Benton County.

As to the recent increase, this has been expected since March. We have commented in multiple briefings that the virus would continue to spread and that our county would be more impacted. We have consistently been in the lower tier of cases in Tennessee, ranging from as low as 5th to as high as 20th lowest of all 95 counties in Tennessee. Compared to other rural counties, we are fortunate to have stayed so low considering the major highways, interstate, and Tennessee River traffic running through our county, which brings potential exposure every day from more affected counties, cities, and states.

The question I have been asked the most relates to whether I have intentions to issue "Mask Mandates", which I usually reply that it is not my intention to issue a countywide mandate. However, I strongly encourage the wearing of mask in any setting that places oneself in close proximity to another person. Mandates by context have an implied enforcement element to them. A mandate for most practicable purposes would intended to be issued if there is a penalty as a result of not complying would it not? Our county law enforcement is not equipped to consider such measures of writing citations on individuals, and I do not believe this pandemic should place our government into such irrational and possibly unconstitutional actions.

COUNTY MAYOR'S NOTES FOR COMMISSION MEETING: AUGUST 17, 2020

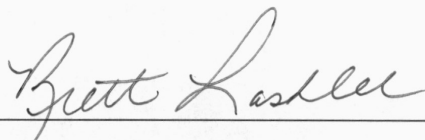
However, as mentioned before, I strongly encourage the wearing of mask as an added protective element to one's health when in a public setting and strongly encourage businesses as well to take it upon themselves to put forth a safe operating environment rather than be mandated into such measure. I had hoped that as many businesses as possible would incorporate mask only operating environments, as they are the magnets of public gatherings where a risk is present. I have spoken to multiple businesses who have incorporated such measures that reside outside the city limit jurisdictions. Anything within the city limit jurisdictions of Big Sandy and Camden, I leave to their respective city mayors.

To respect the previously issued Tennessee Courts environment order, I have placed our courthouse in a "Mask Only" operating environment. I believe it is better to stay on the side of caution and why county operations will always do our best to promote a safe health environment.

Everyone has an opinion on a solution or behavior related to this viral threat. I believe we are learning something new every week, but the following remains true: this virus has profound negative impact on humans with underlying medical and physiological conditions, especially those above 50 years of age. Self-isolation, social distancing, mask, gloves, sanitizer, and good hygiene practices are effective against the possible exposure to the virus. Combine a series of or all of them and it only increases one's chances to deter being infected by the virus. We should be respectful of others health concerns as much as our own when outside the confines of one's home. Please do not ridicule those who wear mask or have a differing viewpoint on the virus.

We should be a unified community in wanting to eradicate this virus. This virus simply isn't going to be wished away or fade away on its own unless each individual takes some measure of healthy practices mentioned before. I encourage our citizens to simply take the virus and its impact on the community seriously. I encourage and trust you to do what is in the best overall interest of your, your loved ones, and your neighbor's health.

Pray for one another's health, pray for the families battling against this health threat, pray for patience and understanding, and pray for God to place His healing and protective hands upon Benton County.



BRETT W. LASHLEE, COUNTY MAYOR

17 AUG 2020

DATE

Motion was made by Commissioner Ferguson and seconded by Commissioner Power to take a 5-minute recess.

PREVIOUS MONTHS MINUTES

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

RESOLUTIONS

Motion was made by Commissioner Frazier and seconded by Commissioner Patton to approve **RESOLUTION 2020817-01**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-01

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

WHEREAS, Benton County owns the property located at S 641 (Map: 078J Grp: A Ctrl Map: 078K Parcel: 015.01 SI: 000) which the county has not developed or has no immediate plans to develop; and

WHEREAS, the County Mayor, Brett Lashlee, would like permission from the full legislative body to conduct the sale of the said property named above to the E911 District at a fair market or mutually agreed upon value; and

WHEREAS, E911 would also assume the expense of any survey costs and have their legal representative draw up the sale agreement to be reviewed by the County Mayor and County Attorney; and

WHEREAS, the proceeds from the sale of said property will be applied directly to the construction of the Benton County Emergency Management Agency (EMA) Building / CDBG Grant project.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the County Mayor be given permission to conduct the sale of the county owned property located at S 641 (Map: 078J Grp: A Ctrl Map: 078K Parcel: 015.01 SI: 000) to the E911 District at a fair market or mutually agreed upon value and where the proceeds from the sale of said property will be applied directly to the construction of the Benton County Emergency Management Agency (EMA) Building / CDBG Grant project.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Furr to approve **RESOLUTION 20200817-02**. On a Roll Call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-02

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

WHEREAS, the Benton County Senior Citizens Department has received funds in the total amount of \$218.14 from United Way for a donation; and
WHEREAS, it will be necessary to budget the said funds in the amount of \$218.14 within the Senior Citizens budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$218.14 received from United Way as a donation to the local Senior Citizens Center be budgeted as the following:

<u>INCREASE REVENUES:</u>		
101.48610	DONATIONS	\$218.14
		\$218.14
<u>INCREASE EXPENDITURES:</u>		
101.56300.599	SENIOR CITIZENS OTHER CHARGES	\$218.14
		\$218.14


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

RESOLUTION 20200817-03. Pulled by Mayor Lashlee.

RESOLUTION NO. 20200817-03

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

WHEREAS, in previous action by the full legislative body the Property Sale Resolution (20190715-04) was approved; and
WHEREAS, Benton County and the Magic Valley Golf and Country Club, Inc. currently have an agreement thru March 21, 2026 for the usage of this county property located at 2254 Eva Road, Camden, TN; and
WHEREAS, the county and Magic Valley Golf and Country Club would also like to enter an agreement where the portion of the said property (31.49 acres) that is not used by Magic Valley could be used by Benton County; and
WHEREAS, Benton County shall pay to Magic Valley 25% of the net proceeds of any portion of the properties released by the agreement of any sale of property and timber located thereon; and
WHEREAS, any moneys paid to Magic Valley by Benton County shall be used for capital improvements into the Magic Valley Golf Course, which is county owned property.
NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the County Mayor, Brett Lashlee, be given permission to move forward with entering said agreement with the Magic Valley Golf and Country Club, Inc. and to move forward with the development of the unused portion of the county owned land.

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve
RESOLUTION 20200817-04. Pulled by Mayor Lashlee.

RESOLUTION NO. 20200817-04

SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE
RESOLUTION FOR LOCAL GOVERNMENT PARTICIPATION IN THE ELECTRONIC MONITORING INDIGENCY FUND

WHEREAS, pursuant to Chapter 505 of the 2019 Public Acts, a local government shall have the option to participate in the Electronic Monitoring Indigency Fund ("EMIF") relative to the payment of costs for eligible transdermal monitoring devices, other alternative drug and alcohol monitoring devices, and global positioning monitoring devices for its indigent defendants (collectively, "Devices"). Participation shall be demonstrated through a resolution legally adopted and approved by the Local Government's legislative body accepting the liability associated with participation and containing the budgeted amount that the Local Government commits to its participation in the EMIF;

WHEREAS, BENTON COUNTY, TN "Local Government" desires to participate in the EMIF relative to the payment of costs associated with Devices until such time as the Local Government withdraws its participation in the EMIF.

WHEREAS, the Local Government agrees that in order to participate in the EMIF for the payment of costs associated with Devices, it shall adopt this resolution containing a budgeted amount for the upcoming fiscal year and sign a memorandum of understanding with the State of Tennessee ("State") about the payment of costs;

WHEREAS, through the memorandum of understanding between the Local Government and the State, the State may bill the local government for its budgeted amount by drawing from either the Local Government's Local Government Investment Pool ("LGIP") account or from a bank account designated by the Local Government for costs associated with Devices;

WHEREAS, the State may also obtain money from participating Local Governments for costs associated with Devices from the Local Government's state-shared taxes;

WHEREAS, through the Local Government's participation and for the duration of its participation period, the Local Government will be responsible for fifty percent (50%) of the cost associated with Devices that have been ordered on or after July 1, 2021;

WHEREAS, the Local Government understands through the execution of this document that the State will provide funds matching each Local Government's budgeted amount for participation in the fund, subject to an appropriation by the State and the solvency of either or both of the accounts contained in the EMIF;

WHEREAS, for each upcoming fiscal year, the Local Government agrees that it will work cooperatively with the State to develop its budgeted amount for participation in the fund prior to approval by the Local Government's legislative body to determine if the State anticipates having sufficient funds to provide its fifty percent (50%) match;

WHEREAS, for each year of participation subsequent to the Local Government's initial participation year, and no later than a date certain established by the State Treasurer, the Local Government shall notify the State Treasurer of the budgeted amount that is approved for its continued participation in the EMIF within thirty (30) days after the Local Government budget is approved by the local legislative body along with a copy of the approved budget; said budgeted amount shall appropriate the funds necessary for the Local Government to meet its liabilities;

WHEREAS, to the extent that the Local Government does not pay its costs associated with Devices, the State will cease paying its portion of the costs, and the State will not approve any claims or pay any invoices on a going forward basis until such time that the Local Government has sufficient funds;

WHEREAS, subject to applicable rules, policies, procedures and guidance from the State, a Local Government may amend its budget by reducing and not increasing its budgeted amount;

WHEREAS, the Local Government shall be solely responsible for its liability in its EMIF participation as indicated in applicable laws, rules, this resolution and memorandum of understanding; and

WHEREAS, should a Local Government withdraw its participation from the EMIF, the Local Government shall pay outstanding liabilities for Device invoices for claims that were approved during the period of time the Local Government participated in EMIF.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors for the BENTON COUNTY, TENNESSEE board of county commissioners hereby authorizes the Local Government participation in EMIF with the Local Government being solely responsible for meeting the requirements, conditions, limitations and restrictions relative to the payment of its liabilities associated with participation in the EMIF. The Board of Directors has also adopted a budget appropriating the funds necessary to meet the Local Government's liabilities associated with its participation in EMIF and has committed a budgeted amount of _____ that will be used to fund its participation for the fiscal year beginning July 1, 20____. A copy of the budget is attached hereto;

Motion was made by Commissioner Ferguson and seconded by Commissioner Powers to approve **RESOLUTION 20200817-05**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-05

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

WHEREAS, it is the recommendation of the Benton County Budget Committee to provide all full-time county salary paid employees who fall under the courthouse handbook a \$1,200.00 gross salary increase; and

WHEREAS, the county employees must be full-time employees as of July 1, 2020 and be covered under the Benton County Courthouse Employee Handbook; and

WHEREAS, this \$1,200.00 pay increase would take effect the second pay period in September 2020 and be in effect forevermore; and

WHEREAS, this salary increase would not apply to any new hires after July 1, 2020; and

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

Tennessee assembled in regular session on this the 17th Day of August 2020 that the total amount of \$53,951.00 be appropriated from the Unassigned Fund Balance within the County General Fund and be budgeted to the expenditure accounts listed in the attached document in order to provide the full-time county salary paid employees who fall under the courthouse handbook a \$1,200 gross salary pay increase:


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve **RESOLUTION 20200817-06**. On a roll call vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-06

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

WHEREAS, it is the recommendation of the Benton County Budget Committee to provide all full-time county salary paid employees who fall under the courthouse handbook with a \$50.00 per year of service longevity pay; and

WHEREAS, the county employees must be full time as of July 1, 2020 and be covered under the Benton County Courthouse Employee Handbook; and

WHEREAS, the \$50.00 longevity pay would be a one-time lump sum payment for FY 2020-2021 and is not guaranteed to be reoccurring; and

WHEREAS, the longevity payment would be paid out to the employees during the first week of November 2020 on a separate check from regular payroll.

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

Tennessee assembled in regular session on this the 17th Day of August 2020 that the total amount of \$30,788.00 be appropriated from the Unassigned Fund Balance within the County General Fund and be budgeted to the expenditure accounts listed in the attached document in order to provide the full-time county salary paid employees, who fall under the courthouse handbook, with a \$50 per year of service longevity supplement:


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Powers to approve **RESOLUTION 20200817-07**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-07

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, the business Country Hearth/Colonial Inn/Neil Hospitality owes Benton County a total of \$59,248.20; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$4,937.35 from the Unassigned Fund Balance and budget to the appropriate expenditure account in order to pay The Barrett Group the recovery fee on this particular revenue.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$4,937.35 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. 20-003) received for Revenue Recovery by The Barrett Group.


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Frazier and seconded by Commissioner Patton to approve **RESOLUTION 20200817-08**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-08

SPONSORED BY THE BENTON COUNTY DIRECTOR OF SCHOOLS, MARK FLORENCE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE
 RESOLUTION FOR THE BENTON COUNTY BOARD OF COMMISSIONERS
 August 17, 2020

WHEREAS: Repairs are needed in several schools that were not anticipated and were not budgeted in the original 20-21 budget;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2020-21 budget as follows;

			<u>INCREASE</u>
76100 707	Building Improvements		\$ 31,000.00
724	Site Development		<u>10,000.00</u>
			\$ 41,000.00
			<u>DECREASE</u>
39000	Unassigned Fund Balance		\$ 41,000.00


 Brett Lashlee, County Mayor


 Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hall to approve **RESOLUTION 20200817-09**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-09

SPONSORED BY THE BENTON COUNTY DIRECTOR OF SCHOOLS, MARK FLORENCE
LEGISLATIVE REFERENCE: BUDGET COMMITTEE
 RESOLUTION FOR THE BENTON COUNTY BOARD OF COMMISSIONERS
 August 17, 2020

WHEREAS: Due to the COVID-19 pandemic additional expenditures are necessary to make sure all students and staff are safe

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2020-21 budget as follows;

			<u>INCREASE</u>
72120 131	Medical Personnel	10,050.00	
201	Social Security	624.00	
204	Retirement	1,053.00	
212	Medicare	146.00	
72610 410	Custodial Supplies	50,000.00	
71100 722	Instructional Equipment	50,000.00	
71100 399	Contracted Services	100,000.00	
72610 720	Plant Operation Equipment	<u>10,000.00</u>	
			\$ 221,873.00
			<u>DECREASE</u>
39000	Unassigned Fund Balance	\$ 221,873.00	


 Brett Lashlee, County Mayor


 Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve **RESOLUTION 20200817-10**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-10

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

WHEREAS, the Benton County courthouse has recently had several confirmations of positive COVID-19 cases; and
 WHEREAS, it will be necessary to appropriate funds in the amount of \$7,000.00 and budget to the county buildings budget in order to cover additional costs that may be incurred by taking proper measures to counter COVID-19 exposure.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$7,000.00 be appropriated from the Unassigned Fund Balance within the General Fund and budgeted within the County Building budget as the following:

DECREASE REVENUES:			
101.39000	UNASSIGNED FUND BALANCE	\$7,000.00	
			\$7,000.00
INCREASE EXPENDITURES:			
101.51800.169	PART-TIME PERSONNEL	\$3,000.00	
101.51800.201	SOCIAL SECURITY	\$ 200.00	
101.51800.210	UNEMPLOYMENT	\$ 100.00	
101.51800.212	MEDICARE	\$ 70.00	
101.51800.410	CUSTODIAL SUPPLIES	\$3,630.00	
			\$7,000.00


 Brett Lashlee, County Mayor


 Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Patton to approve **RESOLUTION 20200817-11**. On a roll call Vote, all present voted Aye. Motion Carries.

Commissioner Frazier voted yes with protest.

RESOLUTION NO. 20200817-11

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

WHEREAS, a county official failed to include an employee's step raise in the FY 20-21 budget; and
 WHEREAS, it will be necessary to appropriate funds in the amount of \$1,190.00 to cover the county employees step raise and budget within the appropriate expenditure accounts within the Chancery Court budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$1,190.00 be appropriated from the Unassigned Fund Balance within the County General Fund and budget within the Chancery Court budget as the following:

DECREASE REVENUES:			
101.39000	UNASSIGNED FUND BALANCE	\$1,190.00	
			\$1,190.00
INCREASE EXPENDITURES:			
101.53400.106	CHANCERY COURT DEPUTY (IES)	\$1,000.00	
101.53400.201	SOCIAL SECURITY	\$ 70.00	
101.53400.204	PENSIONS	\$ 70.00	
101.53400.210	UNEMPLOYMENT	\$ 30.00	
101.53400.212	MEDICARE	\$ 20.00	
			\$1,190.00


 Brett Lashlee, County Mayor


 Wanda Malin, County Clerk

Motion was made by Commissioner Powers and seconded by Commissioner Ferguson to approve **RESOLUTION 20200817-12**. On a roll call Vote, all present voted Aye. Motion Carries.

Commissioner Frazier voted to Pass and then changed his vote to Aye.

RESOLUTION NO. 20200817-12

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

WHEREAS, in working on the salary schedules for county employees it was brought to our attention that there have been three county employees that did not receive their salary step raises correctly; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$ to cover the backpay due to these three employees.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$ be appropriated from the Unassigned Fund Balance within the County General Fund and budget within the appropriate expenditure accounts as listed below:

INCREASE EXPENDITURES:

101.51300.119	COUNTY MAYOR BOOKKEEPER	\$5,988.90
101.51300.201	SOCIAL SECURITY	\$ 400.00
101.51300.204	PENSIONS	\$ 400.00
101.51300.210	UNEMPLOYMENT	\$ 200.00
101.51300.212	MEDICARE	\$ 100.00
101.53100.106	CIRCUIT COURT DEPUTIES	\$2,725.00
101.53100.201	SOCIAL SECURITY	\$ 200.00
101.53100.204	PENSIONS	\$ 200.00
101.53100.210	UNEMPLOYMENT	\$ 100.00
101.53100.212	MEDICARE	\$ 80.00
101.53400.106	CHANCERY DEPUTY(IES)	\$5,270.00
101.53400.201	SOCIAL SECURITY	\$ 400.00
101.53400.204	PENSIONS	\$ 400.00
101.53400.210	UNEMPLOYMENT	\$ 200.00
101.53400.212	MEDICARE	\$ 100.00

\$16,763.90


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve **RESOLUTION 20200817-13**. On a roll call Vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 20200817-13

**SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE
LEGISLATIVE REFERENCE: BUDGET, PROPERTY & LAW ENFORCEMENT COMMITTEES**

WHEREAS, the Benton County Jail had an emergency over a weekend near the end of July with an HVAC unit needing entirely replaced; and
WHEREAS, it will be necessary to appropriate the funds in the amount of \$10,870.00 from the Jail, Workhouse, Courthouse Litigation Tax Reserve Account and budget to County Buildings in order to cover this emergency expense.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$10,870.00 be appropriated from the Jail, Workhouse, Courthouse Litigation Tax Reserve Account and budgeted to the appropriate expenditure accounts as follows:

DECREASE REVENUES:

101.34525	Jail, Workhouse, Courthouse Litigation Tax Reserve	\$10,870.00
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\$10,870.00

INCREASE EXPENDITURES:

101.51800.335	County Buildings Maintenance & Repair	\$10,870.00
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\$10,870.00


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

NOTARIES

NO NOTARY APPLICATIONS FOR AUGUST 2020

ANY OTHER BUSINESS

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to suspend the Rules of Order to bring up extra resolutions. On a roll call vote, all present voted Aye. Motion Carries.

Motion was made by Commissioner Ferguson and seconded by Commissioner Hicks to approve **RESOLUTION 20200817-14**. On a roll call Vote, 15 Ayes and 3 Nays. Motion Carries.

RESOLUTION NO. 20200817-14


SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE AND ELECTION ADMINISTRATOR MARK WARD
LEGISLATIVE REFERENCE: BUDGET COMMITTEE


WHEREAS, the Benton County Election Commission is requesting to make a current part-time employee into full-time position in order to meet the needs and demands of the office; and
WHEREAS, the Benton County Budget Committee has been informed of these needs and supports the creation of this new full-time position; and
WHEREAS, it will be necessary to appropriate \$20,769.40 from the Unassigned Fund Balance within the County General Fund in order to cover this full-time position for the remainder of this FY 2021.
NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 17th Day of August 2020 that the funds in the amount of \$20,769.40 be appropriated from the Unassigned Fund Balance within the County General Fund in order to cover the new full-time position within the Election Commission office and the funds be budgeted to the expenditure accounts as listed below:

INCREASE EXPENDITURES:					
101.51500.106	ELECTION COMMISSION DEPUTY(IES)	\$17,769.40			
101.51500.201	SOCIAL SECURITY		\$ 1,200.00		
101.51500.204	PENSIONS			\$ 1,100.00	
101.51500.210	UNEMPLOYMENT		\$ 400.00		
101.51500.212	MEDICARE			\$ 300.00	

\$20,769.40

<u>RESOLUTION 20200817-14 ELECTION COMMISSION EMPLOYEE</u>							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
DAYNA FERGUSON		X	X				
KENNETH MILLER		X					
ROCKY PRESSON		X					
KELEAH DYE VIDEO		X					
NORMAN FRAZIER		X				X	
GARY FURR		X					
SONNY HALL		X					
PHIL MELTON		X					
DOUG VICKERS		X					
RACHELLE HILL VIDEO		X					
JANET HIGDON		X					
ROSANNE WARD		X					
DARRELL HICKS		X		X			
RONNIE HOPPER		X				X	
MARY POWERS		X					
ANGIE HERN VIDEO		X				X	
DON PATTON		X					
WARD PLANT - CHAIR		X					


Brett Lashlee, County Mayor


Wanda Malin, County Clerk

Motion was made by Commissioner Ferguson and seconded by Commissioner Frazier to approve **BENTON COUNTY, TENNESSEE SPORTS COMPLEX AGREEMENT.** On a roll call Vote, all present voted Aye. Motion Carries.

ADJOURNMENT

Motion was made by Commissioner Ferguson and seconded by Commissioner Hopper 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 AUGUST 17, 2020 BENTON COUNTY COMMISSION MEETING.

BRETT LASHLEE, MAYOR

WANDA MALIN, COUNTY CLERK