

BENTON COUNTY, TENNESSEE
COUNTY MAYOR
MARK WARD

September 19, 2022

TO: Board of County Commissioners
FROM: Mark Ward, County Mayor

The Board of County Commissioners will meet in regular session on Monday, September 19, 2022 at the Benton County Courthouse at 6:00 P.M.

AGENDA

1. Opening of Meeting by Sheriff or his appointee.
2. Invocation and Pledge of Allegiance
3. Roll Call by County Clerk or Chief Deputy
4. Announcing of Quorum by County Clerk, Wanda Malin
5. Election of Chairman
6. Election of Chairman Pro-Tem
7. Approval of Agenda
8. Citizens Forum
9. Commissioners Forum
10. County Mayor, Attorney, Finance Advisor, Invited Guest Speaker Forum, or Proclamations



1 Court Square
Room 102
Camden, TN
38320

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11. Approval of Minutes
12. Report of Public Utilities
13. Resolution to re-appoint Richard Kee and Brad Mills to the Eg11 Board for a 4-year term.
(20220919-01)
14. Resolution appointing both Ray Wilson and Frank Wright to the Board of Public Utilities for a 4-year term. (20220919-02)
15. Resolution appointing James Warren Melton as the County Attorney for a 4-year term.
(20220919-03)
16. Resolution transferring funds within the school's budget in the amount of \$20,000.
(20220919-04)
17. Resolution budgeting funds received in the amount of \$300.00 within the sheriff's budget.
(20220919-05)
18. Resolution budgeting funds received in the amount of \$55,700.00 within the school's budget. (20220919-06)
19. Resolution appropriating funds in the amount of \$13,876.00 from the Unassigned Fund Balance within the County General Fund in order to cover the increase in the county liability insurance premium for the FY22-23. (20220919-07)
20. Resolution appropriating funds in the amount of \$8,007.00 from the Unassigned Fund Balance within the County General Fund in order to cover the new Trustee's bond.
(20220919-08)



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21. Resolution appropriating funds in the amount of \$1,000 from the Unassigned Fund Balance within Fund 171 – Capital Projects Public Health and Welfare for Northwest Tennessee Development District solid waste services. (20220919-09)
22. Resolution appropriating funds in the amount of \$3,884.40 from the Unassigned Fund Balance within the County General Fund in order to pay the Civil Service Board Member fees. (20220919-10)
23. Resolution appropriating funds in the amount of \$500.00 from the Unassigned Fund Balance within the County General Fund in order to cover overtime that has been expended during the month of July and August within the County Mayor’s budget. (20220919-11)
24. Resolution to appropriate \$2,400 from the Unassigned Fund Balance within the County General Fund in order to cover the office rental fee for the Economic & Community Developer at the Chamber of Commerce. (20220919-12)
25. Resolution appropriating the Victim Assistance Assessment fees that are collected through the courts during the 2021-2022 fiscal year in the amount of \$16,450.02 in order to remit the funds to the Women’s Resource Assistance Program. (20220919-13)
26. Resolution appropriating the Drug Court Fees collected during the 2021-2022 fiscal year in the amount of \$6,826.69 in order to remit the funds to the State of Tennessee. (20220919-14)



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27. Resolution to appropriate the balance left from the 2019 CDBG Grant project in the amount of \$227,324.25 from the Unassigned Fund Balance within Fund 172 – Community Development. (20220919-15)
28. Appointing Notaries
29. Any Other Business
30. Adjourn



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RESOLUTION NO. 20220919-01

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

WHEREAS, there are two terms on the E911 board that will soon expire; and

WHEREAS, it is the recommendation of both the county mayor and the E911 Director to re-appoint both Richard Kee and Brad Mills to the E911 board for a 4 (four) year term effective October 1, 2022 and set to expire on September 30, 2026.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that both Richard Kee and Brad Mills be re-appointed to the Benton County E911 Board effective October 1, 2022 for a 4 (four) year term set to expire on September 30, 2026.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-02

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

WHEREAS, there are two terms on the Benton County Board of Public Utilities that will soon expire; and

WHEREAS, it is the mayor's recommendation to appoint Ray Wilson to replace Jerry Thornton on the Board of Public Utilities effective September 19, 2022 for a 4 (four) year term set to expire on September 18, 2026; and

WHEREAS, it is also the mayor's recommendation to appoint Frank Wright to replace Mary Powers on the Board of Public Utilities effective October 1, 2022 for a 4 (four) year term set to expire on October 1, 2026.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that both Ray Wilson and Frank Wright be appointed to the Benton County Board of Public Utilities for a 4 (four) year term.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-03

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

WHEREAS, the newly elected Mayor, Mark Ward, would like to appoint Mr. James Warren Melton as the new County Attorney; and

WHEREAS, James Warren Melton would have a 4 (four) year term effective September 20, 2022 and set to expire on September 20, 2026.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that James Warren Melton be appointed as the new County Attorney with a 4 (four) year term effective September 20, 2022 and set to expire on September 20, 2026.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-04

SPONSORED BY THE BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

RESOLUTION FOR THE BENTON COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 19, 2022

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

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2022-23 budget as follows;

DECREASE

72620 167 Maintenance of Plant Maintenance Personnel \$20,000.00

INCREASE

72620 399 Maintenance of Plant Other Contracted Services \$20,000.00

Respectfully submitted,

Mark Florence, Director of Schools

APPROVED _____

Joe D. Cooper, Chairman of Board

RESOLUTION NO. 20220919-05

SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE

WHEREAS, the Benton County Sheriff's Office has received funds in the amount of \$ 300.00 for revenues for the month of August, 2022; and

WHEREAS, it will be necessary to budget said funds in the amount of \$ 300.00 to the appropriate expenditure accounts within the Sheriff's budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th day of September, 2022 that the funds in the amount of \$ 300.00 received by the Benton County Sheriff's Office for revenues for the month of August, 2022 be budgeted as follows:

INCREASE REVENUES:

101.43395	SEX OFFENDER REGISTRY	\$ 150.00
101.44170	MISCELLANEOUS REFUNDS	\$ 150.00

\$ 300.00

INCREASE EXPENDITURE:

101.54110.353	TOW-IN SERVICES	\$ 150.00
101.54160.599	OTHER CHARGES	\$ 150.00

\$ 300.00

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-06

SPONSORED BY THE BENTON COUNTY DIRECTOR OF SCHOOLS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

RESOLUTION FOR THE BENTON COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 19, 2022

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

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2022-23 budget as follows:

INCREASE

47590	Other Federal Thru State	\$55,700.00
72210 189	Other Salaries and Wages	\$40,449.00
201	Social Security	2,508.00
204	State Retirement	2,541.00
207	Medical Insurance	9,615.00
212	Medicare	587.00

Respectfully submitted,

Mark Florence, Director of Schools

APPROVED _____

Joe D. Cooper, Chairman of Board

RESOLUTION NO. 20220919-07

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the county liability and worker's compensation premiums for the 2022-2023 fiscal year have increased this year and has exceeded what was originally budgeted; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$13,876.00 from the Unassigned Fund Balance within the County General Fund in order to cover the premium increase for the FY22-23.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds in the amount of \$13,876.00 be appropriated from the Unassigned Fund Balance within the County General Fund and budget into Expenditure Account No. 101.51900.506 – Other General Administration Liability Insurance.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-08

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Benton County Officials are all covered under the county liability insurance, but the County Trustee is required to carry additional bond coverage due to the amount of money that position handles; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$8,007.00 from the Unassigned Fund Balance within the County General Fund and budget within the Trustee's expenditure account in order to cover the expense of the bond coverage for the newly elected Trustee.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds in the amount of \$8,007.00 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted to Expenditure Account No. 101.52400.508 – Trustee's Surety Bond.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-09

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, Benton County has an agreement with Northwest Tennessee Development District for providing solid waste services; and

WHEREAS, per the agreement Benton County would only pay for two months of services (July & August) for a total of \$1,000 and NWTDD will cover the remainder of the fiscal year; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$1,000 from the Unassigned Fund Balance in order to pay for July and August solid waste services.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds in the amount of \$1,000.00 be appropriated from the Unassigned Fund Balance within Fund 171 – Capital Projects and budget into Expenditure Account No. 171.91140.308 – Public Health and Welfare Project Consultants.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-10

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Benton County Civil Service Board has insufficient funds in the FY22-23 budget for them to be paid for their meetings thus far; and

WHEREAS, they have turned in to be paid a total of \$2,025 for all of their meetings and testing dates, but the FY22-23 budget only has a total of \$1,800 budgeted; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$3,884.40 from the Unassigned Fund Balance within the County General Fund in order to cover the Civil Service Board Member Fees and social security and Medicare expenses for the remainder of this fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds in the amount of \$3,884.40 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted within the Civil Service budget as follows:

INCREASE EXPENDITURES:

101.51240.191	BOARD & COMMITTEE MEMBER FEES	\$3,600.00
101.51240.201	SOCIAL SECURITY	\$ 232.20
101.51240.212	MEDICARE	\$ 52.20
		<hr/>
		\$3,884.40

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-11

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, during the FY23 budget process we changed object codes to accurately reflect expenditures;
and

