

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 September 21,2009 at 7:00 PM.
PRESENT AND PRESIDING the Honorable Brent Greer, Chairman, Jerry D. Bomar, Clerk, and the County Commissioners.

ITEM NO. 1 Deputy Lester Riggins opened the Commission meeting.

ITEM NO. 2 Commissioner Humphreys gave the invocation.

ITEM NO. 3 Commissioner Freeman led in the pledge to the flag.

ITEM NO. 4 Roll Call

The Clerk called the roll with the following commissioners 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

NONE AND THE CHAIR CLOSED THE FORUM

ITEM NO. 6 Commissioner's Form

NONE AND THE CHAIR CLOSED THE FORUM

ITEM NO. 7 Nominating Committee Appointments

Commissioner Mathenia presented Resolution No. 1-9-09 making Appointments to various boards, committee, and positions.

A motion was made by Paul Mathenia and seconded by Earl Anderson To approve the resolution as presented.

VOICE VOTE CARRIED

RESOLUTION NO. 1-9-09

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPOINT CERTAIN CITIZENS AND COMMISSIONERS TO VARIOUS BOARDS, COMMITTEES, AND POSITIONS

WHEREAS, certain vacancies now exist on various boards, committees, and commissions, and in various positions of Henry County, Tennessee; and

WHEREAS, it is the duty and responsibility of the Board of Commissioners of Henry County, Tennessee to appoint certain qualified citizens and Henry County Commissioners to fill the said vacancies; and

WHEREAS, the Board of Commissioners has examined and evaluated the qualifications of certain citizens and County Commissioners for appointment to the said boards, committees, commissions, and positions.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 21st day of September, 2009, a majority or more of said Commissioners concurring, that:

SECTION 1. Brent Greer be and hereby is appointed as Chairman of the County Commission for a 1 year term with term to expire September 2010.

SECTION 2. Dell Carter be and hereby is appointed as Vice Chairman of the County Commission for a 1 year term with term to expire September 2010.

SECTION 3. Brent Greer be and hereby is appointed to the Board of Health for a 1 year term with term to expire September 2010.

SECTION 4. Phil Wichlan be and hereby is appointed to the Hospital Board for a 1 year term with term to expire September 2010.

SECTION 5. Paul Mathenia be and hereby is appointed to the Tourism Committee for a 1 year term with term to expire September 2010.

SECTION 6. Brent Greer be and hereby is appointed to the Veterans Service Committee for a 1 year term with term to expire September 2010.

BE IT FURTHER RESOLVED that any and all acts previously passed by this Board of County Commissioners which are in conflict with this Resolution be and hereby are rescinded, repealed, and are of no effect whatsoever.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage by this Board of County Commissioners and approval by the County Mayor, the public welfare requiring it.

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

PASSED 9-21-09




BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION



JERRY D. BOMAR
COUNTY CLERK

APPROVED 9-21-09



BRENT GREER
HENRY COUNTY MAYOR

ROLL CALL

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

The printed Consent Agenda with some additions was presented and a motion was made by Paul Mathenia and seconded by Kenneth Humphreys to approve the following on
 The consent agenda: Minutes of the August 17, 2009 meeting, various quarterly reports, Property and total revenue collections to date, General Sessions and Circuit Court annual Reports filed by Ron Myers, and the following notary publics:

Plyllis A. Planchart, R. Sue Hooper, Brenda S. Jenkins, Linda Mangrum, Lola M. Williams, Fred N. McLean, Renae Watkins, Tammy Revel, David Enoch, Melanie Orr, Rebecca F. Raymer, Dorina J. Young, Bryan K. Reddick, Lisa Jackson,

ITEM NO.8

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

ROLL CALL

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

Resolution #2-09-09 was presented to affirm compliance with Federal Title VI Regulations. A motion was made by Mary Warren and seconded by Tim Wirgau to Approve the resolution as presented.

ITEM NO.9

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

DATE : 09/21/2009

VOICE VOTE CARRIED

RESOLUTION NO. 2-09-09

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD
OF COMMISSIONERS TO AFFIRM COMPLIANCE WITH
FEDERAL TITLE VI REGULATIONS**

WHEREAS, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the Community Development Division of the Tennessee Department of Economic and Community Development administers the Three-Star Program and awards financial incentives for communities designated as Three-Star communities; and

WHEREAS, by virtue of the Tennessee Department of Economic and Community Development receiving federal financial assistance, all communities designated as Three-Star communities must confirm that the community is in compliance with the regulations of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987.

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of Henry County, Tennessee, meeting in regular session on this 21st day of September, 2009, at Henry County Court House in Paris, Tennessee, that:


SECTION 1. The legislative body of Henry County, Tennessee declares that the county is in compliance with the federal Title VI regulations.

SECTION 2. The Department of Economic and Community Development may from time to time monitor the county's compliance with federal Title VI regulations.

SECTION 3. This Resolution shall take effect upon adoption, the public welfare requiring it.


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

PASSED 9.21-09


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION


JERRY D. BOMAR
COUNTY CLERK

APPROVED 9.21-09


BRENT GREER
HENRY COUNTY MAYOR

ROLL CALL

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

A motion was made by Earl Anderson and seconded by Paul Neal to approve Resolution No. 3-09-09 establishing the rules of procedure for conducting a special election to fill The vacancy of Henry County Constable –5th District.

ITEM NO.10

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

DATE : 09/21/2009

MOTION CARRIED

RESOLUTION NO. 3-09-09

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS ESTABLISHING THE RULES OF PROCEDURE FOR CONDUCTING A SPECIAL ELECTION TO FILL THE HENRY COUNTY CONSTABLE – 5TH DISTRICT

WHEREAS, a vacancy now exists in the Henry County Constable in the 5th District; and

WHEREAS, the Board of Commissioners of Henry County, Tennessee must fill the said vacancy which now exists; and

WHEREAS, a special election for the purpose of filling the said vacancy has been set by the Board of Commissioners of Henry County, Tennessee; and

WHEREAS, it is appropriate and necessary that certain rules and procedures for the conduct of the special election be established to insure the order and fairness of the said special election.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 21st day of September 2009, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the County Constable – 5th District, whose qualifications are accepted by said Henry County Commission, be and hereby is granted the opportunity to speak to the assembled Commission in his/her own behalf prior to the casting of the official ballot or ballots; and provided, however, that any candidate so qualified may designate a person of his or her choice to speak in his or her own behalf; and provided, further, that in any event, the time granted for the speech or speeches on behalf of any candidate shall be for a period of time no longer than five (5) minutes.


SECTION 2. Any and all ballots shall be cast pursuant to the requirements of Section 5-5-116 of the Tennessee Code Annotated.

SECTION 3. To be elected, a candidate must receive the vote of a minimum of eight (8) Commissioners, pursuant to the requirements of Section 5-5-109 of the Tennessee Code Annotated.

SECTION 4. In the event that no candidate receives the eight (8) votes required for election on the first ballot, then the Commission shall proceed to the second ballot and any number of additional ballots necessary until one candidate receives the vote of a minimum of eight (8) of the Commissioners; provided, that before proceeding to a second or any subsequent ballot, the name or names of the candidate or candidates receiving the least number of votes on the previous ballot shall be deleted from the second or any subsequent ballot; and provided, further, that the names of a candidate or candidates shall not be deleted from any ballot when such deletion would result in a ballot containing the name of only one (1) candidate that had received less than the eight (8) votes required for election.

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

PASSED 9-21-09




BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION



JERRY D. BOMAR
COUNTY CLERK

APPROVED 9-21-09



BRENT GREER
HENRY COUNTY MAYOR

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

A motion was made by Don Jones and seconded by Dan Paschall to adjourn.

ITEM NO. 11

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

DATE 09/21/2009

VOICE VOTE CARRIED: