

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 October 18, 2010 at 7:00 PM. Present and presiding the Honorable Brent Greer, Chairman, Donna Craig, Clerk, and the County Commissioners.

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

ITEM NO. 2 Commissioner James Travis led in the invocation.

ITEM NO. 3 The pledge to the flag was led by Commissioner Kreg Kyle.

ITEM NO. 4 The Clerk called the roll with the following present:  
Earl Anderson, Wesley Bradley, Dell Carter, Bobby Freeman, Kenneth Humphreys, Don Jones, Kreg Kyle, Paul Mathenia, Paul Neal, Dan Paschall, James Travis, Marty Visser, David Webb. Connie McSwain and Mary Warren were absent.

ITEM NO 5. County Mayor Brent Greer presented John Krezinski a proclamation and naming October 18, 2010 John Krezinski Day in Henry County. Sheriff Monte Belew presented John with a Loyal Patriot Award for all the volunteer work he has done for Henry County.

ITEM NO 6. Citizen Forum

NONE AND THE CHAIR CLOSED

ITEM NO 7. Commissioner's Forum

NONE AND THE CHAIR CLOSED

ITEM NO 8. Consent Agenda

A motion was made by Commissioner Freeman and seconded by Commissioner Neal to approve the Consent Agenda which consisted of the following: Minutes of the meeting of September 20, 2010, Approval of quarterly reports, Report of total revenue collection and property tax collection to date and the following notary publics: Molly Gallimore, Ronald L. Green, Sharyn L. Heath, Jennifer M. McSwain, Kate E Rhodes, and Connie L. Schaefer.

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Commissioner Paschall and seconded by Commissioner Kyle to approve Resolution 1-10-10 authorizing the submittal of an application to the TN Department of Economic & Community Development Block Grant Industrial Loan Program Funds.

ITEM NO. 9

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG				X	X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
PASCHALL, DAN			X		X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				13			

DATE: 10-18-2010

MOTION CARRIED

**RESOLUTION NO. 1-10-10**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD  
OF COMMISSIONERS AUTHORIZING THE SUBMITTAL OF AN  
APPLICATION TO THE TENNESSEE DEPARTMENT OF  
ECONOMIC & COMMUNITY DEVELOPMENT BLOCK GRANT  
INDUSTRIAL LOAN PROGRAM FUNDS  
(CDBG/ILP)**

**WHEREAS**, the governing body of Henry County, Tennessee, have determined that the provision of job opportunities for the unemployed and underemployed is essential to the economic growth of the County they represent; and

**WHEREAS**, the Board has determined that a project involving the purchase of equipment for a company that wishes to locate in Henry County now coming before this Board is eligible for Community Development Block Grant – Industrial Loan Program funds and will create new jobs and promote economic growth; and

**WHEREAS**, the governing body of Henry County, Tennessee, having committed itself to the improvement of the community that it represents, wishes to make application for the funding of up to \$600,000, in loan funds to implement the aforementioned improvements and the company that shall remain undisclosed at this time will commit twenty percent of the loan amount as their share of the total project cost of up to \$600,000.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of Henry County, Tennessee, meeting in regular session on this 18<sup>th</sup> day of October, 2010, a majority or more of the membership concurring, that the County Mayor of Henry County is authorized to sign an application for CDBG funds, for the proposed project, and to sign any and all necessary assurances, agreements or contacts required for the recipients of CDBG/ILP funds.


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

**PASSED 10-18-10**

  
**BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION**

  
**DONNA CRAIG  
COUNTY CLERK**

**APPROVED 10-18-10**

  
**BRENT GREER  
HENRY COUNTY MAYOR**

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Commissioner Humphreys and seconded by Commissioner Anderson to approve Resolution 2-10-10, 3-10-10, 4-10-10 to authorize certain changes in the budget for Henry County General Fund and General School Funds.

