

BENTON COUNTY JULY 15, 2024

BE IT REMEMBERED THAT ON JULY 15, 2024, THAT THE BENTON COUNTY COMMISSIONERS MET IN REGULAR SESSION AT THE BENTON COUNTY COURTHOUSE @ 6:00 PM.

Opening of meeting was by Sheriff Kenny Christopher or Deputy

Invocation was led by Charles Cooper and Pledge of Allegiance was led by Sonny Hall

ROLL CALL BY COUNTY CLERK, Wanda Malin– 17 Present and 1 Absent (Stephen Stokes)

ANNOUNCING OF QUORUM BY COUNTY CLERK, WANDA MALIN
APPROVAL OF AGENDA

Motion was made by Commissioner Nunnery and seconded by Commissioner Holland to approve agenda. On a voice vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

AGENDA

- I. Opening of Meeting by Sheriff or his appointee
- II. Invocation and Pledge of Allegiance
- III. Roll Call by County Clerk or Chief Deputy
- IV. Announcing of Quorum by County Clerk, Wanda Malin
 - 1) Approval of Agenda
 - 2) Citizens Forum
 - 3) Commissioners Forum
 - 4) County Mayor, Attorney, Finance Advisor or Proclamations
 - 5) Approval of Minutes
 - 6) Report of Public Utilities

- 7) A RESOLUTION by Mayor Mark Ward calling on the United States Postal Service to Improve Local Service in Benton County and Return Mail Processing Operations to Madison County. (20240715-01)
- 8) A RESOLUTION by Mayor Mark Ward, to appoint Brett Burke to the Benton County Committee on Aging for a term of four (4) years. (20240715-02)
- 9) A RESOLUTION by Mayor Mark Ward, to appoint a citizen to fill a vacancy on the Benton County Electric System Board for a term of four (4) years. (20240715-03)
- 10) A RESOLUTION by DOS Mark Florence to appropriate and budget funds in the amount of \$ 38,000.00 from the school's fund balance to a proper line item for needed expenditures in Special Education. (20240715-04)
- 11) A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$ 74,098.00 received from the JAGTN Grant to various line items for expenditure. (20240715-05)
- 12) A RESOLUTION by DOS Mark Florence to move funds in the amount of \$ 84,002.00 within the school's budget. (20240715-06)
- 13) A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$ 106,033.00 received from a Transition to Work Grant to various expenditure lines in the school's budget. (20240715-07)
- 14) A RESOLUTION by DOS Mark Florence to move funds in the amount of \$ 1167.00 within the school's budget. (20240715-08)
- 15) A RESOLUTION by DOS Mark Florence to approve purchasing cooperatives. (20240715-09)
- 16) A RESOLUTION by DOS Mark Florence to appropriate and budget funds in the amount of \$ 1,780,394.00 from the school's fund balance to a proper line item for needed expenditures. (20240715-10)
- 17) A RESOLUTION by Sheriff Ken Christopher to accept the bid submitted by Brian Williams CISSP for necessary IT upgrades within the Sheriff's Department and Jail. (20240715-11)
- 18) A RESOLUTION by Benton County Sheriff Ken Christopher to budget funds in the amount of \$3000.00, received from a recruitment and retention grant, to a proper line item of Salary Supplements for expenditures. (20240715-12)
- 19) A RESOLUTION by Benton County Sheriff Ken Christopher to budget funds in the amount of \$100.00, received from damages recovered from individuals, to a proper line item for expenditures. (20240715-13)
- 20) A RESOLUTION by the Benton County Budget Committee to appropriate and budget funds in the amount of \$ 182,275.00 to the Medical Insurance Budget to properly fund required expenditures. (20240715-14)
- 21) A RESOLUTION by Mayor Mark Ward, to appropriate and budget funds in the amount of \$ 1518.00 to cover an expected shortfall in Liability Insurance. (20240715-15)
- 22) A RESOLUTION by Commissioners Arnold, Fowler, Hall and Price to reaffirm the existing lease agreements with Mr. Darrell Berry on various hangars at the Benton County Airport in exchange for giving up possession of the main hangar to Benton County. (20240715-16)
- 23) A RESOLUTION by Mayor Mark Ward, to request authority and permission to retain legal counsel to negotiate and litigate, as needed, on behalf of the Benton County Commission regarding the Berry/Airport issues. (20240715-17)
- 24) A RESOLUTION by Commissioners Bain, Presson, Hall and Price to approve a 4% cost of living pay increase for employees of the Benton County Sheriff's Department, and budget monies to properly fund these raises and associated costs. (20240715-18)
- 25) A RESOLUTION by Mayor Mark Ward, to receive permission to accept a reduced payment offer from Hethcoat Davis and to appropriate and budget funds in the amount of \$ 18,834.98 to cover the fulfillment of the agreement. (20240715-19)
- 26) A RESOLUTION by Mayor Mark Ward, to seek permission and authority to accept a settlement offer from World Fuel and to appropriate and budget funds in the amount of \$ 7500.00 to pay the settlement. (20240715-20)

