### STATE OF TENNESSEE COUNTY OF HENRY...

Be it remembered that the County Commission met in a regular session at the Courthouse in Henry County, Tennessee on September 17, 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 HCSO Sgt. Ricky Wade.
- ITEM NO. 2 The invocation was led by Commissioner Humphreys.
- ITEM NO. 3 The pledge to the flag was led by Commissioner Berry.

#### ITEM NO. 4 Roll Call

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

ITEM NO. 5 Citizen's Forum

#### NONE AND THE CHAIR CLOSED THE FORUM

#### ITEM NO. 6 Commissioner's Forum

- Commissioner Jones acknowledged the Henry County Medical Center, as they recently held their 65<sup>th</sup> Anniversary celebration.
- Chairman Greer acknowledged September 18, 2018 will be the final day of work for Debbie Simmons. He introduced his new assistant, Treva Kelleher to the Commission.

THE CHAIR CLOSED THE FORUM

Commissioner Webb presented and made a motion to approve Resolution 1-09-18, to appoint certain citizens and commissioners to various boards, committees, and positions. The motion was seconded by Commissioner Humphreys.

ITEM NO. 7

TIENTNO. /	4 DOENIE							
	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY								
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH				X				
JONES, DON								
KYLE, KREG								
NEAL, PAUL								
STARKS, MONTE								
TRAVIS, JAMES								
VISSER, MARTY								
WEBB, DAVID			X		+			
WILLIAMS, DREW								
TOTAL						_		

**VOICE VOTE CARRIED** 

#### **RESOLUTION NO. 1-09-18**

#### 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 17<sup>th</sup> day of September, 2018, a majority or more of said Commissioners concurring, that:

SECTION 1. James Travis be and hereby is appointed to the <u>Adult</u> Oriented Establishment Board with term to be co-terminus (District 5).

SECTION 2. Robert Whitfield be and hereby is appointed as <u>County</u>

<u>Attorney</u> for a four year term expiring September 2022.

SECTION 3. James Travis be and hereby is appointed to <u>Budget</u>

<u>Committee</u> for the unexpired three year term ending January 2021

(District 5).

SECTION 4. James Travis be and hereby is appointed to the <u>Central</u>

<u>Community Service Center</u> for the unexpired three year term which expires January 2020 (District 5).

SECTION 5. Brent Greer be and hereby is appointed as <u>Chairman of the Commission</u> for a one year term, with term to expire September 2019.

SECTION 6. Kreg Kyle be and hereby is appointed as <u>Vice-Chairman</u> of the Commission for a one year term which expires September 2019.

SECTION 7. Jerry Berry be and hereby is appointed to the <u>Courthouse</u>

<u>Committee</u> for the unexpired one year term which expires January 2019

(District 3)

SECTION 8. Jerry Berry be and hereby is appointed to the <u>Delinquent</u>

<u>Tax Committee</u> for the unexpired one year term which expires January

2019 (District 3)

SECTION 9. Jerry Berry be and hereby is appointed to the <u>Committee</u> to <u>Study Fire Protection</u> for the one year unexpired term which expires January 2019 (District 3)

SECTION 10. Brent Greer be and hereby is appointed to the <u>Board of Health</u> for a one year term which expires September 2019.

SECTION 11. James Travis be and hereby is appointed to the <u>Health</u>

<u>Insurance Committee</u> for the unexpired one year term, expiring January

2019 (District 5)

SECTION 12. Paul Neal be and hereby is appointed to the <u>Industrial</u>

Relations Committee with term to be co-terminus.

SECTION 13. Jerry Berry be and hereby is appointed to the <u>Nominating</u>

<u>Committee</u> for the unexpired one year term which expires January 2019

(District 3)

SECTION 14. Jerry Berry be and hereby is appointed to the <u>Non-Profit</u>

<u>Organization Committee</u> with term to be co-terminus. (District 5)

SECTION 15. Jerry Berry and James Travis be and hereby are appointed to the <u>Personnel Policies & Procedures Committee</u> for unexpired two year terms which each expire January 2020 (District 3 and District 5)

SECTION 16. Jerry Berry be and hereby is appointed to the <u>Public</u>

Records Commission for the unexpired one year term which expires

January 2019 (District 5)

SECTION 17. David Webb be and hereby is appointed to the Solid Waste Committee for the unexpired three year term which expires January 2020 (District 5)

SECTION 18. Monte Starks and David Webb be and hereby are appointed to the <u>Tourism Authority Board</u> with term to be co-terminus. (District 3 and District 5)

SECTION 19. Monte Starks be and hereby is appointed to the <u>Tourism</u>

<u>Chamber Committee (Commission Member)</u> for the unexpired one year term that expires September 2019 (District 3)

SECTION 20. Bob Nolan be and hereby is appointed as <u>Veterans</u>

<u>Service Officer</u> for a four year which expires September 2022

SECTION 21. Brent Greer be and hereby is appointed to <u>Veterans</u>

<u>Service Committee</u> for a one year term which expires September 2019.