RESOLUTION 2-10-10

ITEM NO. 10

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL				X	X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH			X		X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
PASCHALL, DAN					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				13			

DATE : 10-18-2010

MOTION CARRIED

**RESOLUTION #2-10-10**

**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 2010-2011**

**WHEREAS**, the Board of County Commissioners of Henry County, Tennessee at its August Regular Session, 2010, adopted the budget for the Henry County General Fund for fiscal 2010-2011; 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 18<sup>th</sup> day of October 2010, 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 OFFICE**

INCREASE ACCOUNT 54110-148-002, entitled "Dispatcher," in the amount of \$77.00

INCREASE ACCOUNT 54110-162-002, entitled "Clerical," in the amount of \$145.00

DECREASE ACCOUNT 54110-148-001, entitled "Dispatcher," in the amount of \$222.00

INCREASE ACCOUNT 54110-711, entitled "Furniture & Fixtures," in the amount of \$700.00

DECREASE ACCOUNT 54110-162-337, entitled "Maintenance & Repair - Equipment," in the amount of \$700.00

Please see attached memo from Sheriff Belew regarding this request.

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

PASSED 10-18-10



BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION



DONNA CRAIG  
COUNTY CLERK

APPROVED 10-18-10



BRENT GREER  
COUNTY MAYOR

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

The vote to approve Resolution 3-10-10 is as follows.

ITEM NO. 11

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
PASCHALL, DAN						X		
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				12	1		

DATE : 10-18-2010

MOTION CARRIED

**RESOLUTION #3-10-10**

**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 2010-2011**

**WHEREAS**, the Board of County Commissioners of Henry County, Tennessee at its August Regular Session, 2010, adopted the budget for the Henry County General Fund for fiscal 2010-2011; 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 18<sup>th</sup> day of October 2010, 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:

**CHANCERY COURT**

INCREASE ACCOUNT 53800-709, entitled "Computer Equipment," in the amount of \$2,733.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$2,733.00

**PROBATE COURT**

INCREASE ACCOUNT 53800-337, entitled "Maintenance & Repair - Equipment," in the amount of \$500.00

INCREASE ACCOUNT 53800-348, entitled "Postage," in the amount of \$350.00

INCREASE ACCOUNT 53800-349, entitled "Printing, Stationery & Forms," in the amount of \$250.00

INCREASE ACCOUNT 53800-435, entitled "Office Supplies," in the amount of \$1,000.00

INCREASE ACCOUNT 53800-524, entitled "In Service/Staff Development," in the amount of \$150.00

INCREASE ACCOUNT 53800-711, entitled "Furniture & Fixtures," in the amount of \$1,350.00




INCREASE ACCOUNT 53800-719, entitled "Office Equipment," in the amount of \$200.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$3,800.00


Please see attached memos from Mary Burns regarding this request.

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


PASSED 10-18-10

  
BRENT GREER, CHAIRMAN

HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 10-18-10

  
BRENT GREER  
COUNTY MAYOR

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

The vote to approve Resolution 4-10-10 is as follows.

ITEM NO. 12

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
PASCHALL, DAN					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				13			

DATE : 10-18-2010

MOTION CARRIED

**RESOLUTION #4-10-10**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET FOR THE HENRY COUNTY GENERAL PURPOSE SCHOOL FUND FOR FISCAL 2010-2011**

**WHEREAS**, the Board of County Commissioners of Henry County, Tennessee at its August Regular Session, 2010, adopted the budget for the Henry County General Purpose School Fund for fiscal 2010-2011; 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 Purpose School Fund; and,

**WHEREAS**, the expenditures authorized in the said budget of the Henry County General Purpose School 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 Purpose School 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 18<sup>th</sup> day of October 2010, a majority or more of said membership concurring, that the budget for the Henry County General Purpose School Fund be and hereby is amended as follows, to-

wit:

INCREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$1,079.00

DECREASE REVENUE ACCOUNT 47590, entitled "TN Cares Grant," in the amount of \$66,599.00

