

BENTON COUNTY COMMISSIONERS MEETING

JANUARY 17, 2017

BE IT REMEMBERED THAT ON JANUARY 17, 2017 THAT THE BENTON COUNTY COMMISSIONERS MET IN REGULAR SESSION AT THE BENTON COUNTY COURTHOUSE @ 6:00 PM.

**AGENDA**

1. Opening of Meeting by Sheriff Kenny Christopher.
2. Invocation was led by Commissioner Vanlew and Pledge of Allegiance was led by Commissioner Hicks.
3. Roll call by Wanda Malin, County Clerk.

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<b><u>MEMBERS PRESENT:</u></b>	<b>COMMISSIONERS ABSENT –</b>	<b>GARY EVANS</b>	<b>SONNY HALL</b>
DIST. 1	ANGIE HERN	WARD PLANT	TREY SMITH
DIST. 2	DAYNA FERGUSON	ROCKY PRESSON	JIMMY WISEMAN
DIST. 3	GARY FURR	BRETT ROGERS	NORMAN FRAZIER
DIST. 4	JERRY BRANDON	SONNY HALL	WILLIAM HATLER
DIST. 5	EMILY HATCHER	BILL KEE	ROSEANNE WARD
DIST. 6		DARRYL HICKS	LYLE VANLEW

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4. Announcing of Quorum by Chairman Barry Barnett.
5. Approval of the Agenda.
6. Citizens Forum.
7. Commissioners Forum.
8. Approval of previous month's minutes.
9. Report of Public Utilities.
10. Approval of Community Development Invoice #6713 in the amount of \$2,000.00.
11. Resolution approving payment of the invoice received by the medical examiner and investigator in the amount of \$975.00 for services rendered during the month of November (1219-01).
12. Resolution requesting that the Tennessee General Assembly name the planned Tennessee Bureau of Investigation facility in Madison County after the late TBI Agent De'Greun "Dee" Frazier in commemoration of his death in the line of service (1219-02).
13. Resolution budgeting funds in the amount of \$915.00 within the Benton County Animal Shelter budget for fees collected throughout the month of November (1219-03).
14. Resolution budgeting funds in the amount of \$2,309.39 within the Benton County Sheriff's budget for fees collected throughout November (1219-04).
15. Resolution budgeting funds in the amount of \$1,106.84 within the Benton County Library budget for fees collected throughout the month of November (1219-05).
16. Resolution budgeting funds in the amount of \$22,081.66 within the Benton County Highway Department budget for insurance recovery received on a wrecked vehicle (1219-06).

17. Resolution budgeting funds in the amount of \$1,716.85 within the Benton County Parks and Fair Board budget for Insurance recovery received for the theft and vandalism that took place at the industrial park (1219-07).
18. Resolution transferring funds in the amount of \$30,626.58 within the Benton County Jail Budget (1219-08).
19. Resolution transferring funds in the amount of \$750.00 from County Building Maintenance to the County Mayor's budget (1219-09).
20. Resolution appropriating funds in the amount of \$5,714.06 from the Unassigned Fund Balance within the County General Fund for upgrades to the large courtroom (1219-10).
21. Resolution appropriating funds in the amount of \$2,000.00 from the General Sessions Data Entry Fees Reserve in order to make upgrades to the large courtroom (1219-11).
22. Resolution appropriating funds in the amount of \$1,130.00 from the Unassigned Fund Balance within the County General Fund in order to pay the annual maintenance contract with BIS for the new digital recording system in the small court room (1219-12).
23. Appointing Notaries.
24. Any other business.
25. Adjourn.

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**APPROVAL OF THE AGENDA**

Motion was made by Commissioner Wiseman and seconded by Commissioner Vanlew to approve the agenda. On a voice vote, all present voted aye. Motion carries.

**CITIZENS FORUM**

Ashley Cook asked the Commission for his last draw on the library job. He stated that the job was finished.

**COMMISSIONERS FORUM**

Commissioner Ward Plant would like to thank the Library for what they contribute to the County and they are appreciated.

Several Commissioners would like to send a "Thank You" to the Library for service to the Community.

**APPROVE THE PREVIOUS MONTHS MINUTES**

Motion was made by Commissioner Wiseman and seconded by Commissioner Ferguson to approve the minutes for the December 2016 meeting. On a voice vote, all present voted Aye. Motion Carries.