- 27) Appointing Notaries
- 28) Any Other Business
- 29) Adjourn

CITIZENS FORUM

COMMISSIONERS FORUM

Jerry Price-Concerns about continuing issues regarding the election board ballots being incorrect; Recommends sending another certified letter to address this issue

Motion was made by Commissioner Price and seconded by Commissioner Hicks for Chairman Rosanne K. Ward to send another certified letter to the top of administration. On a roll call vote 17 Ayes, 0 No, 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

Rocky Presson-History of battles fought in Benton County and the forgotten people of this era

COUNTY MAYOR, ATTORNEY FINANCE ADVISOR OR PROCLAMATIONS

APPROVAL OF MINUTES

Motion was made by Commissioner Arnold and seconded by Commissioner Bain for the approval of minutes. On A roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

APPROVAL OF THE REPORT OF PUBLIC UTILITES

Motion was made by Commissioner Arnold and seconded by Commissioner Price to approve the Report of Public Utilities. On a voice vote 17 Ayes, 0 No and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTIONS

RESOLUTION NO. 20240715-01

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by Mayor Mark Ward calling on the United States Postal Service to Improve Local Service in Benton County and Return Mail Processing Operations to Madison County.

WHEREAS, it is the primary responsibility of the United States Postal Service (USPS) to provide timely and reliable mail delivery; and

WHEREAS, in 2012 the USPS relocated mail processing operations for Benton County, Tennessee from Jackson to Memphis, ending timely local first-class mail delivery for residents and businesses in Benton County; and

WHEREAS, since the relocation of the USPS mail processing operations from Jackson to Memphis, local first-class mail delivery service in Benton County has significantly declined and become unreliable, as it often takes as much as a week or more for local mail to be delivered, creating undue hardship for residents and businesses that rely on USPS to deliver bill payments, medicine, paychecks and other vitally important mail; and

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Benton County strongly urge Benton County's federal representation, Congressman David Kustoff, Congressman Mark Green, U.S. Senator Marsha Blackburn and U.S. Senator Bill Hagerty to work diligently to ensure that mail processing operations are returned to Jackson, Tennessee; and

BE IT FURTHER RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th day of July, 2024, that we do hereby, as a body, call upon the USPS to improve local first-class mail delivery service in Benton County by returning mail processing operations from Memphis to Jackson; and

BE IT FURTHER RESOLVED, that the Benton County Clerk shall mail certified copies of this resolution to U.S. Post Master General Louis DeJoy, Congressman David Kustoff, Congressman Mark Green, U.S. Senator Marsha Blackburn and U.S. Senator Bill Hagerty.

Adopted this 15th day of July, 2024.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Arnold and seconded by Commissioner Miller to approve Resolution 20240715-01. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

*****Chairman Rosanne K. Ward Called for a Recess at 6:28 p.m. until 6:37 p.m.*****

RESOLUTION NO. 20240715-02

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

July 15, 2024

A RESOLUTION by Mayor Mark Ward, to appoint Brett Burke to the Benton County Committee on Aging for a term of four (4) years.