INCREASE REVENUE ACCOUNT 47590, entitled "TN Cares Grant," in the amount of \$1,079.00

DECREASE ACCOUNT 73300-399, entitled "Other Contracted Services," in the amount of \$35,039.00

DECREASE ACCOUNT 73300-499, entitled "Other Supplies & Materials," in the amount of \$21,230.00

DECREASE ACCOUNT 73300-599, entitled "Other Charges," in the amount of \$10,330.00

DECREASE REVENUE ACCOUNT 46515, entitled "Early Childhood Education Grant," in the amount of \$7,169.34

INCREASE ACCOUNT 73400-201, entitled "Social Security," in the amount of \$.50

DECREASE ACCOUNT 73400-204, entitled "State Retirement," in the amount of \$297.74

DECREASE ACCOUNT 73400-207, entitled "Medical Insurance," in the amount of \$33,326.00

INCREASE ACCOUNT 73400-210, entitled "Unemployment," in the amount of \$104.00

DECREASE ACCOUNT 73400-212, entitled "Medicare," in the amount of \$212.69


DECREASE ACCOUNT 73400-422, entitled "Food Supplies," in the amount of \$694.00

INCREASE ACCOUNT 73400-429, entitled "Instruction Supplies & Materials," in the amount of \$16,402.59

INCREASE ACCOUNT 73400-499, entitled "Other Supplies & Materials," in the amount of \$10,854.00

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

PASSED 10-18-10

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 10-18-10

  
BRENT GREER  
COUNTY MAYOR

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Humphreys and seconded by Commissioner Paschall for consideration of motion to rescind Resolution 3-8-10.

ITEM NO. 13

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL								
BRADLEY, WESLEY								
CARTER, DELL								
FREEMAN, BOBBY								
HUMPHREYS, KENNETH			X					
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE	X							
NEAL, PAUL								
PASCHALL, DAN				X				
TRAVIS, JAMES								
VISSER, MARTY								
WARREN, MARY	X							
WEBB, DAVID								
TOTAL	2							

DATE : 10-18-2010

VOICE VOTE CARRIED

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Commissioner Anderson and seconded by Commissioner Kyle to approve the Resolution 5-10-10 to authorize the issuance, sales and payment of capital outlay notes not to exceed \$148,000.

ITEM NO. 14

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL			X		X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG				X	X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
PASCHALL, DAN					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				13			

DATE: 10-18-2010

MOTION CARRIED

**RESOLUTION NO. 5-10-10**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE  
BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE, SALE,  
AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO  
EXCEED \$148,000**

WHEREAS, the Governing Body of Henry County, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project (the "Project"): Capital Outlay Note 2010-2011 Fiscal Year (See Attachment).

WHEREAS, the Governing Body has determined that the Project 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 Title 9, Chapter 21, Tennessee Code Annotated (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 Chief Executive Officer 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 one-hundred forty-eight thousand dollars (\$148,000) (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 permitted by law. The Notes shall be designated "2010 Capital Outlay Notes, Series 2010a", shall be numbered serially from 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 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed .87 percent (.87%) 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 three (3) 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 See Attachment year. Provided, however, that each year the Notes are outstanding, N/A but in no event not less

than one-ninth (1/9), 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 of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged 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 special 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.

If applicable, the Notes shall be further secured by Not Applicable.

(If the revenues generated by Project are to be applied as additional security for the Notes, describe such revenues here.)

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 Mayor 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 as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a 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 of the registered owner's 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 Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of 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 in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

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, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986.


Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

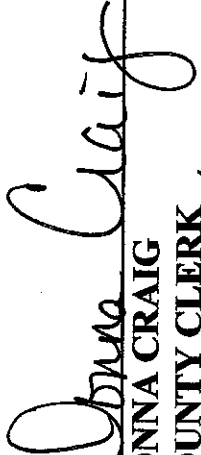
Section 11. That, if any of the Notes shall remain unpaid at the end of three (3) years from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approval by the State Director of Local Finance.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

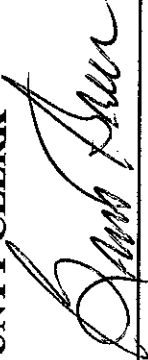
Duly passed and approved this 18<sup>th</sup> day of October, 2010.

PASSED 10-18-10

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 10-18-10

  
BRENT GREER  
HENRY COUNTY MAYOR

ATTACHMENT "A"

CAPITAL PROJECTS

<u>General Admin</u>		<u>Economic Life</u>
Airport Improvements	26,829	20 yrs.
Building Improvements	23,066	various
Communication Equipment	6,005	5 yrs.
Data Processing	8,839	3 yrs.
Furniture and Fixtures	7,000	3 yrs.
A/C Heating	12,080	15 yrs.
Law Enforcement Equipment	32,500	3 yrs.
Motor Vehicles	93,357	3 yrs.
Right of Way	209,674	20 yrs.
Transportation Equipment	35,000	5 yrs.
Other Construction	23,150	5 yrs.
Other Capital Outlay	4,540	3 yrs.

Other General Government

Other Construction	140,018	15 yrs.
Other Capital Outlay	<u>35,000</u>	15 yrs.
	657,058	

Total Capital Outlay	657,058
Re-Budgeted Expense	< 484,558 >
Re-Budgeted Revenue	< <u>24,500</u> >

New Capital Outlay Requested      148,000

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Commissioner Mathenia and seconded by Commissioner Carter to approve the Resolution 6-10-10 to authorize the issuance, sales and payment of capital outlay notes not to exceed \$660,000.

ITEM NO. 15

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
BRADLEY, WESLEY					X			
CARTER, DELL				X	X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL			X		X			
MCSWAIN, CONNIE	X							
NEAL, PAUL						X		
PASCHALL, DAN						X		
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				11	2		

DATE : 10-18-2010

MOTION CARRIED

**RESOLUTION NO. 6-10-10**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE  
BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE, SALE,  
AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO  
EXCEED \$660,000**

WHEREAS, the Governing Body of Henry County, Tennessee, (the "Local Government") has determined that it is necessary and desirable to issue capital outlay notes in order to provide funds for the following public works project (the "Project"): For energy efficiency retro fit to various county buildings. (See Exhibit A – Scope of Work.)

WHEREAS, the Governing Body has determined that the Project 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 Title 9, Chapter 21, Tennessee Code Annotated (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 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 Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the State Director of Local Finance, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed sixty-six thousand dollars (\$660,000) (the "Notes") by an informal bid process pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "2010 Capital Outlay Notes, Series 2010b"; shall be numbered serially from 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 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed 3.22 per cent (3.22 %) 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 twelve (12) years after the date of issuance and, unless otherwise approved by the State Director of Local Finance, the Notes shall be amortized in an amount reflecting at least level debt service on the Notes approximately according to the following schedule:

<u>FISCAL YEAR</u>	<u>PRINCIPAL AMOUNT</u>	<u>FISCAL YEAR</u>	<u>PRINCIPAL AMOUNT</u>
2011-2012	\$ 67,188.23	2017-2018	\$ 67,188.23
2012-2013	\$ 67,188.23	2018-2019	\$ 67,188.23
2013-2014	\$ 67,188.23	2019-2020	\$ 67,188.23
2014-2015	\$ 67,188.23	2020-2021	\$ 67,188.23
2015-2016	\$ 67,188.23	2021-2022	\$ 67,188.23
2016-2017	\$ 67,188.23	2022-2023	\$ 67,188.21

The final maturity of the Notes shall not exceed the reasonably expected economic life of the Project which is hereby estimated to be at least equal to or greater than the life of the notes.

Section 3. That, the Notes shall be subject to such early redemption provisions as are agreeable to the Local Government and in accordance with Title 9, Chapter 21, Tennessee Code Annotated.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged 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 special 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; shall bear the manual signature of the chief executive officer of the Local Government and the manual signature of the county clerk, city recorder or other similar local government official as authorized by the governing body together with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the local government official as authorized by the Local Government or at the office of the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the county trustee, in the case of counties, or, in the case of municipalities or metropolitan governments, with the official designated by law as custodian of the funds. All proceeds shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will 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, 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 or transfer satisfactory to the Local Government duly executed by the registered owner or the registered owner's 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 Notes. 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 in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That, prior to the sale of the Notes, the Local Government shall submit a copy of this resolution authorizing the Notes to the State Director of the Local Finance for approval and a copy of the proposed disclosure statement, if any, and a statement showing the estimated annual principal and interest requirements for the Notes and a detailed statement showing the estimated cost of issuance which shall include at least the following, if applicable: (1) fiscal agent and/or financial advisor fees; (2) bond counsel fees; (3) other legal charges if any; (4) credit enhancement fees; (5) trustee fees; (6) registration fees; (7) paying agent fees; (8) rating agency fees; (9) underwriters' discount or charges; (10) remarketing agent fees; (11) printing, advertising and other expenses; (12) the number of financial institutions contacted by telephone or by letter (which should be at least three if possible) for the purpose of obtaining interest rates, and if only one institution was contacted a statement as to why only one institution was contacted.

In its request for approval, the Local Government shall state and demonstrate that the proposed sale by the informal bid process is feasible, in the best interest of the Local Government, and that the Local Government should be able to amortize the proposed indebtedness together with all the obligations then outstanding.

Section 9. The Notes shall not be sold until receipt of the State Director of Local Finance's written approval for the sale of the Notes.

Section 10. That, if so determined by bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 11. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

Section 12. That, if any of the Notes shall remain unpaid at the end of twelve (12) years from the issue date, then the unpaid Notes shall be 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 approval by the State Director of Local Finance.

Section 13. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists; and this Resolution shall become effective immediately upon its passage.


Duly passed and approved this 18<sup>th</sup> day of October, 2010.

PASSED 10-18-10

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 10-18-10

  
BRENT GREER  
HENRY COUNTY MAYOR

# EXHIBIT A – Scope of Work

Exhibit A – Conservation Measure Summary Table									
CM #	CM Name	Location							
		Airport Terminal Building	Central Community Service Center	Courthouse Annex	Courthouse	Health Department	Highway Department	Sheriff's Office & Correctional Facility	County Wide
W.1	Water Measures		✓		✓	✓			
HVAC.1	HVAC Renovations		✓	✓	✓				
EC.1	Occupancy Controlled Thermostats	✓	✓	✓	✓	✓			
E.1	Vending Machine Controls	✓	✓	✓	✓				
E.2	Plug Load Controls	✓	✓	✓	✓	✓			
BE.1	Lower & Insulate Ceiling								

## EXHIBIT A – Scope of Work

**Exhibit A - Conservation Measure Summary Table**

CM #	CM Name	Location							
		Airport Terminal Building	Central Community Service Center	Court House Annex	Court House	Health Department	Highway Department	Sheriff's Office & Correctional Facility	County Wide
L.1	Lighting Measures	✓	✓	✓	✓	✓	✓	✓	✓
L.2	Lighting Measures - Traffic Signals								✓



## **EXHIBIT A(1) – SCOPE OF WORK**

Energy Efficiency Retro Fits are expected to have an economic life to exceed debt repayment period. Projected guaranteed energy savings will fully service the debt.

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Commissioner Paschall and seconded by Commissioner Webb to suspend the Rules for consideration of Resolution 7-10-10.

ITEM NO. 16

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL								
BRADLEY, WESLEY								
CARTER, DELL								
FREEMAN, BOBBY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE	X							
NEAL, PAUL								
PASCHALL, DAN			X					
TRAVIS, JAMES								
VISSER, MARTY								
WARREN, MARY	X							
WEBB, DAVID				X				
TOTAL	2							

DATE : 10-18-2010

VOICE VOTE CARRIED

ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Humphreys and seconded by Commissioner Bradley to approve the Resolution 7-10-10 to enter into an agreement to authorize West Kentucky Rural Telephone Cooperative Corporation, INC., right of way use of Henry County property, roads, and alleys for construction of a fiber optic network system.

ITEM NO. 17

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL					X			
BRADLEY, WESLEY				X	X			
CARTER, DELL					X			
FREEMAN, BOBBY					X			
HUMPHREYS, KENNETH			X		X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
PASCHALL, DAN					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WARREN, MARY	X							
WEBB, DAVID					X			
TOTAL	2				13			

DATE : 10-18-2010

MOTION CARRIED

**RESOLUTION NO. 7-10-10**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO ENTER INTO AN AGREEMENT TO AUTHORIZE WEST KENTUCKY RURAL TELEPHONE COOPERATIVE CORPORATION, INC., RIGHT OF WAY USE OF HENRY COUNTY PROPERTY, ROADS, AND ALLEYS FOR CONSTRUCTION OF A FIBER OPTIC NETWORK SYSTEM**

**WHEREAS**, Henry County, Tennessee, Tennessee Board of Commissioners authorizes the County Mayor to enter into an agreement to authorize West Kentucky Rural Telephone Cooperative Corporation, Inc., (WK&T) right of way use of Henry County property, roads, and alleys for construction of a Fiber to the Home (FTTH) broadband fiber optic network system; and

**WHEREAS**, the Governing Body of Henry County, Tennessee has determined that the citizens served by West Kentucky Rural Telephone Cooperative Corporation, Inc. will be enhanced by the construction of Fiber to the Home (FTTH) broadband fiber optic network system; and

**WHEREAS**, the Board finds it necessary to allow WK &T to use county right of way to distribute and construct its fiber optic network system; and

**WHEREAS**, WK&T agrees to construct said fiber optic network system under the following agreements:

1. WK&T will locate the buried facilities on county road right of way along Henry County roads to all WK&T subscribers in its territory. See attachment A.
2. WK&T will place the cable and facilities as close to the outside edge of the county road right of way as practical. Cable and under road boring will be a minimum of 36" and will comply with Tennessee Department of Transportation.
3. WK&T will repair and reseed all disturbed ground to return the county right of way to at least its condition prior to the construction. WK&T

will follow up over a six-month period to ensure the repair and reseedling is successful.


4. WK&T will obtain prior to construction all federal, state, and county environmental requirements and permits. Documentation will be on file for review if requested.


5. The construction will conform to all applicable state and federal rules and regulations. A typical construction of buried fiber optic cable, hand holes, and utility warning signs is provided in Attachment B.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 18<sup>th</sup> day of October, 2010, a majority or more of the membership concurring, that the West Kentucky Rural Telephone Cooperative Corporation, Inc. be authorized to use Henry County right of way to construct its fiber optic network.


**BE IT FURTHER RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date and a certified copy be sent to West Kentucky Rural Telephone Cooperative Corporation, Inc. for their records.

**PASSED** 10-18-10

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

  
**DONNA CRAIG**  
**COUNTY CLERK**

**APPROVED** 10-18-10

  
**BRENT GREER**  
**HENRY COUNTY MAYOR**

ROLL CALL  
 COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
 PARIS, TENNESSEE

A motion was made by Dell Carter and seconded by Don Jones to adjourn.

ITEM NO. 18

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
ANDERSON, EARL								
BRADLEY, WESLEY								
CARTER, DELL		X						
FREEMAN, BOBBY								
HUMPHREYS, KENNETH								
JONES, DON				X				
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
PASCHALL, DAN								
TRAVIS, JAMES								
VISSER, MARTY								
WARREN, MARY								
WEBB, DAVID								
TOTAL								

DATE : 10/18/2010

VOICE VOTE CARRIED