

BENTON COUNTY COMMISSIONERS MEETING

JULY 15, 2019

BE IT REMEMBERED THAT ON JULY 15, 2019, THAT THE BENTON COUNTY COMMISSIONERS MET IN REGULAR SESSION AT THE BENTON COUNTY COURTHOUSE @ 6:00 PM.

**AGENDA**

Opening of meeting was by Sheriff Kenny Christopher.

Invocation was led by 6<sup>rd</sup> District Commissioner Darrell Hicks and Pledge of Allegiance was led by 1<sup>st</sup> District Commissioner Kenneth Miller.

**ROLL CALL BY COUNTY CLERK WANDA MALIN AND DEPUTY CLERK MELISSA PLANT**

**MEMBERS PRESENT:**

**COMMISSIONERS ABSENT – BILL KEE**

DIST. 1 ANGIE HERN

DON PATTON

WARD PLANT

DIST. 2 DAYNA FERGUSON

KENNETH MILLER

ROCKY PRESSON

DIST. 3 KELEAH DYE

NORMAN FRAZIER

GARY FURR

DIST. 4 DOUG VICKERS

SONNY HALL

PHIL MELTON

DIST. 5 RACHELLE HILL

ROSANNE WARD

DIST. 6 DARRELL HICKS

RONNIE HOPPER

MARY POWERS

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 Chairman
5. Approval of Agenda (VV)
6. State Representative, Bruce Griffey
7. Citizens Forum
8. Commissioners Forum
9. Approval of Minutes (VV)
10. Report of Public Utilities (VV)
11. Approval of the Benton County Girls Softball Lease Agreement for 2019-2020

12. Resolution making appropriations for the various funds, departments, institutions, offices and agencies of Benton County Tennessee, for the year beginning July 1, 2019 and ending June 30, 2020 (20190715-01) (RCV)
13. Resolution fixing the tax levy in Benton County, Tennessee for the year ending June 30, 2020 at \$2.95 (20190715-02) (RCV)
14. Resolution Approving the contributions to non-profits and charitable organizations for the fiscal year beginning July 1, 2019 and ending June 30, 2020 (20190715-03) (RCV)
15. Resolution to establish a committee for resale of land bought at delinquent tax sales (20190715-04) (RCV)
16. Resolution authorizing the mayor to execute all documents in regard to the \$12,000 USDA Rural Development grant application and authorize the mayor to administer the grant funds to prepare an application for funding through Rural Development's Community Facility Program (20190715-05) (RCV)
17. Resolution asking the state lawmakers to examine the decrease in the Benton County Bank Excise Taxes (20190715-06) (RCV)
18. Resolution approving the Benton County Animal Shelter to begin using a credit card reader in order to offer this payment option to the public for adoption fees and sale of materials (20190715-07) (RCV)
19. Appointing Notaries (VV)
20. Any Other Business
21. Adjourn (VV)

**ANNOUNCING OF QUORUM BY:            CHAIR WARD PLANT**

**APPROVAL OF THE AGENDA**

Motion was made by Commissioner Miller and seconded by Commissioner Ferguson to approve the Agenda.

Motion was made by Commissioner Dye and seconded by Commissioner Ferguson to amend the Agenda to remove line Item 11 (Benton County Girls Softball Lease Agreement 2019-2020). On a roll call vote, all present voted Aye. Motion Carries.

Motion was made by Commissioner Ferguson and seconded by Commissioner Dye to approve the Agenda as amended. On a voice vote, all present voted Aye. Motion Carries.

**STATE REPRESENTATIVE – BRUCE GRIFFEY**

Mr. Griffey took the floor and called Kerri Arnold up and announced that she was the new Miss Volunteer Tennessee and presented her with a proclamation and a special flag that was flown at the state capital. Ms. Arnold is excited to represent Benton County.

Camden Volleyball was presented a plaque by Mayor Lashlee, memorializing these 6 ladies and their 4-year accomplishments. These 6 ladies helped bring the sport of volleyball to life here in Benton County. State Representative Bruce Griffey presented the proclamation and each lady their resolution. Present were Jordan Vick, Sarah Bradford, Brianna Minor, Isabella Hodge and Briley Hardin. Eden Pafford was also included but not present.

### **CITIZENS FORUM**

James Ricketts spoke about the future of Benton County. He noted that growth is important but doesn't think a property tax increase is the answer to bringing new people in for the growth of the county.

J.C Johnson, State Park Ranger outlined the accomplishments in the last year at Nathan Bedford Park at Eva. The purchase of new land has allowed for expansion and improvements. Recent upgrades include fiber optic internet with Charter and new bedding at the cabins. He expects to see more improvements over the next year including history, education and river access.

Sharon Neal, Director of the Animal Shelter Board says that due to many calls that they need a full-time employee.

### **COMMISSIONERS FORUM**

Commissioner Hopper commented that Java lane is finally free and clear of trash.

Commissioner Hill was invited to the Whitehouse to attend a meeting on August 8,2019 about the Outreach Program to discuss the needs of the rural areas. Anyone can e-mail her with their questions and concerns and she will try to get answers while in attendance.

Steve Bates discussed the budget and future plans for the county. He says the tax rate is the same as last year.

### **PREVIOUS MONTHS MINUTES**

Motion was made by Commissioner Hern and seconded by Commissioner Ferguson to approve June 2019 minutes. On a voice vote, all present voted Aye. Motion Carries.

### **APPROVAL OF THE REPORT OF PUBLIC UTILITES**

Motion was made by Commissioner Hern and seconded by Commissioner Ferguson to approve the Report of Public Utilities. On a voice vote, all present voted Aye. Motion Carries.

**RESOLUTIONS**

Motion was made by Commissioner Hill and seconded by Commissioner Hern to approve **RESOLUTION 20190715-01**. Recommended by Budget. On a Roll Call vote, 13 Ayes and 4 Nays. Motion Carries.

**RESOLUTION #20190715-01**

**A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF BENTON COUNTY, TENNESSEE, FOR THE YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020, ACCORDING TO THE FOLLOWING SCHEDULE:**

**SECTION 1. BE IT RESOLVED** by the Board of County Commissioners of Benton County, Tennessee, assembled in Regular Session on the 15th day of July, 2019, at the amounts hereafter set out are hereby appropriated for the purposes of meeting the expenses of the various funds, departments, institutions, offices, and agencies, of Benton County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 2019 and ending June 30, 2020, according to the following schedule:

**COUNTY GENERAL FUND:**

GENERAL ADMINISTRATION	\$	1,317,601
FINANCE	\$	691,709
ADMINISTRATION OF JUSTICE	\$	636,487
PUBLIC SAFETY	\$	4,011,171
PUBLIC HEALTH & WELFARE	\$	887,945
SOCIAL, CULTURAL & RECREATIONAL	\$	453,163
AGRICULTURAL/NATURAL RESOURCES	\$	65,194
OTHER GENERAL GOVERNMENT	\$	1,027,098
OPERATING TRANSFERS	\$	-
TOTAL GENERAL FUND EXPENDITURES	\$	9,090,367

**DRUG CONTROL:**

TOTAL EXPENDITURES	\$	18,079
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**OTHER SPECIAL REVENUE**

TOTAL EXPENDITURES	\$	145,251
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**HIGHWAYS/PUBLIC WORKS:**

ADMINISTRATION	\$	206,534
HIGHWAY & BRIDGE MAINTENANCE	\$	3,524,148
OPERATION & MAINTENANCE OF EQUIP	\$	370,306
OTHER CHARGES	\$	95,000
EMPLOYEE BENEFITS	\$	379,100
CAPITAL OUTLAY	\$	648,500
DEBT SERVICE	\$	-
OPERATING TRANSFERS	\$	-
TOTAL HIGHWAY EXPENDITURES	\$	<u>5,223,588</u>

**GENERAL PURPOSE SCHOOL FUND:**

INSTRUCTIONAL EXPENDITURES	\$	12,353,020
SUPPORT SERVICES	\$	7,288,779
NON-INSTRUCTIONAL	\$	306,084
CAPITAL OUTLAY	\$	310,000
EDUCATION DEBT SERVICE	\$	595,000
OPERATING TRANSFERS	\$	-
TOTAL SCHOOL FUND EXPENDITURES	\$	<u>20,852,883</u>

**CENTRAL CAFETERIA:**

TOTAL EXPENDITURES	\$	1,443,100
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**DEBT SERVICE FUND:**

PRINCIPAL	\$	1,087,156
INTEREST	\$	132,454
OTHER DEBT SERVICE	\$	18,729
TOTAL DEBT SERVICE EXPENDITURES	\$	<u>1,238,339</u>

**GENERAL CAPITAL PROJECTS:**

TOTAL EXPENDITURES	\$	175,664
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**COMMUNITY DEV/INDUSTRIAL PARK:**

TOTAL EXPENDITURES	\$	24,952
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**OTHER CAPITAL PROJECTS FUND:**

TOTAL EXPENDITURES	\$	-
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**CAPITAL PROJECTS PUBLIC IMPROVEMENT**

TOTAL EXPENDITURES	\$	-
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**BE IT FURTHER RESOLVED**, that the budget for the School Federal Projects Fund shall be the budget approved for the separate projects within the fund by the Benton County Board of Education.

**BE IT FURTHER RESOLVED**, that the budget for the School Federal Projects Fund for the No Child Left Behind Act (NCLB) shall be the budget approved for the separate projects within the fund by the Benton County Board of Education.

**BE IT FURTHER RESOLVED**, that the budget for the School Federal Projects Fund for the Individuals with Disabilities Act (IDEA-Part B and Preschool) and Carl Perkins Vocational projects shall be the budget approved for the separate projects within the fund by the Tennessee Department of Education.

**SECTION 2. BE IT FURTHER RESOLVED**, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff and their officially authorized deputies and assistants may severally be entitled to receive under State laws heretofore or hereafter enacted. Expenditures out of commissions, and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff, may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.



BE IT FURTHER RESOLVED , that if any fee officials, as enumerated in Section 8-22101, T.C.A., operate under provisions of Section 8-22-104, T.C.A., provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget shall be approved as provided in Section 5-9-407, T.C.A., The Director of Schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commissioners for transfers between major categories as required by law. One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfers from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED, that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute, is made in lieu of, but not in addition to, said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division, or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division, or department for the year ending June 30, 2020. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the year in which the expenditure is to be made, to meet such additional appropriation. There is hereby designated three million dollars in current fund balances in the General Fund to be held in reserve in the General Fund from proceeds related to the sale of the Hospital in addition to those amounts currently reserved for purposes. Any appropriations made from assigned balances shall hereafter be clearly stated and documented. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Section 9-21-403, T.C.A.

SECTION 6. BE IT FURTHER RESOLVED, that the County Executive/Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the year 2019-2020 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Section 21, Tennessee

Code Annotated. Said notes shall be signed by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2020.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year beginning July 1, 2019 and prior years and the interest and penalty thereon collected during the year ending June 30, 2020, shall be apportioned to the various County funds according to the subdivision of the tax levy for the year beginning July 1, 2019. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all unencumbered fund balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect after June 30, 2019.

SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which has heretofore been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2019. This resolution shall be spread upon the minutes of the Board of County Commissioners.

INTRODUCED, PASSED AND ADOPTED on this the 15th day of July, 2019, the public welfare requiring it.

AYES-

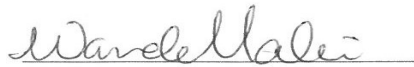
NAYS-

PASS-

ABSENT-



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

**RESOLUTION 20190715-01 BUDGET**

COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
ANGIE HERN		X		X	X		
DON PATTON		X			X		
DAYNA FERGUSON		X				X	
KENNETH MILLER		X				X	
ROCKY PRESSON		X			X		
KELEAH DYE		X			X		
NORMAN FRAZIER		X			X		
GARY FURR		X			X		
SONNY HALL		X			X		
PHIL MELTON		X				X	
DOUG VICKERS		X			X		
RACHELLE HILL		X	X		X		
BILL KEE	X						
ROSANNE WARD		X				X	
DARRELL HICKS		X			X		
RONNIE HOPPER		X			X		
MARY POWERS		X			X		
WARD PLANT - CHAIR		X			X		

Motion was made by Commissioner Hicks and seconded by Commissioner Hern to approve **RESOLUTION 20190715-02**. On a Roll Call vote, 15 Ayes, 1 Nay and 1 Pass. Motion carries.

**RESOLUTION # 20190715-02**  
**A RESOLUTION FIXING THE TAX LEVY IN BENTON COUNTY, TENNESSEE**  
**FOR THE YEAR ENDING JUNE 30, 2020**

SECTION 1. BE IT RESOLVED, by the Board of County Commissioners of Benton County, Tennessee, assembled in Regular Session this the 15th day of July, 2019, that the combined tax rate for Benton County, Tennessee for the year beginning July 01, 2019 shall be \$2.95 on each \$100.00 of taxable property which is to provide revenues for each of the following funds and otherwise conform to the following:

	RATE
County General	\$ 1.3200
Highway/Public Works	\$ 0.0900
General Capital Projects	\$ 0.0230
Debt Service	\$ 0.0400
General Purpose Schools	<u>\$ 1.4770</u>
	<u>\$ 2.9500</u>

SECTION 2. BE IT FURTHER RESOLVED, that there is hereby levied a Gross Receipts Tax as provided by law, the Gross Receipts Tax herein levied shall be deposited to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that \$10,000 in interest earned on all County investments (excludes interest from Central Cafeteria, Trust Funds or Bond Proceeds) shall be deposited to Economic/Community Development Fund #172, and the remainder to the General Fund.

SECTION 4. BE IT FURTHER RESOLVED, that the Litigation Tax increased for Courthouse & Jail maintenance and debt be distributed to the Debt Service Fund.

SECTION 5. BE IT FURTHER RESOLVED, that State Revenue Sharing-TVA Funds shall be distributed \$100,000 to General Purpose School Fund, \$20,000 to Highway/Public Works Fund and the remainder to the General Fund.

SECTION 6. BE IT FURTHER RESOLVED, that the Bank Excise Tax shall be deposited into the General Fund.

SECTION 7. BE IT FURTHER RESOLVED, that revenues derived from the Tennessee River Resort District Act shall be divided equally between the General Fund and Fund 128 "Other Special Revenue Fund".

SECTION 8. BE IT FURTHER RESOLVED, that In-Lieu of Taxes received from the Benton County Board of Public Utilities shall be distributed \$200,000 to the General Purpose School Fund, \$20,500 to the Highway Department, \$16,000 to Community Dev/Ind Park Fund 172, and the remainder to the General Fund.

SECTION 9. BE IT FURTHER RESOLVED, that Local Option Sales Tax revenues shall be distributed according to inter-local contracts and agreements. The County portion shall be deposited into the Debt Service Fund.

SECTION 10. BE IT FURTHER RESOLVED, that all revenues received In-Lieu of Taxes-TVA and In-Lieu of TaxesOther, shall be deposited into the General Fund.

SECTION 11. BE IT FURTHER RESOLVED, that Wholesale Beer Tax be deposited into the General Fund.


SECTION 12. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Benton County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 13. BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

INTRODUCED, PASSED AND ADOPTED ON THIS THE 15th DAY OF JULY, 2019.

AYES                  NAYS                  DABS                  ABSENT

  
 Brett Lashlee, County Mayor

  
 Wanda Malin, County Clerk

<b>RESOLUTION 20190715-02</b>							
COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
ANGIE HERN		X		X	X		
DON PATTON		X			X		
DAYNA FERGUSON		X				X	
KENNETH MILLER		X			X		
ROCKY PRESSON		X			X		
KELEAH DYE		X			X		
NORMAN FRAZIER		X			X		
GARY FURR		X			X		
SONNY HALL		X			X		
PHIL MELTON		X					X
DOUG VICKERS		X			X		
RACHELLE HILL		X			X		
BILL KEE	X						
ROSANNE WARD		X			X		
DARRELL HICKS		X	X		X		
RONNIE HOPPER		X			X		
MARY POWERS		X			X		
WARD PLANT - CHAIR		X			X		

Motion was made by Commissioner Frazier and seconded by Commissioner Hill to approve **RESOLUTION 20190715-03**. On a Roll Call vote, 15 Ayes, 1 Nay and 1 Abstain. Motion Carries.

RESOLUTION NO. 20190715-03

RESOLUTION TO APPROVE NON-PROFIT AND CHARITABLE CONTRIBUTIONS

NOW, THEREFORE, BE IT RESOLVED, by the Benton County Legislative Body meeting IN Regular Session this 15th day of July, 2019, approving the contributions to non-profits and charitable organizations as set forth below.

This resolution shall take effect upon its passage, the public welfare requiring it.  
This the 15th day of July, 2019.

Account	Description	2019-2020 Appropriation
ind 101		
57500	316 Dept of Soil Conservation (New)	\$ 10,000.00
58500	316 Benton County Volunteer Program	\$ 4,000.00
58500	316 Vocational Training Center	\$ 71,000.00
58500	316 Northwest TN Development District	\$ 5,098.00
58500	316 Big Sandy Senior Citizens Center (Senior Program)	\$ 3,200.00
58500	316 West TN River Basin Authority	\$ 15,000.00
58500	316 West TN Hearing & Speech Center (New)	\$ -
58500	316 Christian Community Outreach (New)	\$ 3,000.00
58500	316 Hope Center	\$ 3,000.00
58500	316 FYI Clinic (New)	\$ 2,500.00
58500	316 Carl Perkins Center	\$ -
	SUB-TOTAL - Account 58500	\$ 106,798.00
54310	316 Forest Service	\$ 2,000.00
54320	Rural Fire Protection	
	316 Eva/Rushings Creek	\$ 22,285.72
	316 Big Sandy	\$ 20,785.71
	316 Chalk Level/Divider	\$ 22,285.72
	316 Morris Chapel	\$ 20,785.71
	316 Holladay/McIllwain	\$ 22,285.72
	316 South 40	\$ 22,285.72
	316 Sandy River	\$ 20,785.71
	Total Rural Fire Protection	\$ 151,500.01
54420	316 Rescue Squad	\$ 12,000.00
55170	316 Benton County Drug Alliance	\$ 2,250.00
55180	316 Children's Special Services (West TN Region)	\$ 900.00
58110		
316	Chambers of Commerce	\$ 36,000.00
	TOTAL NON-PROFITS GENERAL FUND	\$ 321,448.01

BE IT FURTHER RESOLVED, that all non-profit organizations to which funds are appropriated shall file with the County Clerk, copies of any annual report and proposed use of County funds in accordance with rules promulgated by the State Comptroller of the

  
Brett Lashlee, County Mayor

  
Wanda Malin, County Clerk



**RESOLUTION 20190715-03**

COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
ANGIE HERN		X			X		
DON PATTON		X			X		
DAYNA FERGUSON		X				X	
KENNETH MILLER		X			X		
ROCKY PRESSON		X			X		
KELEAH DYE		X			X		
NORMAN FRAZIER		X	X		X		
GARY FURR		X			X		
SONNY HALL		X			X		
PHIL MELTON		X			X		
DOUG VICKERS		X			X		
RACHELLE HILL		X		X	X		
BILL KEE	X						
ROSANNE WARD		X			X		
DARRELL HICKS		X			X		
RONNIE HOPPER		X			X		
MARY POWERS		X					ABSTAIN W/CONFLICT
WARD PLANT - CHAIR		X			X		



Motion was made by Commissioner Frazier and seconded by Commissioner Hicks to approve **RESOLUTION 20190715-04**. On a Roll Call vote, all present voted Aye. Motion Carries.

**RESOLUTION NO. 20190715-04**

**TO ESTABLISH A COMMITTEE FOR RESALE OF LAND  
BOUGHT AT DELINQUENT TAX SALES  
SPONSORED BY BENTON COUNTY MAYOR BRETT LASHLEE  
LEGISLATIVE REVIEW: BUDGET & PROPERTY COMMITTEE**

WHEREAS, Benton County has obtained or acquired land via the judicial processes at tax sales, and

WHEREAS, T.C.A. § 67-5-2507(b)(1), provides a committee of four (4) members shall be elected by the county legislative body, from the county legislative body, who, together with the County Mayor, shall place a fair price on each tract of land, for which price the same shall be sold.

NOW, THEREFORE, BE IT RESOLVED by the County Legislative Body meeting in session on this day of July 15, 2019; that:

SECTION 1. The following members shall comprise the committee:

Benton County Mayor  
Benton County Property Assessor  
Benton County Attorney  
Benton County Property Committee Chairman

SECTION 2. Such committee shall be charged with the duties specified in T.C.A. § 67-5-2507.

Sub-Section 2(b)(5) OF THE 2010 TCA 67-5-2507 stated: If it appears that it is impossible to sell any tract of land for this amount, upon application, the county legislative body in session may grant permission to offer the land for sale at some amount to be fixed by the county legislative body.

Knowing many of these properties have been on the books for some time and parcels laying in configurations unattractive to a potential buyer, the following is authorized via this resolution:

1-The County Legislative Body will grant discretion to the sale committee to set the minimum bid price, set date/time/deadlines allotted for sale events and completion of the sales, and to publicly advertise and promote sale of county held properties (see attached sale list addendum).

2-The County Legislative Body will grant discretion to the sale committee to combine or split parcels, improve lands or cut timber where appropriate to obtain financially adequate bids, and entertain the services of third party's if needed to sell and distribute the properties in the best financial interest of the county.

3-The County Legislative Body will grant discretion to the sale committee to withhold properties for potential public or future use per the following 2017 TCA 67-5-2507 (b)(11) subsection:

The county may, upon a majority vote of its legislative body determining it in the best interests of the county to use the property for a public purpose, decide to retain ownership and possession of such property.

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

APPROVED:



Brett Lashlee, County Mayor



Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Hern to approve **RESOLUTION 20190715-05**. On a roll call vote, all present voted Aye. Motion Carries.

**RESOLUTION NO. 20190715-05**

GRANT RESOLUTION  
Benton County, Tennessee 1 Court Sq.  
Camden, TN 38320

**LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE**

RESOLVED, that Benton County has applied for and, if approved, will accept a grant from USDA, Rural Development, in the amount of up to \$12,000. This money will be used to prepare an application for funding through Rural Development's Community Facility Program. The County Commission further authorizes the Mayor, Brett Lashlee to execute all documents in regard to the application for the grant and to administer the grant and execute documents in regard to Benton County.

This Resolution shall take effect and be in force from and after the \_\_\_ day of 2019, being the date of its enactment.

  
Brett Lashlee, County Mayor

  
Wanda Malin, County Clerk

Motion was made by Commissioner Hern and seconded by Commissioner Patton to approve **RESOLUTION 20190715-06**. On a Roll Call vote, all present voted Aye. Motion Carries.

**RESOLUTION NO. 20190715-06**

**SPONSORED BY COUNTY COMMISSIONERS ROCKY PRESSON & WARD PLANT**

**LEGISLATIVE REFERENCE: BUDGET COMMITTEE**

**WHEREAS**, Banks pay a tax that reflects their earnings in a given county, this tax can be found in our budget under Account 40000 Local Taxes, line item 40320 Bank Excise Tax; and

**WHEREAS**, the excise taxes Benton County received in 2016 was \$204,688 dollars, in 2017 our counties excise tax was at it's highest of \$224,458 dollars; and

**WHEREAS**, in 2018, the Bank excise tax took a large drop only amounting to \$59,244 dollars. An employee of the Tennessee Comptroller of the Treasury Office described that this drop could be explained if Benton County has had a bank to close; and

**WHEREAS**, The Tennessee Department of Revenue has found it to be, one bank in Benton County showing there county earnings outside of our county, thus explaining the sudden drop in Bank Excise Tax; and

**WHEREAS**, being only a commissioner it has become very difficult in gathering information on what action, if any, can be taken by Benton County in recovering the Bank Taxes lost to another county.


**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15<sup>th</sup> Day of July 2019 that the Benton County legislative body asks our state lawmakers to examine the lost Benton County Bank Excise Taxes, in helping our county to recover these taxes or at least understanding the legal steps that makes this decreased tax legal.

**FURTHER BE IT RESOLVED**, that once adopted a signed copy of this resolution be mailed by the Benton County Clerk to the offices of:

**Bruce Griffey, 75<sup>th</sup> District State Representative**

**John Stevens, 24<sup>th</sup> District State Senate**

  
Brett Lashlee, County Mayor

  
Wanda Malin, County Clerk

Motion was made by Commissioner Patton and seconded by Commissioner Hill to approve **RESOLUTION 20190715-07**. On a Roll Call vote, all present voted Aye. Motion Carries.


**RESOLUTION NO. 20190715-07**  
**SPONSORED BY THE BENTON COUNTY MAYOR BRETT LASHLEE**  
**LEGISLATIVE REFERENCE: BUDGET COMMITTEE & LAW ENFORCEMENT COMMITTEE**

**WHEREAS**, the Benton County Animal Shelter would like permission from the legislative body to contract with a company in order to begin receiving credit card payments for adoptions and sale of materials at the shelter; and

**WHEREAS**, there is an initial purchase fee of \$300.00 for the two credit card readers, but there will be no monthly fee for this service. The company receives their fee per transaction and is collected at that time; and

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 15<sup>th</sup> Day of July 2019 that the Benton County Animal Shelter be given permission to use a credit card reader to give them the ability to take payments for adoptions and sale of materials via credit card.

  
Brett Lashlee, County Mayor

  
Wanda Malin, County Clerk

**NOTARIES**

Motion was made by Commissioner Ferguson and seconded by Commissioner Hern to approve Notaries for JULY 2019. On a voice vote, all present voted Aye. Motion Carries.

JOLENE M REDDEN                      BRANDY CONRAD  
TROY E RAGSDALE                      DORA L WARNER

**ANY OTHER BUSINESS**

Chairman Plant asked for prayers for Commissioner Powers and Commissioner Kee.

**ADJOURNMENT**

Motion was made by Commissioner Ferguson and seconded by Commissioner Furr to adjourn this meeting. Meeting was adjourned.

**WANDA MALIN, COUNTY CLERK, DO CERTIFY THIS TO BE A TRUE AND COMPLETE COPY OF THE JULY 15, 2019 BENTON COUNTY COMMISSION MEETING.**

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BRETT LASHLEE, MAYOR

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WANDA MALIN, COUNTY CLERK