WHEREAS, with the end of Commissioner Darrell Hicks' appointed term there exists a vacancy on the Benton County Commission on Aging; and

WHEREAS, it is necessary to fill this seat on the Commission on Aging; and

WHEREAS, Commissioner Brett Burke has expressed a willingness to serve in this capacity; and

WHEREAS, it is the recommendation of Benton County Mayor Mark Ward to appoint Brett Burke to fill this position for a four (4) year term beginning immediately upon adoption of this resolution.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that Brett Burke be nominated and appointed to the Benton County Committee on Aging for a four (4) year term beginning immediately upon adoption of this resolution.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Nunnery and seconded by Commissioner Melton to approve Resolution 20240715-02. On a roll call vote 16 Ayes, 0 No, 1 Abstain (Burke), and 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-03

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

July 15, 2024

A RESOLUTION by Mayor Mark Ward, to appoint a citizen to fill a vacancy on the Benton County Electric System Board for a term of four (4) years.

WHEREAS, with the end of Ward Plant's appointed term, there exists a vacancy on the Benton County Electric Board; and

WHEREAS, it is necessary to fill this vacant seat on the Benton County Electric Board; and

WHEREAS, three (3) citizens have expressed an interest in serving in this position; and

WHEREAS, it is the recommendation of Benton County Mayor Mark Ward that the Benton County Commission vote to fill this position for a four (4) year term set to expire on July 1, 2028, with their choice of the three (3) citizens, in accordance with established rules. Those citizens are:

- Jerry Ward
- Alan Douglas
- Randy Hudson

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that the citizen chosen by a vote of this commission be nominated and appointed to the Benton County Electric System Board for a four (4) year term set to expire on July 1, 2028.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Arnold and seconded by Commissioner Miller to approve Resolution 20240715-03. On a roll call vote 14 Ayes, 0 No, 2 Abstain (Ward and Burke), 1 Pass (Presson) and 1 Absent to appoint Jerry Ward to the vacant seat of the Benton County Electric System Board and to serve a 4-year term. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-04

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to appropriate and budget funds in the amount of \$ 38,000.00 from the school's fund balance to a proper line item for needed expenditures in Special Education.

WHEREAS: The estimate of expenditures was not enough to meet the necessary expenditures for certain subsidiary items in the primary series in the School Budget (additional costs for Special Education student transportation/contracted services);

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

DECREASE

39000 Fund Balance \$38,000.00

INCREASE

72710 399 Other Contracted Services \$38,000.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

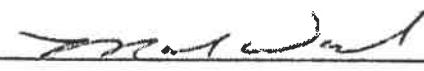
APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion made by Commissioner Miller and seconded by Commissioner Bain to approve Resolution 20240715-04. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-05

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$ 74,098.00 received from the JAGTN Grant to various line items for expenditure.

WHEREAS: The Benton County Board of Education received the JAGTN Grant;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

INCREASE

46980	JAGTN Grant	\$74,098.00
71300 116	Vocation Ed Teacher	\$55,895.00
71300 201	Social Security	3,467.00
71300 204	Retirement	5,032.00
71300 207	Insurance	8,892.00
71300 212	Medicare	812.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Hicks and seconded by Commissioner Price to approve Resolution 20240715-05. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-06

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to move funds in the amount of \$ 84,002.00 within the school's budget.

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

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

DECREASE

72220 124	Special Ed. Psychological Personnel	\$66,700.00
72220 201	Social Security	4,135.00
72220 204	Retirement	4,200.00
72220 207	Insurance	8,000.00
72220 212	Medicare	967.00

INCREASE

71200 370	Contracted Subs	\$84,002.00
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Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Arnold and seconded by Commissioner Hicks to approve Resolution 20240715-06. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-07

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$ 106,033.00 received from a Transition to Work Grant to various expenditure lines in the school's budget.

WHEREAS: The Benton County Board of Education received a Transition School to Work Grant again this year;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

INCREASE

47590	Other Federal Thru State	\$106,033.00
72210 189	Other Salaries and Wages	\$ 72,000.00
201	Social Security	4,465.00
204	State Retirement	4,523.00
207	Medical Insurance	24,000.00
212	Medicare	1,045.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Bain and seconded by Commissioner Miller to approve Resolution 20240715-07. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-08

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to move funds in the amount of \$ 1167.00 within the school's budget.

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

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

DECREASE

71100 116	Teachers	\$ 1,000.00
71100 201	Social Security	62.00
71100 204	Retirement	90.00
71100 212	Medicare	15.00

INCREASE

72210 105	Instruction Supervisor	\$ 1,000.00
72210 201	Social Security	62.00
72210 204	Retirement	90.00
72210 212	Medicare	15.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Arnold and seconded by Commissioner Hicks to approve Resolution 20240715-08. On a roll call 17 Ayes, 0 No, and 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-09

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to approve purchasing cooperatives.

WHEREAS: The Benton County Board of Education would like the following purchasing cooperatives approved;
Volco, Buy Board, Sourcewell, and TIPS (this will include all vendors who are used by these cooperatives).

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th day of July, 2024 that above named purchasing cooperatives be approved.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Murphy and seconded by Commissioner Hicks to approve Resolution 20240715-09. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-10

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to appropriate and budget funds in the amount of \$ 1,780,394.00 from the school's fund balance to a proper line item for needed expenditures.

WHEREAS: The estimate of expenditures was not enough to meet the necessary expenditures for certain subsidiary items in the primary series in the School Budget (additional costs for "fire" Briarwood School roof);

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

DECREASE

39000 Fund Balance \$1,780,394.00

INCREASE

76100 707 Building Improvements \$1,780,394.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Melton and seconded by Commissioner Price to amend Resolution 20240715-10 by removing the word "fire". On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed to Amend.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

******AMENDMENT TO RESOLUTION NO. 20240715-10******

RESOLUTION NO. 20240715-10

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by DOS Mark Florence to appropriate and budget funds in the amount of \$ 1,780,394.00 from the school's fund balance to a proper line item for needed expenditures.

WHEREAS: The estimate of expenditures was not enough to meet the necessary expenditures for certain subsidiary items in the primary series in the School Budget (additional costs for Briarwood School roof);

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2024-25 budget as follows;

DECREASE

39000 Fund Balance \$1,780,394.00

INCREASE

76100 707 Building Improvements \$1,780,394.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Melton and seconded by Commissioner Holland to approve as amended Resolution 20240715-10. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed as Amended.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-11

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

July 15, 2024

A RESOLUTION by Sheriff Ken Christopher to accept the bid submitted by Brian Williams CISSP for necessary IT upgrades within the Sheriff's Department and Jail.

WHEREAS, Competitive bids were taken for upgrades to the Benton County Sheriff's Department IT infrastructure and opened officially at the law Enforcement committee meeting held on June 10, 2024, and

WHEREAS, the bid submitted by Brian Williams CISSP in the amount of \$53,641.31, which is inclusive of labor, is the most competitively priced bid received that was inclusive of all the equipment needed.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th day of July, 2024 that the bid submitted by Brian Williams CISSP in the amount of \$53,641.31 is officially accepted.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Douglas and seconded by Commissioner Price to approve Resolution 20250715-11. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-12

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

July 15, 2024

A RESOLUTION by Benton County Sheriff Ken Christopher to budget funds in the amount of \$3000.00, received from a recruitment and retention grant, to a proper line item of Salary Supplements for expenditures.

WHEREAS, the Benton County Sheriff's Office has received \$3,000.00 in revenues from a recruitment and retention grant for salary supplements, and

WHEREAS, it will be necessary to budget said revenues in the amount of \$3000.00 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 15th day of July, 2024 that the funds in the amount of \$3,000.00 be budgeted as follows:

DECREASE REVENUES:

101.47250	Law Enforcement Grants	\$3,000.00
		\$3,000.00

INCREASE EXPENDITURES:

101.54110.140	Salary Supplements (Trevor Maranto)	\$3,000.00
		\$3,000.00

Upon a Motion by _____ Seconded by _____
 On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Hicks and seconded by Commissioner Price to approve Resolution 20250715-12. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-13

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

July 15, 2024

A RESOLUTION by Benton County Sheriff Ken Christopher to budget funds in the amount of \$100.00, received from damages recovered from individuals, to a proper line item for expenditures.

