

BENTON COUNTY SEPTEMBER 16, 2024

BE IT REMEMBERED THAT ON SEPTEMBER 16, 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 Mike Nunnery and Pledge of Allegiance was led by Barry Holland

ROLL CALL BY DEPUTY CLERK, Emily Coleman– 16 Present and 2 Absent
(Stephen Stokes and Darrel Hicks)

ANNOUNCING OF QUORUM BY COUNTY CLERK, EMILY COLEMAN
APPROVAL OF AGENDA

Motion was made by Commissioner Nunnery and seconded by Commissioner Arnold to approve agenda. On a voice vote 16 Ayes, 0 No, and 2 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) Election of Chairman
 - 2) Election of Chairman Pro-Tem
 - 3) Approval of Agenda
 - 4) Citizens Forum
 - 5) Commissioners Forum
 - 6) County Mayor, Attorney, Finance Advisor or Proclamations
 - 7) Approval of Minutes
 - 8) Report of Public Utilities

- 9) A RESOLUTION by Mayor Mark Ward, to appoint Barry Holland to the Benton County Airport Board to fulfil an unexpired term. (20240916-01)
- 10) A RESOLUTION by Sheriff Ken Christopher, to budget funds in the amount of \$ 1,965.73 received from Miscellaneous Refunds to various line items for expenditure. (20240916-02)
- 11) A RESOLUTION by Director of Schools Mark Florence to budget funds in the amount of \$ 416.00, received from the state for Early Childhood Education (Pre-K), to the schools budget. (20240916-03)
- 12) A RESOLUTION by Director of Schools Mark Florence to budget funds in the amount of \$ 49,630.37, received from the state for the Special Education Pre-School Grant, to the schools budget. (20240916-04)
- 13) A RESOLUTION by Director of Schools Mark Florence to budget funds in the amount of \$ 96,000.00, received from the state for the Salary Equity, to the schools budget. (20240916-05)
- 14) A RESOLUTION by Mayor Mark Ward to budget funds in the amount of \$ 86,135.73 to a proper line item for expenditures within the ARPA budget. (20240916-06)
- 15) A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$ 750.00 to the West Tennessee River Basin to cover a short fall. (20240916-07)
- 16) Appointing Notaries
- 17) Any Other Business
- 18) Adjourn

ELECTION OF CHAIRMAN

County Clerk, Wanda Malin served as Temporary Chairman due to the Nominations and Elections of Chairman and Chairman Pro-Tem.

Motion was made by Commissioner Arnold and seconded by Commissioner Nunnery to nominated Rosanne K. Ward to serve as Chairman. On a roll call vote 15 Ayes, 0 No, 1 Pass (Ward), and 2 Absent. Motion Passed for Rosanne K. Ward to serve as Chairman.



 MARK WARD, COUNTY MAYOR



 WANDA MALIN, COUNTY CLERK

Motion was made by Commissioner Price and seconded by Commissioner Melton to nominated Jeff Murphy to serve as the New Chairman Pro-Tem. On a roll call vote 15 Ayes, 0 No, 1 Pass (Murphy), and 2 Absent. Motion Passed for Jeff Murphy to serve as Chairman Pro-Tem.



 MARK WARD, COUNTY MAYOR



 WANDA MALIN, COUNTY CLERK

******Chairman Rosanne K. Ward Resumed as Chairman of Meeting******

CITIZENS FORUM

Christie Bolton gave her husband Nic Bolton her allotted (5) minutes to address County Commission
Nic Bolton-Addressed County Commission regarding his opinions and concerns about Benton Co. Buildings,
County Funds, Religion & Prayer and Etc.

COMMISSIONERS FORUM

Commissioner Price- First Bank Building
Commissioner Arnold-Best interest for Benton County; Concern regarding Commissioner Bain’s social media posts
on Facebook

COUNTY MAYOR, ATTORNEY FINANCE ADVISOR OR PROCLAMATIONS

APPROVAL OF MINUTES

Motion was made by Commissioner Burke and seconded by Commissioner Melton for the approval of minutes.
On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

APPROVAL OF THE REPORT OF PUBLIC UTILITIES

Motion was made by Commissioner Price and seconded by Commissioner Arnold to approve the Report of Public
Utilities. On a voice vote 16 Ayes, 0 No and 2 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTIONS

RESOLUTION NO. 20240916-01

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

September 16, 2024

A RESOLUTION by Mayor Mark Ward, to appoint Barry Holland to the Benton County Airport Board to fulfil an unexpired term.

WHEREAS, due to a resignation, there exists a vacancy on the Benton County Airport Board; and

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

WHEREAS, Commissioner Barry Holland has expressed a willingness to serve in this capacity; and

WHEREAS, it is the recommendation of Benton County Mayor Mark Ward to appoint Barry Holland to fill this position for the remainder of the unexpired term beginning immediately upon adoption of this resolution and ending on December 19, 2026.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th Day of September, 2024 that Barry Holland be nominated and appointed to the Benton County Airport Board for the remainder of the unexpired term beginning immediately upon adoption of this resolution and ending on December 19, 2026.

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 Arnold to approve Resolution 20240916-01. On a roll call vote 15 Ayes, 0 No, 1 Abstain (Holland), and 2 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-02

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 16, 2024

A RESOLUTION by Sheriff Ken Christopher, to budget funds in the amount of \$ 1,965.73 received from Miscellaneous Refunds to various line items for expenditure.

WHEREAS, the Benton County Sheriff's Office has received revenues in the amount of \$1965.73 for the month of August, 2024, and

WHEREAS, it will be necessary to budget said revenues in the amount of \$1965.73 to the appropriate expenditure accounts within the Sheriff's budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of September, 2024 that the funds in the amount of \$1965.73 received by the Benton County Sheriff's Office for revenues for the month of August, 2024 be budgeted as follows.

DECREASE REVENUES:

| | | |
|-----------|-----------------------|-------------------|
| 101.44170 | Miscellaneous Refunds | \$1,965.73 |
| | | \$1,965.73 |

INCREASE EXPENDITURES:

| | | |
|---------------|--------------------------------------|-------------------|
| 101.54210.507 | Medical Claims (Corey Harris Reimb.) | \$1,714.73 |
| 101.54210.422 | Food Supplies (Cargill Protein) | \$26.00 |
| 101.54110.353 | Towing Services | \$225.00 |
| | | \$1,965.73 |

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 approve Resolution 20240916-02. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-03

SPONSORED BY BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 16, 2024

A RESOLUTION by Director of Schools Mark Florence to budget funds in the amount of \$ 416.00, received from the state for Early Childhood Education (Pre-K), to the schools budget.

WHEREAS: The Board of Education received additional revenue from the state for Early Childhood Education (PreK);

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

INCREASE

| | | |
|-----------|-----------|----------|
| 46515 | PreK | \$416.00 |
| 73400 207 | Insurance | \$416.00 |

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 Murphy to approve Resolution 20240916-03. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-04

SPONSORED BY BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 16, 2024

A RESOLUTION by Director of Schools Mark Florence to budget funds in the amount of \$ 49,630.37, received from the state for the Special Education Pre-School Grant, to the schools budget.

WHEREAS: The Benton County Board of Education received the State Special Ed. Preschool 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

| | | |
|----------------|---------------------------|-------------|
| 46515 SPRK | State Sp. Ed PRK Grant | \$49,630.37 |
| 71200 116 SPRK | Sp. Ed. Teachers | \$11,680.00 |
| 71200 163 SPRK | Sp. Ed. Assistants | 2,880.00 |
| 71200 201 SPRK | Social Security | 903.00 |
| 71200 204 SPRK | State Retirement | 1,265.00 |
| 71200 212 SPRK | Medicare | 220.00 |
| 71200 399 SPRK | Other Contracted Services | 29,500.00 |
| 72220 524 SPRK | In-Service | 3,182.37 |

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 Melton and seconded by Commissioner Arnold to approve Resolution 20240916-04. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR



WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-05

SPONSORED BY BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 16, 2024

A RESOLUTION by Director of Schools Mark Florence to budget funds in the amount of \$ 96,000.00, received from the state for the Salary Equity, to the schools budget.

WHEREAS: The Board of Education received revenue from the state for Salary Equity;

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

INCREASE

| | | |
|-----------|------------------------------------|-------------|
| 46590 | Salary Equity | \$96,000.00 |
| 72710 146 | Bus Drivers | \$15,000.00 |
| 72710 201 | Social Security | 931.00 |
| 72710 204 | Retirement | 943.00 |
| 72710 212 | Medicare | 217.00 |
| 76100 399 | Capital Outlay Contracted Services | 78,909.00 |

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 approve Resolution 20240916-05. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-06

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 16, 2024

A RESOLUTION by Mayor Mark Ward to budget funds in the amount of \$ 86,135.73 to a proper line item for expenditures within the ARPA budget.

WHEREAS, funds were received by Benton County from an American Rescue Plan (ARPA) Grant; and

WHEREAS, in order to properly utilize these funds, they must be budgeted to a proper expenditure line item; and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of September, 2024 that funds be budgeted as follows:

DECREASE:

127.47401 ARPA GRANT #1 \$86,135.73

INCREASE:

127.58831.791 OTHER CONSTRUCTION \$86,135.73

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 Melton to approve Resolution 20240916-06. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-07

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 16, 2024

A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$ 750.00 to the West Tennessee River Basin to cover a short fall.