**APPROVAL OF THE REPORT OF PUBLIC UTILITIES**

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

**COMMUNITY DEVELOPMENT INVOICE**

Motion was made by Commissioner Wiseman and seconded by Commissioner Hatcher to approve the Community Development Invoice #6713 in the amount of \$2,000.00. On a roll call vote 14 Ayes and 2 Nays. Motion Carries.

Community Development Invoice #6713

COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
GARY EVANS	X						
DARRYL HICKS		X			X		
LYLE VANLEW		X			X		
ANGIE HERN		X				X	
WARD PLANT		X				X	
TREY SMITH		X			X		
DAYNA FERGUSON		X			X		
ROCKY PRESSON		X			X		
JIMMY WISEMAN		X	X		X		
GARY FURR		X			X		
BRETT ROGERS		X			X		
NORMAN FRAZIER		X			X		
JERRY BRANDON		X			X		
SONNY HALL	X						
WILLIAM HATLER		X			X		
EMILY HATCHER		X		X	X		
BILL KEE		X			X		
ROSEANNE WARD		X			X		

## **RESOLUTIONS**

Motion was made by Commissioner Vanlew and seconded by Commissioner Ferguson to approve **RESOLUTION 1219-01**. On a voice vote, all present voted Aye. Motion carries.

### **RESOLUTION NO. 1219-01**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, Benton County has received invoices from the County Medical Examiner, Dr. Scott Portis, (\$375.00) and the County Medical Investigator(s), Phillip Christopher (\$400.00), and Bruce Herrin (\$200.00) for services rendered during the month of November; and

**WHEREAS**, it will be necessary to approve payment of the invoices received in the amount of \$975.00 in order to pay the County Medical Investigator(s) and Medical Examiner for the services rendered during the month of November 2016 on behalf of Benton County.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the invoices received from the County Medical Examiner (\$375.00) and County Medical Investigator(s) (\$600.00) for services rendered on behalf of Benton County during the month of November in the total amount of \$975.00 be approved for payment.

Motion was made by Commissioner Plant and seconded by Commissioner Hicks to approve **RESOLUTION 1219-02**. On a voice vote, all present voted Aye. Motion Carries.

### **RESOLUTION NO. 1219-02**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**RESOLUTION REQUESTING THAT THE TENNESSEE GENERAL ASSEMBLY NAME THE PLANNED TENNESSEE BUREAU OF INVESTIGATION FACILITY IN MADISON COUNTY AFTER THE LATE TBI AGENT DE'GREAUIN "DEE" FRAZIER IN COMMEMORATION OF HIS DEATH IN THE LINE OF SERVICE**

**WHEREAS**, Dee Frazier is the first and only Tennessee Bureau of Investigation (TBI) agent ever killed in the line of duty; and

**WHEREAS**, Dee Frazier was serving honorable when killed during and undercover sting operation on August 9<sup>th</sup>, 2016; and

**WHEREAS**, Dee Frazier's death occurred in Madison County where a new TBI facility is planned; and

**WHEREAS**, the new TBI facility is intended to serve the West Tennessee area where Dee Frazier was a longtime resident, and where he served as a law enforcement officer in various capacities including as a University of Memphis Police Officer, a Millington Police Officer, a Shelby County Sheriff's reserve officer, and a TBI agent; and

**WHEREAS**, TBI Director, Mark Gwyn described Dee Frazier as "...exactly what we look for in a TBI agent: hardworking, enthusiastic and dedicated to making Tennessee a better place to live"; and

**WHEREAS**, Dee Frazier's sacrifice is significant in that he was only 35 years of age at the time of his death and leaves behind a wife and two young children; and

**WHEREAS**, the \$25,000,000.00, \$40,000 – square – foot TBI facility is already planned and the commemorative naming of the facility for Dee Frazier would add no additional cost,

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Benton County, Tennessee, meeting in regular session on this the 19<sup>th</sup> Day of December 2016, that:

1. The Board of County Commissioners of Madison County, Tennessee does hereby request that the Tennessee General Assembly name the new West Tennessee TBI facility be named after the late TBI Agent De'Greaun Frazier; and
2. A copy of this Resolution be sent by the County Mayor to all counties in the state of Tennessee with a request that these counties take similar action and that they also request that such be taken by the Tennessee General Assembly; and that copies of this Resolution be sent to our Tennessee State Senator and Tennessee State Representatives representing Madison County, Tennessee.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF BENTON COUNTY, TENNESSEE ON THIS THE 19<sup>TH</sup> DAY OF DECEMBER, 2016.**

Motion was made by Commissioner Ferguson and seconded by Commissioner Hatcher to combine **RESOLUTIONS 1219-03, 1219-04, 1219-05, 1219-06 and 1219-07**. On a voice vote all present voted Aye. Motion Carries.

Motion was made by Commissioner Ferguson and seconded by Commissioner Hatler to approve **RESOLUTIONS 1219-03, 1219-04, 1219-05, 1219-06 and 1219-07** as combined. On a voice vote, all present voted Aye. Motion Carries.

**RESOLUTION NO. 1219-03**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, the Benton County Animal Shelter has received funds in the total amount of \$915.00 in donations, sponsorships and adoption fees collected throughout the month of November; and

**WHEREAS**, it will be necessary to budget the said funds in the total amount of \$915.00 to the appropriate expenditure accounts within the Animal Shelter budget.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$915.00 collected by the Benton County Animal Shelter for donations, sponsorships and adoption fees be budgeted as the following:

**INCREASE REVENUES:**

101.41130	ANIMAL VACCINATIONS	\$580.00
101.48610	DONATIONS	\$215.00
101.44130	SALE OF MATERIALS	\$120.00

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**\$915.00**

**INCREASE EXPENDITURES:**

101.55120.357	RABIES & ANIMAL CONTROL VETERINARY SERVICES	\$915.00
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**\$915.00**

**RESOLUTION NO. 1219-04**

**SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER**

**WHEREAS**, the Benton County Sheriff's Office has received funds in the amount of \$ 2,309.39 for service fees, phone commission, and reimbursements for the month of November 2016; and

**WHEREAS**, it will be necessary to budget the said funds in the amount of \$ 2,309.39 to the appropriate expenditure accounts within the Sheriff's budget.

**NOW THEREFORE BE IT RELOVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> day of December, 2016 that the funds in the amount of \$ 2,309.39 received by the Benton County Sheriff's Office for, phone commission, and reimbursements for the month of November be budgeted as follows:

**INCREASE REVENUES:**

101.43370	TELEPHONE COMMISSIONS	\$ 1,533.89
101.43395	SEX OFFENDER REGIST. FEE	\$ 300.00
101.45590	CHILD SUPPORT FEES	\$ 87.50
101.44170	MISCELLANEOUS REFUNDS	\$ 373.00
101.41590	LICENSE & PERMITS, OTHER PERMITS	\$ 15.00

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**\$ 2,309.39**

INCREASE EXPENDITURES:

101.54110.338	M & R – VEHICLES	\$	252.50
101.54110.353	TOW-IN SERVICES	\$	200.00
101.54160.599	OTHER CHARGES	\$	300.00
101.54210.507	MEDICAL CLAIMS	\$	1,556.89

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\$ 2,309.39

**RESOLUTION NO. 1219-05**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, the Benton County Library has received funds in the amount of \$1106.84 for fines, copies, faxes, reimbursements collected throughout the month of November; and

**WHEREAS**, it will be necessary to budget the said funds in the amount of \$1106.84 within the library budget.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$1106.84 received by the Benton County Library for fines, copies, faxes and City of Camden Donations/Allocations received for the month of November be budgeted as the following:

INCREASED REVENUES:

101.43350	GENERAL SERVICE CHARGES/COPY FEES	\$	412.11
101.43360	GENERAL SERVICE CHARGES/LIBRARY FEES	\$	221.35
101.44170	OTHER LOCAL REVENUE/MISC. REFUNDS	\$	473.38

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\$ **1,106.84**

INCREASED EXPENDITURES

101.56500.599	OTHER SUPPLIES AND MATERIALS	\$	1106.84
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\$ **1,106.84**

**RESOLUTION NO. 1219-06**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, the Benton County Highway Department had a 2002 International truck to turn over and get wrecked on Highway 641; and

**WHEREAS**, the Highway Department has received funds in the amount of \$22,081.66 for insurance recovery; and

**WHEREAS**, it will be necessary to budget the said funds in the amount of \$22,081.66 within the Highway Department budget.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$22,081.66 be budgeted to the Revenue Account No. 131.49700 – Highway Department Insurance Recovery and to the Expenditure Account No. 131.68000.714 – Highway Department Highway Equipment.



**RESOLUTION NO. 1219-07**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, the storage building at the ball parks located at the Benton County Industrial Park was recently broke into; and

**WHEREAS**, the estimated amount of vandalism and theft which occurred is in the amount \$1,716.85 (less the \$500.00 deductible) has been received by the county from Tennessee Risk Management as insurance recovery; and

**WHEREAS**, it will be necessary to budget the said funds in the amount of \$1,716.85 within the Parks & Fair Board budget in order to replace the items stolen and to make necessary repairs.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$1,716.85 received from Tennessee Risk Management for insurance recovery be budgeted to Revenue Account No. 101.49700 – Insurance Recover and budgeted to the Expenditure Account No. 101.56700.790 – Parks & Fair Boards Other Equipment.

Motion was made by Commissioner Ferguson and seconded by Commissioner Plant to approve **RESOLUTION 1219-08**.

Motion was made by Commissioner Hatler and seconded by Commissioner Ferguson to postpone **RESOLUTION 1219-08** until the January 2017 Meeting. On a roll call vote, 14 Ayes and 2 Nays. Motion Carries.

**RESOLUTION NO. 1219-08**

**SPONSORED BY THE BENTON COUNTY SHERIFF KENNY CHRISTOPHER**

**WHEREAS**, the Benton County Sheriff's Office is eliminating the position of Cafeteria Personnel and assigning a dedicated position of kitchen supervisor to a certified correction officer.

**WHEREAS**, it will be necessary to transfer all funds in the amount of \$ 30,626.58 from expenditure line 101.54210.165 Cafeteria Personnel to expenditure line 101.54210.160 Guards.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> day of December, 2016 to decrease funds in the amount of \$ 30,626.58 from expenditure line 101.54210.165 Cafeteria Personnel and increase funds in the amount of \$ 30,626.58 to expenditure line 101.54210.160 Guards.

**POSTPONE RESOLUTION 1219-08**

COMMISSIONER	ABSENT	PRESENT	MOTION	SECOND	AYE	NAY	PASS
GARY EVANS	X						
DARRYL HICKS		X			X		
LYLE VANLEW		X			X		
ANGIE HERN		X			X		
WARD PLANT		X				X	
TREY SMITH		X			X		
DAYNA FERGUSON		X		X	X		
ROCKY PRESSON		X				X	
JIMMY WISEMAN		X			X		
GARY FURR		X			X		
BRETT ROGERS		X			X		
NORMAN FRAZIER		X			X		
JERRY BRANDON		X			X		
SONNY HALL	X						
WILLIAM HATLER		X	X		X		
EMILY HATCHER		X			X		
BILL KEE		X			X		
ROSEANNE WARD		X			X		



Motion was made by Commissioner Ferguson and seconded by Commissioner Hatler to approve **RESOLUTION 1219-09**. On a voice vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 1219-09

SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT

WHEREAS, the county mayor would like to have the Patsy Cline Memorial plot surveyed and the boundaries marked; and

WHEREAS, it will be necessary to transfer funds in the amount of \$750.00 in order to cover the expense of the land survey.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$750.00 be transferred as the following:

DECREASE EXPENDITURE:

101.51800.335	COUNTY BUILDINGS MAINTENANCE & REPAIR	\$750.00
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\$750.00

INCREASE EXPENDITURE:

101.51300.599	COUNTY MAYOR OTHER CHARGES	\$750.00
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\$750.00

Motion was made by Commissioner Ferguson and seconded by Commissioner Plant to approve **RESOLUTION 1219-10**. On a roll call vote, all present voted Aye. Motion Carries.

RESOLUTION NO. 1219-10

SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT

WHEREAS, in previous action of the full legislative body Resolution 0817-21 was approved and passed in order to appropriate funds in the amount of \$10,500 from the General Sessions Data Entry Fees Reserve Account and funds in the amount of \$1,500 from the Chancery Court Data Entry Fees Reserve Account for a total appropriation of \$12,000; and

WHEREAS, the said funds in the total amount of \$12,000 was appropriated and budgeted within both the General Sessions and Chancery Court Data Processing Equipment expenditure accounts in order to purchase and install the digital recording system, a new courtroom laptop and TV; and

WHEREAS, the total funds in the amount of \$12,000.00 was not spent before the fiscal year end; and

WHEREAS, the remaining balance of \$5,714.06 reverted back to the Unassigned Fund Balance within the County General Fund at the end of the 2015-2016 fiscal year; and

WHEREAS, it will be necessary to appropriate the funds in the amount of \$5,714.06 from the Unassigned Fund Balance within the County General Fund and budget to the appropriate expenditure account for video arraignment & accessories purchased from and installed by BIS for the large courtroom.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$5,714.06 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted to the Expenditure Account No. 101.53310.709 – General Sessions Data Processing Equipment.

Motion was made by Commissioner Wiseman and seconded by Commissioner Brandon to approve **RESOLUTION 1219-11**. On a roll call vote, all present voted Aye. Motion Carries.

**RESOLUTION NO. 1219-11**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, the General Sessions Court would like to purchase and install a new laptop and large flat screen TV for the large courtroom; and

**WHEREAS**, it will be necessary to appropriate funds in the amount of \$2,000 from the General Sessions Data Entry Fees Reserve balance and budget to the appropriate expenditure account in order to make these upgrades.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$2,000 be appropriated from the General Sessions Data Entry Fees Reserve Account No. 101.34520 and budgeted to the Expenditure Account No. 101.53310.709 – General Sessions Data Processing Equipment in order to purchase and install a new courtroom laptop and large flat screen TV in the large courtroom.

Motion was made by Commissioner Ferguson and seconded by Commissioner Wiseman to approve **RESOLUTION 1219-12**. On a roll call vote, all present voted Aye. Motion Carries.

**RESOLUTION NO. 1219-12**

**SPONSORED BY THE BENTON COUNTY MAYOR BARRY BARNETT**

**WHEREAS**, the General Sessions made upgrades to the small courtroom last fiscal year, such as the digital recording and a laptop; and

**WHEREAS**, with this upgrade there is a new annual maintenance agreement that was not accounted for in the budget; and

**WHEREAS**, it will be necessary to appropriate funds in the amount of \$1,130.00 from the Unassigned Fund Balance within the County General Fund and budget to the appropriate expenditure account in order to pay the maintenance agreement to BIS for the term of 12/29/16 – 12/28/17.

**NOW THEREFORE BE IT RESOLVED**, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 19<sup>th</sup> Day of December 2016 that the funds in the amount of \$1,130.00 be appropriated from the Unassigned Fund Balance within the County General Fund and budgeted to the Expenditure Account No. 101.51900.334 – Other General Administration Maintenance Agreements.

**NOTARIES**

Motion was made by Commissioner Ferguson and seconded by Commissioner Wiseman to approve December Notaries. On a voice vote, all present voted AYE. Motion carries.

**DIANE BUHL      DEBBIE TOWNSEND      KRISTI EZELL**

**SUSAN HOLLOWELL**

**ANY OTHER BUSINESS**

Motion was made by Commissioner Furr and seconded by Commissioner Wiseman to Move Commissioner Frazier from Law Enforcement Committee to Insurance Committee and Move Commissioner Hicks from Insurance Committee to Law Enforcement Committee. On a voice vote, all present voted Aye. Motion Carries.

Chairman Barnett notified the Commission that the January Meeting will be on Tuesday January 17, 2017 because of the Martin Luther King Day Holiday and that the February Meeting will also be on Tuesday February 21, 2017 because of the President's Day Holiday.

Chairman Barnett read aloud a resignation letter submitted by Commissioner Gary Evans resigning his 6<sup>th</sup> district Commission Seat. Mr. Evans has applied for the Veteran's Service Officer.

**ADJOURNEMNT**

**Motion was made by Commissioner Hatler and seconded by Commissioner Ferguson to adjourn this meeting. On a voice vote, all present voted AYE. Motion Carries and meeting was adjourned.**

**WANDA MALIN, COUNTY CLERK, DO CERTIFY THIS TO BE A TRUE AND COMPLETE COPY OF THE JANUARY 17, 2017 BENTON COUNTY COMMISSION MEETING.**

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**BARRY BARNETT, COUNTY MAYOR**

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**WANDA MALIN, COUNTY CLERK**