WHEREAS, the Benton County Sheriff's Office has received revenues in the amount of \$100.00 for the month of June, 2024, and

WHEREAS, it will be necessary to budget said revenues in the amount of \$100.00 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 15th day of July, 2024 that the funds in the amount of \$100.00 received by the Benton County Sheriff's Office for revenues for the month of June, 2024 be budgeted as follows.

DECREASE REVENUES:

101.44560	Damages Recovered from Individuals	\$100.00
		\$100.00

INCREASE EXPENDITURES:

101.54110.338	Maintenance and Repair of Vehicles	\$100.00
		\$100.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Hicks and seconded by Commissioner Price to approve Resolution 20250715-13. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-14

SPONSORED BY BENTON COUNTY BUDGET COMMITTEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by the Benton County Budget Committee to appropriate and budget funds in the amount of \$ 182,275.00 to the Medical Insurance Budget to properly fund required expenditures.

WHEREAS, due to the increased need to attract and retain qualified employees; and

WHEREAS, employee benefits are required to fill this need; and

WHEREAS, a county funded individual "benefits" health plan, for full time employees beginning January 1, 2025 (excluding the Highway and Education Departments) meets this need; and

WHEREAS, in order to properly fund required expenditures, funds must be appropriated and budgeted to the Medical Benefits Budget; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that funds be appropriated and budgeted as follows:

DECREASE:

101.39000 UNASSIGNED FUND BALANCE \$ 182,275.00

INCREASE:

101.58600.207 MEDICAL INSURANCE \$ 182,275.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Melton and seconded by Commissioner Douglas to amend Resolution 20250715-14 by removing the word "benefits" and replace with the word health and also add for full time employees. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed to Amend.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

****AMENDMENT TO RESOLUTION 20240715-14****

RESOLUTION NO. 20240715-14

SPONSORED BY BENTON COUNTY BUDGET COMMITTEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by the Benton County Budget Committee to appropriate and budget funds in the amount of \$ 182,275.00 to the Medical Insurance Budget to properly fund required expenditures.

WHEREAS, due to the increased need to attract and retain qualified employees; and

WHEREAS, employee benefits are required to fill this need; and

WHEREAS, a county funded individual health plan, for full time employees beginning January 1, 2025 (excluding the Highway and Education Departments) meets this need; and

WHEREAS, in order to properly fund required expenditures, funds must be appropriated and budgeted to the Medical Benefits Budget; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that funds be appropriated and budgeted as follows:

DECREASE:

101.39000 UNASSIGNED FUND BALANCE \$ 182,275.00

INCREASE:

101.58600.207 MEDICAL INSURANCE \$ 182,275.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Nunnery and seconded by Commissioner Douglas to approve Resolution 20240715-14 as amended. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed as Amended.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-15

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by Mayor Mark Ward, to appropriate and budget funds in the amount of \$ 1518.00 to cover an expected shortfall in Liability Insurance.

WHEREAS, upon examination, funds for paying Liability Insurance were found to be in a shortfall; and

WHEREAS, it is necessary and prudent to properly fund this line item; and

WHEREAS, Mayor Mark Ward requests the appropriation and budgeting of funds in the amount of \$ 1518.00 to the Liability Insurance line item; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that funds be appropriated and budgeted as follows:

DECREASE:

101.39000 UNASSIGNED FUND BALANCE \$ 1518.00

INCREASE:

101.51900.506 LIABILITY INSURANCE \$ 1518.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Bain and seconded by Commissioner Murphy to approve Resolution 20250715-15. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-16

**SPONSORED BY BENTON COMMISSIONERS KEITH ARNOLD, DWAYNE FOWLER,
SONNY HALL AND JERRY PRICE**

LEGISLATIVE REFERENCE: BUDGET & PROPERTY COMMITTEES

July 15, 2024

A RESOLUTION by Commissioners Arnold, Fowler, Hall and Price to reaffirm the existing lease agreements with Mr. Darrell Berry on various hangars at the Benton County Airport in exchange for giving up possession of the main hangar to Benton County.