SECTION 22. James Travis be and hereby is appointed to the Work Release Committee for the unexpired one year term which expires January 2019 (District 5)

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

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

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

PASSED 9-17-18

BRENT GREER, CHAIRMAN HENRY COUNTY COMMISSION

DONNA CRAIG COUNTY CLERK

APPROVED 9-17-18

HENRY COUNTY MAYOR

A motion was made by Commissioner Starks and seconded by Commissioner Kyle to approve the Consent Agenda, which consists of the following: Minutes of the meeting of August 20, 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: Barton F. Robison, Stephanie Allen, Christina R. Priddy, Brenda Crouch, Connie L. Schaefer, and Traci A. Templeton.

ITEM NO. 8

TIEM NO. 8								
	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY								
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG				X				
NEAL, PAUL								
STARKS, MONTE			X					
TRAVIS, JAMES								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
							-	
TOTAL								

**VOICE VOTE CARRIED** 

Commissioner Jones made a motion to approve Resolution 2-09-18, to opt out of statewide building code standards for one-family and two-family dwellings in Henry County. Commissioner Dell Carter seconded the motion.

ITEM NO. 9

TIEM NO. 9	A D CIDA III	DD EGENT	1	1	_			
	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY					X			
CARTER, DELL				X	X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY					X			
HUMPHREYS, KENNETH					X			
JONES, DON			X		X			
KYLE, KREG					X			
NEAL, PAUL						X		
STARKS, MONTE					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
mom.:								
TOTAL					14	1		

MOTION CARRIED

#### **RESOLUTION NO. 02-09-18**

A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMNMISSIONERS TO OPT OUT OF STATEWIDE BUILDING CODE STANDARDS FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS IN HENRY COUNTY

WHEREAS, Public Chapter 529 of the Public Acts of 2009, known as the "Tennessee Clean Energy Future Act of 2009," amends T.C.A. § 68-120-101 to apply statewide building code standards to one-family and two-family dwellings; and

WHEREAS, Public Chapter 529 authorizes counties to opt out of these standards for one-family and two-family dwellings within the county's jurisdiction outside any municipality located within the county; and

WHEREAS, The Board of Commissioners of Henry County has determined that it is in the best interest of the citizens of the county for these standards not to apply to one-family and two-family dwellings within the county's jurisdiction outside any municipality located within the county.

NOW, THEREFORE BE IT RESOLVED by a two-thirds (2/3) vote of the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 17<sup>th</sup> day of September, 2018, that statewide building code standards, adopted pursuant to Title 68, chapter 120, shall not apply to one-family and two family dwellings located within the jurisdictional boundaries of Henry County outside any municipality located within the county.

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

PASSED 9-17-18

BRENT GREER, CHAIRMAN HENRY COUNTY COMMISSION

DONNA CRAIG COUNTY CLERK

APPROVED 9-11-18

BRENT GREER
HENRY COUNTY MAYOR

00 172

A motion was made by Commissioner Gean and seconded by Commissioner Greg Carter to approve Resolution 3-09-18, to approve a Road Board Commissioner bond and Constables statutory bonds.

ITEM NO. 10

TIEM NO. 10								
	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY								
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG				X				
COPELAND, JAMES								
GEAN, RANDY			X					
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
NEAL, PAUL								
STARKS, MONTE								
TRAVIS, JAMES								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

#### **RESOLUTION NO. 3-09-18**

#### A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO APPROVE A ROAD BOARD COMMISSIONER BOND AND CONSTABLES STATUTORY BONDS

WHEREAS, the Henry County Constables were duly elected to a four year term beginning September 1, 2018, and ending September 1, 2022; and

WHEREAS, they are James D. Chappell, Jason McCord, Chris Coley, and Thomas L. Bell; and

WHEREAS, Randi French, Henry County Trustee, was duly elected to a four year term of office in the County General Election on August 9, 2018, said term beginning September 1, 2018; and

WHEREAS, the law of the State of Tennessee requires that each one named herein shall be bonded for the faithful performance of his or her duty.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 17<sup>th</sup> day of September, 2018, a majority or more of the members concurring, that:

SECTION 1. The official statutory bond for Chris Coley, Constable, for the sum of \$4,000 be and hereby is approved for the four (4) year term beginning September 1, 2018, and ending August 31, 2022.