WHEREAS, \$ 15,000.00 was budgeted to a line item for the West Tennessee River Basin; and

WHEREAS, upon receipt of an invoice on this account, it was noticed that the invoice was in the amount of \$ 15,750.00; and

WHEREAS, to properly fund this obligation, it is necessary to appropriate and budget an additional \$ 750.00 to this line item; and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of September, 2024 that funds be appropriated and budgeted as follows:

DECREASE:

101.39000 UNASSIGNED FUND BALANCE \$750.00

INCREASE:

101.58500.316 CONTRIBUTIONS \$750.00

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 Resolution 20240916-07. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

NOTARIES

Pamela G. Brazzell, Laurie Pierce, Kayla Lynn Lewis, Charles L. Hicks and Shearon R. Bain

Motion was made by Commissioner Melton and seconded by Commissioner Nunnery to approve notaries. On a voice vote 16 Ayes, 0 No, and 1 Absent. Motion Carries.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

SUSPEND THE RULES

Motion was made by Commissioner Burke and seconded by Commissioner Lashlee to suspend the rules to bring Resolution No. 20240916-08 and Resolution No. 20240916-09 to the floor. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed to Suspend the Rules.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-08

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 16, 2024

A RESOLUTION by Sheriff Ken Christopher, to appropriate and budget funds in the amount of \$ 14, 595.00 the Law Enforcement Equipment line item for expenditure.

WHEREAS, during the '23 – '24 fiscal year, the Benton County Sheriff's Office was approved to purchase the equipment to outfit a patrol car and,

WHEREAS, funds were budgeted for this purpose at that time, however, procurement delays caused the department to be unable to complete the work prior to the close of the fiscal year and,

WHEREAS, it is necessary to appropriate the necessary funds to pay for the purchase and installation of said equipment.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of September, 2024 that funds in the amount of \$14,595.00 be budgeted in the following manner:

DECREASE REVENUES:

| | | |
|-----------|-------------------------|--------------------|
| 122.39000 | Unassigned Fund Balance | \$14,595.00 |
| | | \$14,595.00 |

INCREASE EXPENDITURES:

| | | |
|---------------|---------------------------|--------------------|
| 122.54150.716 | Law Enforcement Equipment | \$14,595.00 |
| | | \$14,595.00 |

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 Commissioner Melton and second by Commissioner Price to approve Resolution 20240916-08. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20240916-09

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 16, 2024

A RESOLUTION by Mayor Mark Ward to budget funds in the amount of \$ 5872.50, received as a reimbursement from the Health Department Cares Grant, to a proper line item for expenditures within the ARPA budget.

WHEREAS, funds were received as reimbursement by Benton County from the Health Department Cares Grant; and

WHEREAS, in order to properly position these funds, they must be budgeted to a proper expenditure line item; and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 16th day of September, 2024 that funds be budgeted as follows:

DECREASE:

127.46390 OTHER HEALTH & WELFARE GRANTS \$ 5872.50

INCREASE:

127.58831.701 BUILDING IMPROVEMENTS \$ 5872.50

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 Hall to approve Resolution 20240916-09. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.


MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

ANY OTHER BUSINESS

Chairman Rosanne K. Ward-West Tennessee Commission Meeting will be next Thursday

Ms. Jennifer Wheatly- Bringing food to the upcoming Commission Meeting in October at 5:00 p.m.

Commissioner Darrell Hicks-Called to inform Commissioners of his intent to resign as 6th District Commissioner and to inform Commissioners that they will need to nominate and elect a new 6th District Commissioner to fill his vacancy

Commissioner Rocky Presson- Received Email regarding Rehab Program

Commissioner Keith Arnold asked for a motion to be made allowing County Attorney, James W. Melton to send a letter to 1st District Commissioner Stephen Stokes to either resign his position as 1st District Commissioner or show up and do what Commissioner Stokes was elected to do as Benton County's 1st District Commissioner

Motion was made by Commissioner Arnold and seconded by Commissioner Douglas to allow County Attorney, James W. Melton to send a letter to 1st District Commissioner Stephen Stokes. On a roll call vote 16 Ayes, 0 No, and 2 Absent. Motion Passed.



MARK WARD, COUNTY MAYOR


WANDA MALIN, COUNTY CLERK

ADJOURNMENT

Motion was made by Commissioner Arnold and seconded by Commissioner Hall to adjourn the meeting. On roll a call vote 16 Ayes, 0 No, and 2 Absent. Motion Carries.

WANDA MALIN, COUNTY CLERK, DO CERTIFY THIS TO BE A TRUE AND COMPLETE COPY OF THE SEPTEMBER 16, 2024, BENTON COUNTY COMMISSION MEETING.


COUNTY MAYOR, MARK WARD


COUNTY CLERK, WANDA MALIN