WHEREAS, there exist lease agreements on various hangars at the Benton County Airport, between Benton County and Mr. Darrell Berry; and

WHEREAS, the validity of these agreements have recently been in dispute; and

WHEREAS, in exchange for Mr. Berry relinquishing possession of the main hangar at Benton County Airport, the Benton County Commission will reaffirm the existing contracts on the other hangars that are occupied by Mr. Berry until the year 2030; and

WHEREAS, additionally, Mr. Berry giving up possession of the main hangar at Benton County Airport will be done in lieu of any financial obligation owed to the Benton County Airport; and

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th day of April, 2024 that the hangar lease agreements, as referenced above, be reaffirmed upon Mr. Darrell Berry relinquishing possession of the Benton County Airport's main hangar to Benton County/Benton County Airport.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

******RESOLUTION NO. 20240715-16 WAS PULLED******

RESOLUTION NO. 20240715-17

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by Mayor Mark Ward, to request authority and permission to retain legal counsel to negotiate and litigate, as needed, on behalf of the Benton County Commission regarding the Berry/Airport issues.

WHEREAS, due to various potential legal issues concerning alleged and disputed contracts regarding the Benton County Airport being expected in the short term, it is necessary and prudent that legal counsel be retained by the Benton County Commission for negotiation and litigation, as needed; and

WHEREAS, Mayor Ward requests authority and permission from the Benton County Commission to hire and retain the law firm of Harris Shelton to represent the commission for these purposes; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that Mayor Mark Ward is given authority and permission to hire and retain the services of the Harris Shelton Law Firm for negotiations, litigation and proper legal disposal of the Berry/Airport matters.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Miller and seconded by Commissioner Lashlee to approve Resolution 20240715-17. On a roll call vote 15 Ayes, 2 No (Arnold and Hall), 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-18

SPONSORED BY BENTON COMMISSIONERS DEBBIE BAIN, ROCKY PRESSON, SONNY HALL AND JERRY PRICE

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

July 15, 2024

A RESOLUTION by Commissioners Bain, Presson, Hall and Price to approve a 4% cost of living pay increase for employees of the Benton County Sheriff's Department, and budget monies to properly fund these raises and associated costs.

WHEREAS, it being advantageous for the Benton County Sheriff's Office to continue to remain competitive in attracting and retaining qualified employees; and

WHEREAS, considering the resulting increase in the safety and security of the Citizens of Benton County by having qualified and dedicated law enforcement professionals at the ready to protect and serve; and

WHEREAS, with recent increases the in cost of living, it is necessary and prudent to extend to our Sheriff's Department employees a 4% cost of living salary increase; and

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th day of April, 2024 that a four percent (4%) cost of living wage increase be given to Benton County Sheriff's Department employees, and that funds for this increase be budgeted as follows:

DECREASE:

151.39000	DEBT SERVICE FUND BALANCE	\$ 155,449.00
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INCREASE:

101.54110.105	SUPERVISOR/DIRECTOR	\$ 4928.00
101.54110.106	DEPUTIES	\$ 26,446.00
101.54110.108	INVESTIGATORS	\$ 4,236.00
101.54110.115	SERGEANTS	\$ 10,650.00
101.54110.119	ACCOUNTANTS/BOOKKEEPERS	\$ 2,549.00
101.54110.133	PARAPROFESSIONALS	\$ 1,353.00
101.54110.148	DISPATCHERS/RADIO OPERATORS	\$ 14,122.00
101.54110.161	SECRETARIES	\$ 1,353.00
101.54110.169	PART-TIME PERSONNEL	\$ 3,090.00

101.54110.170	SCHOOL RESOURCE OFFICER	\$ 3,778.00
101.54110.187	OVERTIME PAY DEPUTIES	\$ 4,800.00
101.54110.187	OVERTIME PAY DISPATCHERS	\$ 5,200.00
101.54110.201	SOCIAL SECURITY	\$ 5,115.00
101.54110.204	PENSIONS	\$ 5,181.00
101.54110.212	EMPLOYER MEDICARE	\$ 1,196.00
101.54210.105	SUPERVISOR/DIRECTOR	\$ 2,173.00
101.54210.110	LIEUTENANTS	\$ 3,712.00
101.54210.115	SERGEANTS	\$ 7,073.00
101.54210.133	PARAPROFESSIONALS	\$ 1,645.00
101.54210.160	GUARDS	\$ 32,037.00
101.54210.165	CAFETERIA PERSONNEL	\$ 1,354.00
101.54210.167	MAINTENANCE PERSONNEL	\$ 1,523.00
101.54210.169	PART TIME PERSONNEL	\$ 1,022.00
101.54210.187	OVERTIME PAY	\$ 3,400.00
101.54210.201	SOCIAL SECURITY	\$ 3,344.00
101.54210.204	PENSIONS	\$ 3,387.00
101.54210.212	EMPLOYER MEDICARE	\$ 782.00
TOTAL		\$ 155,449.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

*****RESOLUTION NO. 20240715-18 PULLED BY ALL SPONSORS*****

RESOLUTION NO. 20240715-19

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by Mayor Mark Ward, to receive permission to accept a reduced payment offer from Hethcoat Davis and to appropriate and budget funds in the amount of \$ 18,834.98 to cover the fulfillment of the agreement.

WHEREAS, Hethcoat Davis Engineering Company currently shows a past due balance of \$ 37,669.95 with regards to Benton County; and

WHEREAS, in order to close out this account, Hethcoat Davis has agreed to accept a reduced amount of \$ 18,834.98 as payment in full on this account; and

WHEREAS, Mayor Mark Ward requests permission to accept this offer and appropriate and budget funds in the amount of \$ 18,834.98 to a proper line item for expenditure; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that funds be appropriated and budgeted as follows:

DECREASE:

101.39000 UNASSIGNED FUND BALANCE \$ 18,834.98

INCREASE:

101.51300.321 ENGINEERING SERVICES \$ 18,834.98

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Burke and seconded by Commissioner Arnold to approve Resolution 20240715-19. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240715-20

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

July 15, 2024

A RESOLUTION by Mayor Mark Ward, to seek permission and authority to accept a settlement offer from World Fuel and to appropriate and budget funds in the amount of \$ 7500.00 to pay the settlement.

WHEREAS, there has been found to be remaining obligations of approximately \$ 27,000.00 on a contract with World Fuel at the Benton County Airport; and

WHEREAS, through wise and skilled negotiation, the Benton County Attorney has secured an offer of settlement from World Fuel in the amount of \$ 7500.00; and

WHEREAS, Mayor Mark Ward requests the authority and approval to accept this offer and the appropriation and budgeting of funds in the amount of \$ 7500.00 to a proper line item for expenditure.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15th Day of July, 2024 that funds be appropriated and budgeted as follows:

DECREASE:

101.39000 UNASSIGNED FUND BALANCE \$ 7500.00

INCREASE:

101.58220.425 GASOLINE \$ 7500.00

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

Motion was made by Commissioner Bain and seconded by Commissioner Holland to approve Resolution 20240715-20. On a roll call vote 17 Ayes, 0 No, and 1 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

NOTARIES

Chris G. Richardson

Motion was made by Commissioner Hicks and seconded by Commissioner Miller to approve notaries. On a voice vote 17 Ayes, 0 No, and 1 Absent. Motion Carries.


MARK WARD, COUNTY MAYOR

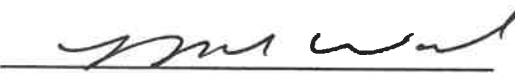

WANDA MALIN, COUNTY CLERK

ANY OTHER BUSINESS

ADJOURNMENT

Motion was made by Commissioner Arnold and seconded by Commissioner Douglas to adjourn the meeting. On roll a call vote 17 Ayes, 0 No, and 1 Absent. Motion Carries.

WANDA MALIN, COUNTY CLERK, DO CERTIFY THIS TO BE A TRUE AND COMPLETE COPY OF THE JULY 15, 2024, BENTON COUNTY COMMISSION MEETING.


COUNTY MAYOR, MARK WARD


COUNTY CLERK, WANDA MALIN