SECTION 2. The official statutory bond for Jason McCord, Thomas L. Bell, and James D. Chappell, Henry County Constable, each for the sum of \$5,000 and hereby is approved for the four (4) year term of office beginning September 1, 2018, and ending August 31, 2022.

SECTION 3. The official statutory bond for Randi French, Henry County Trustee, for the sum of One Million One Hundred Seventy-Eight Thousand Sixty-Five Dollars and No Cents

(\$1,178,065.00) and hereby is approved for the four (4) year term beginning September 1, 2018, and ending September 1, 2022.

**BE IT FURTHER RESOLVED** that the Henry County Public Officials named herein above shall be bound under the Official Statutory Bond for Henry County Public Officials provided by RLI Surety Insurance Company, Western Surety Company, and State Farm Fire and Casualty Company.

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

PASSED 9-17-18

BRENT GREER, CHAIRMAN HENRY COUNTY COMMISSION

DONNA CRAIG COUNTY CLERK

APPROVED 9-17-18

BRENT GREER

HENRY COUNTY MAYOR

A motion was made by Commissioner Travis and seconded by Commissioner Neal to approve Resolution 4-09-18, establishing the rules of procedure for conducting a special election to fill the office of 4<sup>th</sup> District road board member.

ITEM NO. 11

BERRY, JERRY  BRADLEY, WESLEY  CARTER, DELL  CARTER, GREG  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  TRAVIS, JAMES	NT	PRESENT	MOTION	SECOND	AYE	NIO		
BRADLEY, WESLEY  CARTER, DELL  CARTER, GREG  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE					AIL	NO	ABSTAIN	PASS
CARTER, DELL  CARTER, GREG  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
CARTER, GREG  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
KYLE, KREG  NEAL, PAUL  STARKS, MONTE								
NEAL, PAUL STARKS, MONTE								
STARKS, MONTE								
				X				
TRAVIS, JAMES								
			X					
VISSER, MARTY						_		
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

#### **RESOLUTION NO. 4-09-18**

## A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS ESTABLISHING THE RULES OF PROCEDURE FOR CONDUCTING A SPECIAL ELECTION TO FILL THE OFFICE OF 4<sup>TH</sup> DISTRICT ROAD BOARD MEMBER

WHEREAS, a vacancy now exists in the office of Henry County Road Board Member in the 4<sup>th</sup> District; and

WHEREAS, the Board of Commissioners of Henry County,

Tennessee must fill the said vacancy which now exists; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 17<sup>th</sup> day of September, 2018, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the office of Road Board Member for 4<sup>th</sup> District, whose qualifications are accepted by said Henry County Commission, be and hereby is granted the opportunity to speak to the assembled Commission in his/her own behalf prior to the casting of the official ballot or ballots; and provided, however, that any candidate so qualified may designate a person of his or her choice to speak in his or her own behalf; and provided, further, that in any event, the time granted for the speech or speeches on behalf of any candidate shall be for a period of time no longer than five (5) minutes.

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

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

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

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

PASSED 9-17-18

BRENT GREER, CHAIRMAN HENRY COUNTY COMMISSION

DONNA CRAIG

**COUNTY CLERK** 

**APPROVED** 9-17-18

**BRENT GREER** 

**HENRY COUNTY MAYOR** 

Commissioner Greg Carter made a motion to approve Resolution 4A-09-18, establishing the rules of procedure for conducting a special election to fill the office of 4<sup>th</sup> District constable. The motion was seconded by Commissioner Starks.

ITEM NO. 12

BERRY, JERRY BRADLEY, WESLEY CARTER, DELL CARTER, GREG COPELAND, JAMES GEAN, RANDY HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG NEAL, PAUL STARKS, MONTE TRAVIS, JAMES VISSER, MARTY WEBB, DAVID WILLIAMS, DREW  MOTION SECOI				
BRADLEY, WESLEY  CARTER, DELL  CARTER, GREG  X  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID	ND AYE	E NO	ABSTAIN	PASS
CARTER, DELL  CARTER, GREG  X  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
CARTER, GREG  COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
COPELAND, JAMES  GEAN, RANDY  HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  X  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
GEAN, RANDY HUMPHREYS, KENNETH JONES, DON KYLE, KREG NEAL, PAUL STARKS, MONTE X TRAVIS, JAMES VISSER, MARTY WEBB, DAVID				
HUMPHREYS, KENNETH  JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  X  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
JONES, DON  KYLE, KREG  NEAL, PAUL  STARKS, MONTE  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
KYLE, KREG  NEAL, PAUL  STARKS, MONTE  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
NEAL, PAUL  STARKS, MONTE  X  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
STARKS, MONTE  TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
TRAVIS, JAMES  VISSER, MARTY  WEBB, DAVID				
VISSER, MARTY WEBB, DAVID				
WEBB, DAVID	-			
WILLIAMS, DREW				
	-			
TOTAL				

VOICE VOTE CARRIED

#### **RESOLUTION NO. 4A-09-18**

# A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS ESTABLISHING THE RULES OF PROCEDURE FOR CONDUCTING A SPECIAL ELECTION TO FILL THE OFFICE OF 4th DISTRICT CONSTABLE

WHEREAS, a vacancy now exists in the office of Henry County

Constable in the 4<sup>th</sup> District; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 17<sup>th</sup> day of September, 2018, a majority or more of the membership concurring, that:

SECTION 1. Each candidate for the office of Constable for 4<sup>th</sup> District, whose qualifications are accepted by said Henry County Commission, be and hereby is granted the opportunity to speak to the assembled Commission in his/her own behalf prior to the casting of the official ballot or ballots; and provided, however, that any candidate so qualified may designate a person of his or her choice to speak in his or her own behalf; and provided, further, that in any event, the time granted for the speech or speeches on behalf of any candidate shall be for a period of time no longer than five (5) minutes.

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

SECTION 3. To be elected, a candidate must receive the vote of a minimum of eight (8) Commissioners, pursuant to the requirements of

Section 5-5-109 of the Tennessee Code Annotated.

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

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

PASSED 9-17-18

BRENT GREER, CHAIRMAN HENRY COUNTY COMMISSION

DONNA CRAIG COUNTY CLERK

APPROVED 9-17-18

BRENT GREER
HENRY COUNTY MAYOR

Resolution 5-09-18 was presented, to repeal the "300-Foot Rule", pertaining to issuance of beer permits. After a lengthy discussion, Commissioner Humphreys made a motion to *table* the resolution. The motion was seconded by Commissioner Starks. Resolution 5-09-18 was laid on the table.

ITEM NO. 13

TIEWINO. 13								
DEDDY JEDDY	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY					X			
BRADLEY, WESLEY					X			
CARTER, DELL					X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG					X			
NEAL, PAUL					X			
STARKS, MONTE					X			
TRAVIS, JAMES					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL					15			
						-		

MOTION CARRIED

#### **RESOLUTION NO. 5-09-18**

## A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO REPEAL THE "300-FOOT RULE" PERTAINING TO ISSUANCE OF BEER PERMITS

WHEREAS pursuant to TENN. CODE ANN. § 57-5-105(i) county legislative bodies may forbid the sale of beer within three hundred feet (300') of a residential dwelling, measured from building to building; provided, that the owner of the residential dwelling appears in person before the county beer board and objects to the issuance of such permit or license (this is commonly referred to as the "300-Foot Rule"); and

WHEREAS Henry County adopted the 300-Foot Rule by Resolution of its legislative body according to the Quarterly Minutes of the Regular Term, April 19, 1976 (Item No. 29); and

WHEREAS it is in the public interest that the 300-Foot Rule be repealed; and

WHEREAS Henry County does not, by this action, change the "975-Foot Rule" for churches, schools, and places of public gathering;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 17th day of September, 2018, a majority or more of the membership concurring, that the distance rule authorized by TENN. CODE ANN. § 57-5-105(i) restricting issuance of beer permits within 300' of residential dwellings (the "300-Foot Rule") as is hereby repealed.

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

PASSED	
	BRENT GREER, CHAIRMAN
	HENRY COUNTY COMMISSION
	DONNA CRAIG
	COUNTY CLERK
APPROVED	
	BRENT GREER
	00 183 HENRY COUNTY MAYOR

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

ITEM NO. 14

TIEM NO. 14	ADCENTE	DD DOED IO	1 COTTON	0=000	T	1		
	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BERRY, JERRY								
BRADLEY, WESLEY								
CARTER, DELL				X				
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON			X					
KYLE, KREG								
NEAL, PAUL								
STARKS, MONTE								
TRAVIS, JAMES								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED