

State of Tennessee  
County of Henry..

Be it remembered that the County Commission met in a regular session at the Courthouse in Henry County, Tennessee on August 17, 2009 At 7:00 PM.  
PRESENT AND PRESIDING the Honorable Brent Greer, Chairman, Jerry D. Bomar, Clerk, and the County Commissioners.

ITEM NO. 1 The meeting was called to order by Sheriff Monte Belew.

ITEM NO. 2 Chairman Greer called on Kenneth Humphreys to lead the invocation.

ITEM NO. 3 Commissioner Wirgau led the pledge to the flag.

ITEM NO. 4 Roll Call

The Clerk called the roll with the following present:  
Earl Anderson, Dell Carter, Mitchell Evans, Bobby Freeman, Jeff Hamlin, Kenneth Humphreys, Don Jones, Paul Mathenia, Connie McSwain, Paul Neal, Dan Paschall, James Travis, Mary Warren, David Webb, Tim Wirgau.

ITEM NO. 5 Citizen's Forum

Chairman Greer recognized Boy Scouts Troup 28 and their leaders that were in attendance working on their Citizenship badges and some were recognized for their work on pressure washing around the court house for Community service.

NO COMMENTS AND THE CHAIR CLOSED THE FORUM

ITEM NO. 6 Commissioner's Forum

NO COMMENTS AND THE CHAIR CLOSED THE FORUM

ITEM NO. 7 Consent Agenda

A motion was made by Paul Mathenia and seconded by Jeff Hamlin to approve the consent agenda which consisted of the following:  
Minutes of the July 20, 2009 and special meeting of August 3, 2009 approved, various monthly reports, report of property tax and total revenue Collections to date and the following notary publics:  
Bruce A. Smith, C. David Millard, Sheila French, Linda Knox, & Donna W. Stephens.

VOICE VOTE CARRIED

ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
 PARIS, TENNESSEE

A discussion of the Ameresco energy plan was held and a motion was made by Paul Mathenia and seconded by Dell Carter that Mayor Brent Greer be given the authority To proceed with the full scope of the project of the energy plan if he is able to obtain A grant of at least One hundred thousand (\$100,000.00) dollars and an interest of four (4) per cent or less on the remainder of the loan.

ITEM NO. 8

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL				X	X			
EVANS, MITCHELL					X			
FREEMAN, BOBBY					X			
HAMLIN, JEFF					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
MATHENIA, PAUL			X		X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
PASCHALL, DAN						X		
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM					X			
TOTAL					14	1		

DATE : 08/17/2009

MOTION CARRIED

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Dan Paschall and seconded by Mitchell Evans to approve Resolutions #1-08-09 and 2-08-09 authorizing transfers in certain budgets.

ITEM NO. 9

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL					X			
EVANS, MITCHELL				X	X			
FREEMAN, BOBBY					X			
HAMLIN, JEFF					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
PASCHALL, DAN			X		X			
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM					X			
TOTAL					15			

DATE : 08/17/2009

MOTION CARRIED

000550

**RESOLUTION #1-08-09**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY GENERAL FUND  
FOR FISCAL 2009-2010**

**WHEREAS**, the Board of County Commissioners of Henry County, Tennessee at its August Special Session, 2009, adopted the budget for the Henry County General Fund for fiscal 2009-2010; and,

**WHEREAS**, the said Board of County Commissioners of Henry County, Tennessee must authorize and approve any and all changes and amendments of the said budget of the Henry County General Fund; and,

**WHEREAS**, the expenditures authorized in the said budget of the Henry County General Fund will be insufficient in certain line items with funds being available for transfer; and,

**WHEREAS**, it is necessary and appropriate that the said budget of the Henry County General Fund be amended to provide additional funds for certain line items.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Henry County, Tennessee assembled in regular session on this the 17<sup>th</sup> day of August 2009, a majority or more of said membership concurring, that the budget for the Henry County General Fund be and hereby is amended as follows, to-wit:

**SHERIFF'S DEPARTMENT AND JAIL**

INCREASE REVENUE ACCOUNT 47307, entitled "ARRA Grant," in the amount of \$29,710.00

INCREASE ACCOUNT 58812-716, entitled "Law Enforcement Equipment," in the amount of \$29,710.00

INCREASE ACCOUNT 54210-160-019, entitled "Correctional Officer - Salary," in the amount of \$26,400.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$26,400.00

Please see attached request from Monte Belew.

**CONTRIBUTIONS TO OTHER AGENCIES**

INCREASE REVENUE ACCOUNT 47990, entitled "Other Direct Federal Revenue," in the amount of \$13,996.00

INCREASE ACCOUNT 58500-358, entitled "Remittance of Revenue Collected," in the amount of \$13,996.00

This amendment is for the Shelter Plus Care Grant.

**BE IT FURTHER RESOLVED** that a true copy of this Resolution be spread upon

the Commission record of this date.

PASSED 8.17.09



BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION



JERRY D. BOMAR  
COUNTY CLERK

APPROVED 8.17.09



BRENT GREER  
COUNTY MAYOR

**RESOLUTION #2-08-09**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY CENTRAL CAFETERIA FUND  
FOR FISCAL 2009-2010**

**WHEREAS**, the Board of County Commissioners of Henry County, Tennessee at its August Special Session, 2009, adopted the budget for the Henry County Central Cafeteria Fund for fiscal 2009-2010; and,

**WHEREAS**, the said Board of County Commissioners of Henry County, Tennessee must authorize and approve any and all changes and amendments of the said budget of the Henry County Central Cafeteria Fund; and,

**WHEREAS**, the expenditures authorized in the said budget of the Henry County Central Cafeteria Fund will be insufficient in certain line items with funds being available for transfer; and,

**WHEREAS**, it is necessary and appropriate that the said budget of the Henry County Central Cafeteria Fund be amended to provide additional funds for certain line items.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Henry County, Tennessee assembled in regular session on this the 17<sup>th</sup> day of August 2009, a majority or more of said membership concurring, that the budget for the Henry County Central Cafeteria Fund be and hereby is amended as follows, to-wit:

INCREASE REVENUE ACCOUNT 47115, entitled "USDA ARRA Grant Funds for Equipment," in the amount of \$25,000.00

INCREASE ACCOUNT 73100-710-HS, entitled "Food Service Equipment," in the amount of \$25,000.00

**BE IT FURTHER RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED 8-17-09

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
JERRY D. BOMAR  
COUNTY CLERK

APPROVED 8-17-09  
BRENT GREER  
COUNTY MAYOR

ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
PARIS, TENNESSEE

Resolution #3-08-09 was presented to authorize changes in the budget for the County Debt Service Fund for the fiscal year 2009-2010. A motion was made by Dan Paschall And seconded by Jeff Hamlin to approve the resolution as presented.

ITEM NO. 10

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL					X			
EVANS, MITCHELL					X			
FREEMAN, BOBBY					X			
HAMLIN, JEFF				X	X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
PASCHALL, DAN			X		X			
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM					X			
TOTAL					15			

DATE : 08/17/2009

MOTION CARRIED

RESOLUTION #3-08-09

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY DEBT SERVICE FUND  
FOR FISCAL 2009-2010

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its August Special Session, 2009, adopted the budget for the Henry County Debt Service Fund for fiscal 2009-2010; and,

WHEREAS, the said Board of County Commissioners of Henry County, Tennessee must authorize and approve any and all changes and amendments of the said budget of the Henry County Debt Service Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Debt Service Fund will be insufficient in certain line items with funds being available for transfer; and,

WHEREAS, it is necessary and appropriate that the said budget of the Henry County Debt Service Fund be amended to provide additional funds for certain line items.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Henry County, Tennessee assembled in regular session on this the 17<sup>th</sup> day of August 2009, a majority or more of said membership concurring, that the budget for the Henry County Debt Service Fund be and hereby is amended as follows, to-wit:

INCREASE ACCOUNT 82110-602-001, entitled "Principal on Notes," in the amount of \$19,006.00

INCREASE ACCOUNT 82210-604-001, entitled "Interest on Notes," in the amount of \$825.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$19,831.00

BE IT FURTHER RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED 8-17-09



BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION



JERRY D. BOMAR  
COUNTY CLERK

APPROVED 8-17-09



BRENT GREER  
COUNTY MAYOR



ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Mitchell Evans and seconded by Bobby Freeman to approve Resolution #4-8-09 authorizing the issuance of interest bearing capital outlay notes not To exceed \$233,715 and providing for the payment of said notes.

ITEM NO. 11

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL					X			
EVANS, MITCHELL			X		X			
FREEMAN, BOBBY				X	X			
HAMLIN, JEFF					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
PASCHALL, DAN					X			
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM					X			
TOTAL					15			

DATE : 08/17/2009

MOTION CARRIED

**RESOLUTION NO. 4-8-09**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE OF INTEREST BEARING CAPITAL OUTLAY NOTES NOT TO EXCEED \$233,715 AND PROVIDING FOR THE PAYMENT OF SAID NOTES**

**WHEREAS**, the Governing Body of Henry County, Tennessee, (the "Local Government") has determined it is necessary and desirable to establish a Henry County Capital Projects Fund for the benefit of the citizens of the Local Government; and

**WHEREAS**, the Governing Body has determined that the Project, named in attachment "A", will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

**WHEREAS**, under the provisions of Parts I, IV, and VI of the 1986 Tennessee Public Acts, Chapter 770 (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the State Director of Local Finance; and

**WHEREAS**, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of Henry County, Tennessee, as follows:

**SECTION 1.** That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the County Mayor of the Local Government is hereby authorized in accordance with the terms of this Resolution to issue and sell interest bearing capital outlay notes in a principal amount not to exceed Two Hundred Thirty Three, Seven Hundred Fifteen Thousand Dollars (\$233,715) (the "Notes") at either a competitive

public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions of the Act. The Notes shall be designated "2009 Capital Projects Capital Outlay Notes, Series 2000"; shall be numbered serially from one (1) upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon with the purchaser; shall be sold at not less than ninety-nine percent (99%) of par value and accrued interest; and shall bear interest at a rate or rates not to exceed eight percent (8%) per annum, and in no event shall the rate exceed the legal limit provided by law.

SECTION 2. That, the Notes shall mature not later than ten (10) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least ten (10) years. Provided, however, that each year the Notes are outstanding, one-tenth (1/10) but in no event less than one-twelfth (1/12) of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

SECTION 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or if sold at par, with or without a premium not exceeding one percent (1%) of the principal amount.

SECTION 4. That, the Notes shall be direct general obligations of the Local Government and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy

and collection of a specific tax on all taxable property of the Local Government over and above all other taxes authorized by the Local Government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

SECTION 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the Chief Executive Officer of the Local Government and the manual signature of the County Clerk with the Local Government Seal affixed thereon; and shall be payable as to principal and interest at the office of the County Trustee of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the County Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and is as required by law.

SECTION 6. That, the Notes shall be issued in fully registered form and, that at all times during which any Note remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register for the registration, and exchange or transfer of the Notes. The note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner or the owners duly authorized attorney. Upon the transfer of any such Note,

the Local Government shall issue in the name of the transferee a new registered Note or Notes of the same aggregate principal amount and maturity as the surrendered Note. The Local Government shall not be obligated to make any such note transfer during the fifteen (15) days next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

SECTION 7. That, the Notes shall be substantially the form attached hereto and shall recite that the Notes are issued pursuant to the Act.

SECTION 8. That, the Notes shall be sold only after the receipt of the written approval of the State Director of Local Finance for the sale of the Notes.

SECTION 9. That, after the issuance and sale of the Notes, and for each year that any of the Notes are outstanding, the Local Government shall submit its annual budget to the State Director of Local Finance for approval immediately upon the Local Government's adoption of the budget.

SECTION 10. That, if any of Notes shall remain unpaid at the end of ten (10) years from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government, or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approved by the State Director of Local Finance.

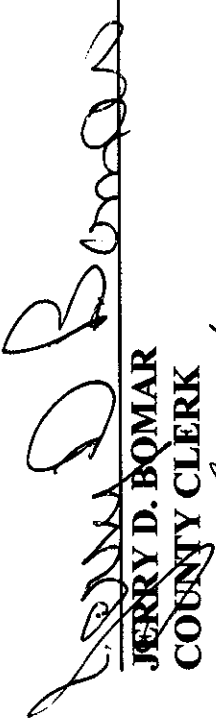
SECTION 11. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective upon its passage and approval by the County Executive.

Duly passed and approved this 17<sup>th</sup> day of August, 2009.

010500

PASSED 8-17-09

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
JERRY D. BOMAR  
COUNTY CLERK

APPROVED 8-17-09

  
BRENT GREER  
HENRY COUNTY MAYOR

## ATTACHMENT "A"

### CAPITAL PROJECTS

<b><u>General Admin</u></b>	
Airport Improvements	34,534
Building Improvements	41,000
Communication Equipment	6,005
Data Processing	11,000
Furniture and Fixtures	5,000
A/C Heating	14,000
Law Enforcement Equipment	40,000
Motor Vehicles	97,307
Right of Way	209,674
Transportation Equipment	35,000
Other Construction	48,784
Other Capital Outlay	5,000

<b><u>Administration Justice</u></b>	
Building Improvements	336
Furniture and Fixtures	628

<b><u>Other General Government</u></b>	
Other Construction	455,000
Other Capital Outlay	<u>35,000</u>
	1,038,968

Total Capital Outlay	1,038,968
Re-Budgeted	< 799,253 >
Transfer Inc.	< <u>6,000</u> >

New Capital Outlay Requested <233,715 >

ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Dell Carter and seconded by Jeff Hamlin to approve resolution  
 #5-08-09 to quit-claim a portion of Laxton Drive to James T. Treace.

ITEM NO. 12

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL			X		X			
EVANS, MITCHELL					X			
FREEMAN, BOBBY					X			
HAMLIN, JEFF				X	X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
PASCHALL, DAN					X			
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM					X			
TOTAL					15			

DATE : 08/17/2009

MOTION CARRIED



**RESOLUTION NO. 5-08-09**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE  
BOARD OF COMMISSIONERS TO QUIT-CLAIM  
A PORTION OF LAXTON DRIVE TO JAMES T. TREACE**

**WHEREAS**, the Henry County Road Board has recommended to quit-claim a portion of Laxton Drive in the Lake Hill Beach Estates Subdivision to James T. Treace; and

**WHEREAS**, Section 8, Chapter 326 of the Private Acts of 1972 requires the County Commission to act on the recommendation of the Road Board and "in accordance with the General State Law."

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session this 17<sup>th</sup> day of July, 2009, a majority or more of the membership concurring, does hereby authorize, empower, and direct the County Mayor to proceed according to general law, Tennessee Code Annotated § 54-10-201 et seq., concerning a quit-claim deed for the portion of Laxton Drive in the Lake Hill Beach Estates Subdivision as per the attached document with James T. Treace to be the grantee of same.

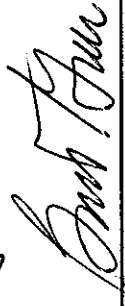
**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

**PASSED** 8.17.09

  
\_\_\_\_\_  
**BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION**

  
\_\_\_\_\_  
**JERRY D. BOMAR  
COUNTY CLERK**

**APPROVED** 8.17.09

  
\_\_\_\_\_  
**BRENT GREER  
HENRY COUNTY MAYOR**

ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
 PARIS, TENNESSEE

Resolution #6-08-09 was presented to prohibit handguns in the Henry County Sports Complex. A motion was made by Tim Wirgau and seconded by Paul Mathenia to Dismiss this resolution.

ITEM NO.13

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL						X		
CARTER, DELL						X		
EVANS, MITCHELL						X		
FREEMAN, BOBBY					X			
HAMLIN, JEFF					X			
HUMPHREYS, KENNETH						X		
JONES, DON					X			
MATHENIA, PAUL				X	X			
MCSWAIN, CONNIE						X		
NEAL, PAUL					X			
PASCHALL, DAN						X		
TRAVIS, JAMES						X		
WARREN, MARY						X		
WEBB, DAVID						X		
WIRGAU, TIM			X		X			
TOTAL					6	9		

DATE :08/17/2009

MOTION FAILED

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Kenneth Humphreys and seconded by Dan Paschall to approve Resolution 6-8-09 prohibiting handguns in the Henry County Sports Complex, walking Trail at 315 South Wilson Street, Paris, Tennessee.

ITEM NO. 14

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL					X			
EVANS, MITCHELL					X			
FREEMAN, BOBBY					X			
HAMLIN, JEFF						X		
HUMPHREYS, KENNETH			X		X			
JONES, DON						X		
MATHENIA, PAUL						X		
MCSWAIN, CONNIE					X			
NEAL, PAUL						X		
PASCHALL, DAN				X	X			
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM						X		
TOTAL					10	5		

DATE : 08/17/2009                      MOTION CARRIED

070562

**RESOLUTION NO. 6-08-09**

**A RESOLUTION TO PROHIBIT HANDGUNS IN PUBLIC MUNICIPAL PARKS, NATURAL AREAS, HISTORIC PARKS, NATURE TRAILS, CAMPGROUNDS, FORESTS, GREENWAYS, WATERWAYS, OR OTHER SIMILAR PUBLIC PLACES**

**WHEREAS**, prior to September 1, 2009, *Tennessee Code Annotated* § 39-17-1311, essentially made carrying weapons in municipally owned parks, playgrounds, civic centers, or other building facilities a Class A misdemeanor; and

**WHEREAS**, Public Chapter No. 428 (House Bill 716 and Senate Bill 976) of the 106<sup>th</sup> General Assembly, as adopted, removed the above mentioned prohibitions in public parks for persons authorized to carry handguns pursuant to *Tennessee Code Annotated* § 39-17-1351; and

**WHEREAS**, Public Chapter No. 428 of the 106<sup>th</sup> General Assembly permits municipal and county governments to prohibit, by resolution, the carrying of handguns while within a public park that is owned or operated by a county, a municipality, or their instrumentalities; and

**WHEREAS**, the Henry Commission desires to continue prohibiting the carrying of handguns in the Henry County Sports Complex, walking trail located at 315 South Wilson St., Paris, Tennessee.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of Henry County, Tennessee, as follows:

**SECTION 1.** Any person authorized to carry a handgun under *Tennessee Code Annotated* § 39-17-1351, is prohibited from possessing any handgun while within a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway, or other similar public place that is owned or operated by the City of Paris or any of its instrumentalities. This prohibition of handguns within any municipal park applies to the entire park, notwithstanding the provisions of T.C.A. § 39-17-1311(b)(1)(I). However, this resolution does not prohibit lawful possession of any handgun in accordance with T.C.A. § 39-17-1311(b)(1)(A)-(H).

**SECTION 2.** The County shall display signs in prominent locations about the public recreational property, at least six inches (6”) high and fourteen inches (14”) wide, stating:

MISDEMEANOR. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND A FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

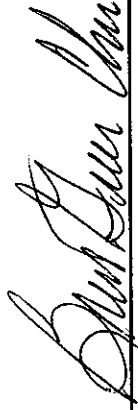
**SECTION 3.** If a part of this Resolution is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this Resolution is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

**SECTION 4.** This resolution shall take effect on and after its final passage and adoption, the welfare of the City of Paris requiring it.

**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon

the Commission record of this date.

**PASSED** 8.17.09



**BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION**



**JERRY D. BOMAR  
COUNTY CLERK**



**BRENT GREER  
HENRY COUNTY MAYOR**

**APPROVED** 8.17.09

ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
 PARIS, TENNESSEE

ITEM NO. 15 A motion was made by Dan Paschall and seconded by Kenneth Humphreys to suspend the rules to consider Resolution #7-08-09. VOICE VOTE CARRIED

A motion was made by Dan Paschall and seconded by Jeff Hamlin to approve Resolution #7-08-09 to authorize giving surplus property from the Sheriff's Department to Henry School.

ITEM NO. 16

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
CARTER, DELL					X			
EVANS, MITCHELL					X			
FREEMAN, BOBBY					X			
HAMLIN, JEFF				X	X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
PASCHALL, DAN			X		X			
TRAVIS, JAMES					X			
WARREN, MARY					X			
WEBB, DAVID					X			
WIRGAU, TIM					X			
TOTAL					15			

DATE : 08/17/2009

MOTION CARRIED

**RESOLUTION NO. 7-08-09**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
HENRY COUNTY, TENNESSEE TO AUTHORIZE GIVING  
SURPLUS PROPERTY TO HENRY SCHOOL**

**WHEREAS**, the Henry County Sheriff's Department has declared certain property to be surplus and of no value to the County; and

**WHEREAS**, the Henry County Sheriff's Department declares all of the property on the attached list to be surplus property; and

**WHEREAS**, the scrap metal is to be surplus property to the Henry School.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 17<sup>th</sup> day of August, 2009, a majority or more of the membership concurring, that the attached list of items be declared surplus property.

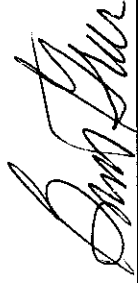
**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

**PASSED** 8-17-09

  
**BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION**

**APPROVED** 8-17-09

  
**JERRY D. BOMAR  
COUNTY CLERK**

  
**BRENT GREER  
COUNTY MAYOR**

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, JERRY D. BOMAR, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made Mitchell Evans and seconded by Earl Anderson to adjourn

ITEM NO. 17

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL				X				
CARTER, DELL								
EVANS, MITCHELL			X					
FREEMAN, BOBBY								
HAMLIN, JEFF								
HUMPHREYS, KENNETH								
JONES, DON								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
PASCHALL, DAN								
TRAVIS, JAMES								
WARREN, MARY								
WEBB, DAVID								
WIRGAU, TIM								
TOTAL								

DATE : 08/17/2009

VOICE VOTE CARRIED