

April 16, 2018 Commission Minutes

- Appointments – Resolution 1a-04-18
- Budget Transfers – Resolutions 1-4-18 thru 3-4-18
- Houston-Galveston Area Council (HGAC) – Resolution 4-04-18
- Litter Grant – Resolution 5-04-18
- Wheel Tax – Resolution 6-04-18

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 April 16, 2018 at 5:00 p.m. Present and presiding the Honorable Brent Greer, Chairman, Donna Craig, County Clerk and the County Commissioners:

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

ITEM NO. 2 The invocation was led by Commissioner Humphreys.

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

ITEM NO. 4 Roll Call

The following Commissioners were present: Wesley Bradley, Dell Carter, Greg Carter, James Copeland, Kenneth Humphreys, Don Jones, Kreg Kyle, Paul Mathenia, Connie McSwain, Paul Neal, Monte Starks, Marty Visser, David Webb, and Drew Williams. Absent: Randy Gean.

ITEM NO. 5 Citizen's Forum

- Richard Carl requested that the Commission pass a resolution in opposition to the current plans at Paris Landing State Park, including urging the state to delay the demolition of the current inn which is scheduled to start in August of this year, so that the new governor can look and see what new plans should be for Paris Landing State Park after the people have spoken.
- Ron Huestis seconded what Mr. Carl said, and also had concerns about the justice system and how restitution is handled.
- Bruce Griffey stated he is the Republican nominee to replace State Representative of the 75th District Tim Wirgau. He asked the Commission to consider a resolution be passed regarding Paris Landing State Park. He stated the county will be losing revenue and that it is appropriate to give the new governor an opportunity to review the project.

THE CHAIR CLOSED THE FORUM

ITEM NO. 6 Commissioner's Forum

- Chairman Greer encouraged the commissioners to attend the public meeting on the 19th to look at the plans for Paris Landing State Park Inn. He stated he hopes the meeting will clear up some misconceptions circulating in the community.

THE CHAIR CLOSED THE FORUM

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

Commissioner Webb made presented and made a motion to approve Resolution 1a-04-18, to appoint certain citizens and commissioners to various boards, committees, and positions. The motion was seconded by Commissioner Bradley.

ITEM NO. 7

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY				X				
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID			X					
WILLIAMS, DREW								
TOTAL								

DATE : 4-16-18

VOICE VOTE CARRIED

RESOLUTION NO. 1a-04-18

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 16th day of April, 2018, a majority or more of said Commissioners concurring, that Craig Peevyhouse be and hereby is appointed to be Assistant Coroner, with term to expire July 2018.

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 4-16-18


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION


DONNA CRAIG
COUNTY CLERK

APPROVED 4-16-18


BRENT GREER
HENRY COUNTY MAYOR

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

A motion was made by Commissioner Neal and seconded by Commissioner Kyle to approve the Consent Agenda, which consists of the following: Minutes of the meeting of March 19, 2018, various quarterly reports, Henry County Medical Center statement of cash flow, Trustee's month end report, report of property tax collections to date, report of total revenue collections to date, and the following Notary Public designations: Debora A. Woodard, Evelyn J. Younger, Elizabeth Kenney, Lisa C. Moody, Wayne R. Powers, Jr., Lynette Hays, and Terri Saylor; and the following bond: Wayne R. Powers, Jr., Principal, and Charles P. Wilson and Ben Sherrod, Sureties.

ITEM NO. 8

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG				X				
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL			X					
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 4-16-18

00 25

ROLL CALL

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

Commissioner Humphreys presented and made a motion to approve Resolutions 1-4-18 thru and inclusive of 3-4-18, to authorize certain changes in the budget for Fiscal 2017-2018. Commissioner Bradley seconded the motion.