WHEREAS, in doing so a mistake was made and an object code was deleted from the mayor's budget;
and

WHEREAS, it will be necessary to do a budget amendment to appropriate \$500 from the Unassigned Fund Balance within the County General Fund and budget within the appropriate expenditure lines within the County Mayor's budget.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds in the amount of \$500 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted as follows:

INCREASE EXPENDITURES:

101.51300.140	SALARY SUPPLEMENTS	\$474.00
101.51300.187	OVER-TIME	\$ 26.00
		<hr/>
		<i>\$500.00</i>

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-12

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Economic Community Developer, Jennifer Wheatley, is renting office space at the local Chamber of Commerce; and

WHEREAS, Benton County has a rental agreement with the Chamber of Commerce that the county will pay \$200/month and/or \$2,400 per year in rent; and

WHEREAS, it will be necessary to appropriate funds in the amount of \$2,400 from the Unassigned Fund Balance within the County General Fund in order to pay the office rental for the Economic Community Developer for the 2022-2023 fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds in the amount of \$2,400 be appropriated from the Unassigned Fund Balance within the County General Fund to cover the office rental fee for the Economic Community Developer at the Chamber of Commerce and budget to Expenditure Account No. 101.58190.351 – Economic & Community Development Rentals.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-13

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, a special fee is collected as revenue (Account No. 101.42392) through General Sessions and Circuit Courts for Victim Assistance Assessment (VAA Fee); and

WHEREAS, these funds collected throughout a fiscal year are set aside for the Women’s Resource Assistance Program (WRAP); and

WHEREAS, the amount of \$16,450.02 was collected throughout the 2021-2022 Fiscal Year and reverted back to the Unassigned Fund Balance within the County General Fund at June 30th; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$16,450.02 from the Unassigned Fund Balance within the County General Fund and budget the said funds to the appropriate expenditure account in order to remit the funds to the Women’s Resource Assistance Program.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the funds collected in the amount of \$16,450.02 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted to the Expenditure Account No. 101.51300.599 – County Mayor Other Charges in order to remit these funds to the Women’s Resource Assistance Program

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-14

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the Drug Court Treatment Act of 2003 establishes guidelines and funding provisions for drug courts created in Tennessee. The Act provides for a \$75 fee to be applied to any offenses under T.C.A. Title 39, Chapter 17, Part 4, of the Tennessee Drug Control Act. On June 7, 2007, an amendment to the Drug Court Treatment Act of 2003 was approved and went into effect on July 1, 2007. This amendment allows the clerks of courts to collect the sum of \$75 from any person who is found in violation of the terms and conditions of a suspended sentence imposed for any criminal conviction wherein the violation is premised upon a positive drug screen; and

WHEREAS, Benton County does not have an operational drug court treatment program, therefore the fees collected throughout a fiscal year will need to be remitted to the state of Tennessee in the full amount; and

WHEREAS, the drug court fees collected through both General Sessions and Circuit Court for the 2021-2022 fiscal year total the amount of \$6,826.69 and were placed within a reserve account restricted for Drug Court, Account No. 101.34520; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$6,826.69 from the Reserve Account No. 101.34520 and budget to the appropriate expenditure account in order to remit the payment to the state of Tennessee for the fees collected from July 1, 2021 – June 30, 2022.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the drug court fees collected in the amount of \$6,826.69 from the General Sessions and Circuit Courts throughout the 2021-2022 fiscal year be budgeted to the Revenue Account No. 101.34520 – Reserved for Drug Court and to the Expenditure Account No. 101.51300.599 – County Mayor Other Charges in order to remit payment of the drug court fees to the State of Tennessee.

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK

RESOLUTION NO. 20220919-15

SPONSORED BY THE BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

WHEREAS, the 2019 CDBG EMA grant was not rolled over into the FY22-23 budget; and

WHEREAS, it will be necessary to appropriate the balance of funds in the amount of \$227,324.25 from the Unassigned Fund Balance within Fund 172 – Community Development and budget within the appropriate expenditure accounts.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19th Day of September 2022 that the balance left from the 2019 CDBG grant project be appropriated from the Unassigned Fund Balance within Fund 172 – Community Development and budgeted as follows:

INCREASE EXPENDITURES:

172.91110.599	GENERAL ADMINISTRATION PROJECTS OTHER CHARGES	\$218,324.25
172.91130.321	PUBLIC SAFETY PROJECTS ENGINEERING SERVICES	\$ 9,000.00
		<hr/>
		\$227,324.25

Adopted this _____ day of _____, 20____, by the county legislative body of Benton County, Tennessee.

MARK WARD, COUNTY MAYOR

WANDA MALIN, COUNTY CLERK