ITEM NO. 9

		ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN
BRADLEY, WESLEY					X	X		
CARTER, DELL						X		
CARTER, GREG						X		
COPELAND, JAMES						X		
GEAN, RANDY		X						
HUMPHREYS, KENNETH				X		X		
JONES, DON						X		
KYLE, KREG						X		
MATHENIA, PAUL						X		
MCSWAIN, CONNIE						X		
NEAL, PAUL						X		
STARKS, MONTE						X		
VISSER, MARTY						X		
WEBB, DAVID						X		
WILLIAMS, DREW						X		
TOTAL		1				14		

MOTION CARRIED

DATE : 4-16-18

RESOLUTION #1-4-18

**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 2017-2018**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2017, adopted the budget for the Henry County General Fund for fiscal 2017-2018; 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 16th day of April 2018, 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:

CIRCUIT COURT CLERK

INCREASE ACCOUNT 53100-599, entitled, "Other Charges," in the amount of \$2,500.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance," in the amount of \$2,500.00

Transfer due to court order returning bond funds.

SHERIFF'S OFFICE

INCREASE ACCOUNT 54110-108-002, entitled, "Investigator's Salary," in the amount of \$6,020.00

INCREASE ACCOUNT 54110-148-005, entitled "Dispatcher Salary," in the amount of \$650.00

DECREASE ACCOUNT 54110-106-017, entitled, "Deputy Salary," in the amount of \$5,600.00

DECREASE ACCOUNT 54110-106-007, entitled "Deputy Salary," in the amount of \$1,070.00

INCREASE ACCOUNT 54110-716, entitled, "Law Enforcement Equipment," in the amount of \$6,000.00

INCREASE ACCOUNT 54210-340, entitled, "Medical & Dental Services," in the amount of \$7,000.00

INCREASE ACCOUNT 54210-187, entitled, "Overtime," in the amount of \$3,000.00

DECREASE ACCOUNT 54110-330, entitled, "Operating Lease Payments," in the amount of \$1,300.00

DECREASE ACCOUNT 54110-336, entitled, "Maintenance & Repairs - Equipment," in the amount of \$1,200.00

DECREASE ACCOUNT 54110-355, entitled, "Travel," in the amount of \$1,500.00

DECREASE ACCOUNT 54110-431-001, entitled, "Law Enforcement Supplies," in the amount of \$3,000.00

DECREASE ACCOUNT 54110-499, entitled, "Other Supplies & Materials," in the amount of \$3,000.00

DECREASE ACCOUNT 54110-599, entitled, "Other Charges," in the amount of \$3,000.00

DECREASE ACCOUNT 54210-410, entitled, "Custodial Supplies," in the amount of \$3,000.00

INCREASE REVENUE ACCOUNT 48610, entitled, "Donations," in the amount of \$4,076.80

INCREASE ACCOUNT 55510-599, entitled, "Other Charges," in the amount of \$4,076.80

Please see memo from Sheriff Belew regarding this transfer.

AIRPORT

INCREASE ACCOUNT 58220-452, entitled, "Utilities," in the amount of \$2,500.00

DECREASE ACCOUNT 58220-336, entitled "Maintenance & Repair - Equipment," in the amount of \$2,500.00

INCREASE ACCOUNT 58220-412, entitled, "Diesel Fuel," in the amount of \$1,000.00

DECREASE ACCOUNT 58220-399, entitled "Other Contracted Services," in the amount of \$1,000.00

INCREASE REVENUE ACCOUNT 44135, entitled, "Sale of Gasoline," in the amount of \$40,000.00

INCREASE ACCOUNT 58220-425, entitled "Gasoline," in the amount of \$40,000.00

Please see memo from Don Davenport regarding this transfer.

TOURISM/ECONOMIC DEVELOPMENT

INCREASE ACCOUNT 58111-316-TRRA, entitled "Contributions - TRRA," in the amount of \$43,836.00

DECREASE ACCOUNT 39000, entitled "Unappropriated Fund Balance,"
in the amount of \$43,836.00

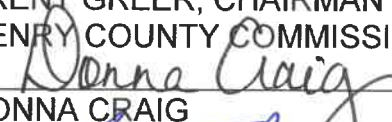
Transfer due to collections for TRRA exceeding³² budget in 2016-17 fiscal year.


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

PASSED 4-16-18


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

APPROVED 4-16-18


DONNA CRAIG
COUNTY CLERK


BRENT GREER
COUNTY MAYOR

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE TWENTY-FOURTH JUDICIAL DISTRICT
AT PARIS, HENRY COUNTY, TENNESSEE

POT O'GOLD BONDING COMPANY,

Plaintiff,

vs.

Case No. 3911

STATE OF TENNESSEE,

Defendant.

ORDER

This cause came to be heard on the 11th day of December, 2017, before the Honorable Donald E. Parish, Circuit Judge for Henry County, Tennessee, sitting at Paris, upon the Plaintiff's Motion to set aside final forfeiture and return bond funds, Defendant's Motion to Dismiss Appeal, statements of counsel for the Defendant, Jerald M. Campbell, Jr., Assistant District Attorney, and statements of Counsel for the Plaintiff, Hansel J. McCadams, exhibits, arguments, and upon the entire record, from all of which the Court finds and Orders as follows:

1. The Court finds the appeal well taken.

2. The Court grants the Plaintiff, Pot O' Gold Bonding Company's, Motion and hereby orders the State of Tennessee, and/or Henry County Circuit Court Clerk to return the two thousand five hundred dollars (\$2,500.00) bond previously forfeited in the case of State of Tennessee vs. Leslie Harris, Henry County General Sessions Docket No. 15-CR-1599.

3. The balance shall remain with the Clerk as the Clerk's fee of one hundred fifty seven dollars (\$157.00).

All of the above is therefore ORDERED and ADJUDGED.

Entered this the 23 day of JAN., 2018.

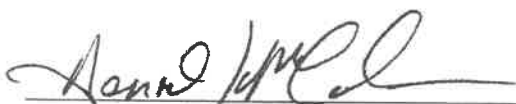

Donald E. Parish, Judge

 Hawley &
& McCadams
308 West Washington Street
Paris, Tennessee 38242
731-642-5172

FILED 1-23-18 AT 4:18 PM
MIKE WILSON, CLERK
BY:  DC.

MB 155/397-398

APPROVED FOR ENTRY:



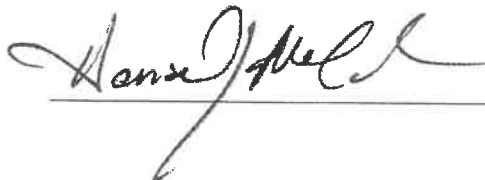
HANSEL J. McCADAMS
Attorney for Plaintiff
308 W. Washington St.
Paris, TN 38242
731-642-5172
BPR # 011047



JERALD M. CAMPBELL, JR.
Assistant Attorney General
P.O. Box 1155
Paris, TN 38242

CERTIFICATE OF SERVICE

I certify that on this the 11 day of January, 2018, a copy of this Order was forwarded to the Jerald M. Campbell, Jr., Assistant Attorney General, to his mailing address of P.O. Box 1155, Paris, TN 38242, by U.S. Mail, postage pre-paid.



RESOLUTION #2-4-18

**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 2017-2018**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2017, adopted the budget for the Henry County General Purpose School Fund for fiscal 2017-2018; 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 16th day of April 2018, 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:

Account Number
Description
General Purpose School
Fund

<u>Decrease Expenditure Account</u>			<u>Debit</u>	<u>Credit</u>
72610	415	Electricity		\$21,725.00
72710	412	Diesel		\$75,000.00
<u>Increase Expenditure Account</u>				
72610	501	Boiler Insurance	\$550.00	
72610	502	Building & Content Insurance	\$1,525.00	
72620	307	Communication	\$650.00	
72620	329	Uniforms	\$1,500.00	
72620	399	Other Contracted Services	\$17,500.00	
72710	729	Equipment	\$75,000.00	
			<u>\$96,725.00</u>	<u>\$96,725.00</u>

*****Budget Revision required due to changes in service & to purchase equipment for new building.

Account Number
Description
General Purpose School
Fund

Increase Expenditure Account

				Debit	Credit
71100	163	264	Educational Assistants	\$71.00	
71100	189		Other Salary & Wages	\$2,426.00	
71100	201		Social Security	\$141.00	
71100	204	281	Retirement	\$82.00	
71100	207	264	Medical Insurance	\$3,985.50	
71100	212	210	Medicare	\$38.10	
71100	399	209	Other Contracted Services	\$1,771.00	
71200	195		Certified Substitutes	\$500.00	
71200	198		Non-Certified Substitutes	\$1,000.00	
71200	313		Contracts with Parents	\$350.00	
72110	189	153	Other Salary & Wages	\$668.76	
72130	189	150	Other Salary & Wages	\$1,335.12	
72130	207		Medical Insurance	\$4,342.35	
72130	322		Testing & Evaluation	\$2,457.65	
72210	207		Medical Insurance	\$9,699.00	
72250	471		Software	\$4,139.00	
72410	139		Assistant Principals	\$491.25	
72410	161		Secretary	\$8,904.00	
72410	204		State Retirement	\$651.00	
72410	212		Medicare	\$538.00	
72620	105		Director of Maintenance	\$5,500.00	
72710	162		Secretary	\$69.50	

Decrease Expenditure Account

71100	207		Medical Insurance		\$24,598.85
71200	204		State Retirement		\$1,850.00
72110	201	153	Social Security		\$383.10
72110	204	153	Retirement		\$285.66
72130	189	505	Other Salary & Wages		\$1,335.12
72130	123		Guidance Counselors		\$2,500.00
72130	204		State Retirement		\$4,300.00
72210	129		Librarians		\$9,699.00
72250	207		Medical Insurance		\$4,139.00
72710	146		Bus Drivers		\$69.50
				\$49,160.23	\$49,160.23

*****Budget Revision required to adjust salary lines

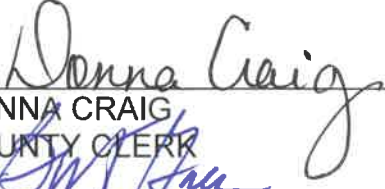
BE IT FURTHER RESOLVED that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED 4-16-18


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

APPROVED

4-16-18


DONNA CRAIG
COUNTY CLERK


BRENT GREER
COUNTY MAYOR

RESOLUTION #3-4-18

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF
COMMISSIONERS TO AUTHORIZE CERTAIN CHANGES IN THE BUDGET
FOR THE HENRY COUNTY HIGHWAY FUND
FOR FISCAL 2017-2018**

WHEREAS, the Board of County Commissioners of Henry County, Tennessee at its June Recessed Session, 2017, adopted the budget for the Henry County Highway Fund for fiscal 2017-2018; 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 Highway Fund; and,

WHEREAS, the expenditures authorized in the said budget of the Henry County Highway 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 Highway 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 16th day of April 2018, a majority or more of said membership concurring, that the budget for the Henry County Highway Fund be and hereby is amended as follows, to-wit:


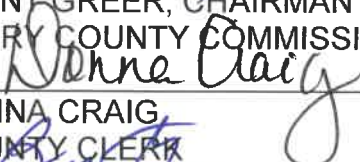

INCREASE REVENUE ACCOUNT 44530, entitled, "Sale of Equipment," in the amount of \$37,013.75

INCREASE ACCOUNT 680714, entitled "Highway Equipment," in the amount of \$37,013.75

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

PASSED 4-16-18

APPROVED 4-16-18


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION

DONNA CRAIG
COUNTY CLERK

BRENT GREER
COUNTY MAYOR

ROLL CALL

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

A motion was made by Commissioner Starks and seconded by Commissioner Neal to approve Resolution 4-04-18, authorizing participation in Houston-Galveston Area Council (HGAC).

ITEM NO. 10

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL				X				
STARKS, MONTE			X					
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 4-16-18

RESOLUTION NO. 4-04-18

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS AUTHORIZING PARTICIPATION IN HOUSTON-GALVESTON AREA COUNCIL (HGAC)

WHEREAS, Henry County departments of Henry County have elected to join a national purchasing cooperative known as "HGAC (Houston-Galveston Area Council)," being a national program established for the benefit of counties, municipalities, school districts and other local, state and national government agencies; and

WHEREAS, Henry County's offices, department and agencies listed above are authorized to enter into the "HGAC" interlocal agreement (Master Agreement) pursuant to T.C.A. § 12-3-1009; and

WHEREAS, Henry County desires to participate and join with other governmental entities in the discharge of their respective public and governmental purposes, objectives, needs, programs, functions and services relative to purchasing.


NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of Henry County, Tennessee, meeting in regular session on this the 16th day of April, 2018, to execute the "HGAC" interlocal agreement (Master Agreement).

BE IT FURTHER RESOLVED, that execution of this Resolution is conclusive evidence of the Henry County Board of Commissioner's approval of this action and of the authority granted herein, and warrants that it has, at the time of this action had full power and lawful authority to adopt this instrument.

PASSED 4-16-18



BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION



DONNA CRAIG
COUNTY CLERK

APPROVED 4-16-18



BRENT GREER
HENRY COUNTY MAYOR

The Competitive Bidding Has Already Been Done for You

Nationwide HGAC Buy Program Simplifies the Bidding Process

- Bid process requirements have already been satisfied through HGAC Buy's nationwide bidding process
- All units of local government are eligible to join HGAC Buy
- Available in all 50 states
- Thousands of municipalities already rely on HGAC Buy
- Paperwork is minimal; we provide the forms and help walk you through it

HGACBuy
THE SMART PURCHASING SOLUTION

HGAC is a government-to-government purchasing cooperative that has been operating for over 35 years, specializing in technical purchasing requirements for public works equipment. The public works equipment contract is competitively bid every two years. The bid is publicly advertised and evaluated by the HGAC staff to make sure each bid is in compliance with all bid requirements and then is formally approved by the HGAC Board of Directors. Insurance and bond requirements are also addressed in the bid.

Asphalt Zipper has been an approved vendor under the HGAC contract for over ten years and currently has an awarded contract (#SM10-14) through September 30, 2018.

Visit www.hgacbuy.com to learn more about the HGAC Buy program.

"For us HGAC is an easier way to buy equipment. It cuts down on a lot of the red tape of going to bid, and we get competitive pricing."

Chris Lawson
Streets Supervisor
City of Casa Grande, AZ

"HGAC streamlined the bidding process for us, eliminating most of the paperwork. We feel we get a better price than if we did it ourselves."

Randy Reichardt
Commissioner, Precinct 3
Austin County, TX

For more information contact your
Asphalt Zipper sales representative.
1-888-ZIPPER-8 (947-7378)
www.asphaltzipper.com

Asphalt Zipper

World Leader in Portable Reclaimers/Stabilizers

In order to participate in HGACBuy, you must:

1. Be a state agency, county, municipality, special district, or other political subdivision of a state, or a qualifying non-profit corporation (providing one or more governmental function or service); and
2. Possess legal authority to enter into the Contract.

Steps for completing and becoming members o HGAC

Steps 1: Fill in all required information, including the date of your governing body authorization and print a copy of the HGACBUY Inter-local Contract Form

Step 2: Secure signature by an individual with authority to sign the agreement.

Step 3: Scan and email a copy to HGAC at cpcontractfax@h-gac.com or Fax it to 713-993-2424. The contract may also be mailed to HGAC Cooperative Purchasing Program, P.O. Box 22777, Houston TX 77227-2777

Step 4: H-GAC will execute the contract, assign you an ILC Number and return and copy to you electronically.

(If you require a contract original, print and sign two (2) contracts. Send both documents to H-GAC at the address indicated on the ILC form)

Asphalt Zipper NOTE: Once the purchase is complete, Asphalt Zipper will fill out an HGAC worksheet and submit it to HGAC and HGAC will email a certificate to the purchasing entity stating they legally meet all bid requirements.



INTERLOCAL CONTRACT
FOR COOPERATIVE PURCHASING

ILC
No.: _____
Permanent Number assigned by H-GAC

THIS INTERLOCAL CONTRACT ("Contract"), made and entered into pursuant to the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code (the "Act"), by and between the Houston-Galveston Area Council, hereinafter referred to as "H-GAC," having its principal place of business at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, and * _____, a local government, a state agency, or a non-profit corporation created and operated to provide one or more governmental functions and services, hereinafter referred to as "End User," having its principal place of business at * _____

WITNESSETH

WHEREAS, H-GAC is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and

WHEREAS, End User has represented that it is an eligible entity under the Act, that its governing body has authorized this Contract on * _____ (Date), and that it desires to contract with H-GAC on the terms set forth below;

NOW, THEREFORE, H-GAC and the End User do hereby agree as follows:

ARTICLE 1: LEGAL AUTHORITY

The End User represents and warrants to H-GAC that (1) it is eligible to contract with H-GAC under the Act because it is one of the following: a local government, as defined in the Act (a county, a municipality, a special district, or other political subdivision of the State of Texas or any other state), or a combination of two or more of those entities, a state agency (an agency of the State of Texas as defined in Section 771.002 of the Texas Government Code, or a similar agency of another state), or a non-profit corporation created and operated to provide one or more governmental functions and services, and (2) it possesses adequate legal authority to enter into this Contract.

ARTICLE 2: APPLICABLE LAWS

H-GAC and the End User agree to conduct all activities under this Contract in accordance with all applicable rules, regulations, and ordinances and laws in effect or promulgated during the term of this Contract.

ARTICLE 3: WHOLE AGREEMENT

This Contract and any attachments, as provided herein, constitute the complete contract between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

ARTICLE 4: PERFORMANCE PERIOD

The period of this Contract shall be for the balance of the fiscal year of the End User, which began * _____ and ends * _____. This Contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the End User may make any payment due an H-GAC contractor beyond the fiscal year in which such obligation was incurred under this Contract.

ARTICLE 5: SCOPE OF SERVICES

The End User appoints H-GAC its true and lawful purchasing agent for the purchase of certain products and services through the H-GAC Cooperative Purchasing Program. End User will access the Program through HGACBuy.com and by submission of any duly executed purchase order, in the form prescribed by H-GAC to a contractor having a valid contract with H-GAC. All purchases hereunder shall be in accordance with specifications and contract terms and pricing established by H-GAC. Ownership (title) to products purchased through H-GAC shall transfer directly from the contractor to the End User.

(over)

ARTICLE 6: PAYMENTS

H-GAC will confirm each order and issue notice to contractor to proceed. Upon delivery of goods or services purchased, and presentation of a properly documented invoice, the End User shall promptly, and in any case within thirty (30) days, pay H-GAC’s contractor the full amount of the invoice. All payments for goods or services will be made from current revenues available to the paying party. In no event shall H-GAC have any financial liability to the End User for any goods or services End User procures from an H-GAC contractor.

ARTICLE 7: CHANGES AND AMENDMENTS

This Contract may be amended only by a written amendment executed by both parties, except that any alterations, additions, or deletions to the terms of this Contract which are required by changes in Federal and State law or regulations are automatically incorporated into this Contract without written amendment hereto and shall become effective on the date designated by such law or regulation.

H-GAC reserves the right to make changes in the scope of products and services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8: TERMINATION PROCEDURES

H-GAC or the End User may cancel this Contract at any time upon thirty (30) days written notice by certified mail to the other party to this Contract. The obligations of the End User, including its obligation to pay H-GAC’s contractor for all costs incurred under this Contract prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Contract, until performed or discharged by the End User.

ARTICLE 9: SEVERABILITY

All parties agree that should any provision of this Contract be determined to be invalid or unenforceable, such determination shall not affect any other term of this Contract, which shall continue in full force and effect.

ARTICLE 10: FORCE MAJEURE

To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11: VENUE

Disputes between procuring party and Vendor are to be resolved in accord with the law and venue rules of the State of purchase.

THIS INSTRUMENT HAS BEEN EXECUTED BY THE PARTIES HERETO AS FOLLOWS:

*

Name of End User (local government, agency, or non-profit corporation)

*

Mailing Address

*

CityStateZIP Code

*By:

Signature of chief elected or appointed official

*

Typed Name & Title of SignatoryDate

Houston-Galveston Area Council

3555 Timmons Lane, Suite 120, Houston, TX 77027

By:

Executive Director

Attest:

Manager

Date:

*Denotes required fields

***Request for Information**

Please sign and return the Interlocal Contract, along with this completed form, to H-GAC by emailing it to cpcontractfax@h-gac.com or by faxing it to **713-993-2424**. The contract may also be mailed to:

H-GAC Cooperative Purchasing Program
P.O. Box 22777, Houston, TX 77227-2777

Name of End User Agency: _____ County Name: _____
(Municipality/County/District/etc.)

Mailing Address: _____
(Street Address/P.O. Box) (City) (State) (ZIP Code)

Main Telephone Number: () FAX Number: ()

Physical Address: _____
(Street Address, if different from mailing address) (City) (State) (ZIP Code)

Web Site Address: _____

Official Contact: _____
(Point of Contact for HGACBuy Interlocal Contract)

Mailing Address: _____
(Street Address/P.O. Box)
(City) (State) (ZIP Code)

Authorized Official: _____
(Mayor/City Manager/Executive Director/etc.)

Mailing Address: _____
(Street Address/O.O. Box)
(City) (State) (ZIP Code)

Official Contact: _____
(Purchasing Agent/Auditor etc.)

Mailing Address: _____
(Street Address/O.O. Box)
(City) (State) (ZIP Code)

Official Contact: _____
(Public Works Director/Police Chief etc.)

Mailing Address: _____
(Street Address/O.O. Box)
(City) (State) (ZIP Code)

Official Contact: _____
(EMS Director/Fire Chief etc.)

Mailing Address: _____
(Street Address/O.O. Box)
(City) (State) (ZIP Code)

Title: _____
Ph No.: () - _____
Fx No. : () - _____
E-Mail Address: _____

Title: _____
Ph No.: () - _____
Fx No. : () - _____
E-Mail Address: _____

Title: _____
Ph No.: () - _____
Fx No. : () - _____
E-Mail Address: _____

Title: _____
Ph No.: () - _____
Fx No. : () - _____
E-Mail Address: _____

Title: _____
Ph No.: () - _____
Fx No. : () - _____
E-Mail Address: _____

*** denotes required fields**

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

Commissioner Kyle made a motion to approve Resolution 5-04-18, authorizing submission of an application for a litter and trash collecting grant for FY 2018-2019 from the Tennessee Department of Transportation and authorizing the acceptance of said grant. Commissioner Copeland seconded the motion.

ITEM NO. 11

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY					X			
CARTER, DELL					X			
CARTER, GREG					X			
COPELAND, JAMES				X	X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG			X		X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
STARKS, MONTE					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 4-16-18

RESOLUTION NO. 5-04-18

**A RESOLUTION OF THE HENRY COUNTY BOARD OF
COMMISSIONERS AUTHORIZING SUBMISSION OF AN
APPLICATION FOR A LITTER AND TRASH COLLECTING
GRANT FOR FY 2018-2019 FROM THE TENNESSEE
DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE
ACCEPTANCE OF SAID GRANT**

WHEREAS, the Henry County Commission intends to apply for the
aforementioned Grant from the Tennessee Department of Transportation;
and **WHEREAS**, the contract for the Grant for FY 2018-2019 will impose
certain legal obligations upon Henry County.

NOW, THEREFORE, BE IT RESOLVED by the Board of
Commissioners of Henry County, Tennessee, assembled in regular session
on this 16th day of April, 2018, a majority or more of the membership
concurring,

1. That the County Mayor is hereby authorized to apply on behalf of Henry County for a Litter and Trash Collecting Grant for FY 2018-2019 from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then the County Mayor of Henry County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Henry County.

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

PASSED 4-16-18


**BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION**


**DONNA CRAIG
COUNTY CLERK**

APPROVED 4-16-18


**BRENT GREER
HENRY COUNTY MAYOR**

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

Commissioner Greg Carter made a motion to approve Resolution 6-04-18, to approve Private Chapter No. 35, which establishes wheel tax. Commissioner Bradley seconded the motion.

ITEM NO. 12

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY				X	X			
CARTER, DELL					X			
CARTER, GREG			X		X			
COPELAND, JAMES					X			
GEAN, RANDY	X							
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG					X			
MATHENIA, PAUL					X			
MCSWAIN, CONNIE					X			
NEAL, PAUL					X			
STARKS, MONTE					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	1				14			

MOTION CARRIED

DATE : 4-16-18

RESOLUTION NO. 6-04-18

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS TO APPROVE PRIVATE CHAPTER NO. 35, WHICH ESTABLISHES WHEEL TAX

WHEREAS, on the 18th day of September, 2017, this Body passed a Resolution to Urge the General Assembly to Enact a Private Act Providing for a Wheel Tax in Henry County; and

WHEREAS, the 110th Tennessee General Assembly passed a Private Act providing for a wheel tax in substantially the form requested by this Body, said Private Act being Private Chapter No. 35 (House Bill No. 1478, substituted for Senate Bill No 1501, 110th General Assembly); and

WHEREAS, said Private Chapter No. 35 specifies that the method of local approval is by a two-thirds majority vote of the county legislative body pursuant to TENN. CODE ANN. §§ 8-3-201 and 8-3-202; and

WHEREAS, it is in the public interest that Private Chapter No. 35 be approved by this Body;


NOW, THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the county legislative body of Henry County, meeting in regular session on this **16th day of April, 2018**, that Private Chapter No. 35 (House Bill No. 1478, substituted for Senate Bill No 1501, 110th General Assembly) is hereby approved and ratified in its entirety; and

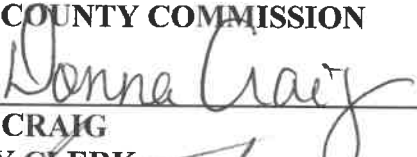
BE IT FURTHER RESOLVED, that the presiding officer of the county legislative body shall proclaim the approval of said Private Chapter No. 35, and the County Clerk shall certify the same to the Tennessee Secretary of State, and

BE IT FURTHER RESOLVED, that the County Clerk shall mail a certified copy of this Resolution along with the required Notice to Secretary of State of Ratification of Private Act to the Tennessee Secretary of State; and


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

PASSED 4-16-18


BRENT GREER, CHAIRMAN
HENRY COUNTY COMMISSION


DONNA CRAIG
COUNTY CLERK

APPROVED 4-16-18


BRENT GREER
HENRY COUNTY MAYOR



**NOTICE TO SECRETARY OF STATE
OF RATIFICATION OF PRIVATE ACT**

SECRETARY OF STATE
Division of Publications
312 Rosa L. Parks Avenue
Eighth Floor
William R. Snodgrass Tennessee Tower
Nashville, TN 37243

Private Chapter No. 35, which is House
(Senate or House)
Bill No. 1478 of the 110th General Assembly, (please choose one):

☐ Passed ☐ Failed ☐ No Action Taken


The vote took place on _____, and the results were as follows:
Date (mm/dd/yyyy)

_____ Votes For

_____ Votes Against

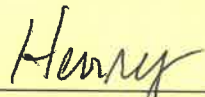
_____ Abstention

(please list number of votes)



Presiding Officer of the Local/Legislative Body

Embossed Seal:
(if applicable)



County or City

Date (mm/dd/yyyy)

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

A motion was made by Commissioner Bradley and seconded by Commissioner Greg Carter to move the May Commission meeting from May 21 to May 29.

ITEM NO. 13

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY			X					
CARTER, DELL								
CARTER, GREG				X				
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

DATE : 4-16-18

VOICE VOTE CARRIED

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

Commissioner Jones made a motion to adjourn. The motion was seconded by
Commissioner Dell Carter.

ITEM NO. 14

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL				X				
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON			X					
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

DATE : 4-16-18

VOICE VOTE CARRIED