



Office of Benton County Mayor

Mark Ward

BENTON COUNTY TENNESSEE

21 N. Forrest Avenue
Camden, TN 38320

September 21, 2026

TO: Board of County Commissioners

FROM: Mark Ward, County Mayor

The Board of Benton County Commissioners will meet in regular session on **Monday, September 21, 2026** at the Benton County Courthouse at **6:00 P.M.**

AGENDA

- I.** Opening of Meeting by Sheriff or his appointee.
- II.** Invocation and Pledge of Allegiance
- III.** Roll Call by County Clerk or Chief Deputy
- IV.** Announcing of Quorum by County Clerk, Wanda Malin
- V.** Election of Chairman
- VI.** Election of Chairman Pro-Tem
- 1)** Approval of Agenda
- 2)** Citizens Forum
- 3)** Commissioners Forum
- 4)** County Mayor, Attorney, Finance Advisor or Proclamations
- 5)** Approval of Minutes
- 6)** Report of Public Utilities
- 7)** **A RESOLUTION by DOS Mark Florence to budget funds received from the TNworks grant in the amount of \$5,000.00 within the schools' budget. (20260921-01)**
- 8)** **A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$10,741.11, received from TN Risk Management, to a proper expenditure line item. (20260921-02)**
- 9)** **A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$296.41 received from a Capital One refund. (20260921-03)**

- 10) A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$41,782.64 received from the State Special Education Preschool Grant to various expenditure line items within the School's Budget. (20260921-04)
- 11) A RESOLUTION to budget funds in the amount of \$150,000.00 received from a School Resource Officer Grant to the Sheriff's Office Budget. (20260921-05)
- 12) A RESOLUTION by Sheriff Kenny Christopher to appropriate and budget funds in the amount of \$400.00 to proper expenditure line items within the Sheriffs Budget to purchase Shredder for Dispatch Office. (20260921-06)
- 13) A RESOLUTION by Sheriff Kenny Christopher to appropriate and budget funds in the amount of \$400.00 to proper expenditure line items within the Jail's Budget to purchase Shredder for Jail Administrator's Office. (20260921-07)
- 14) A RESOLUTION by Sheriff Kenny Christopher to appropriate and budget funds in the amount of \$6595.00 to proper expenditure line items within the Jail's Budget to repair the Kitchen Hood Vent in the Jail's Kitchen. (20260921-08)
- 15) A RESOLUTION by Mayor Mark Ward, to reappoint Brad Mills to the Benton County E-911 Board for a four (4) year term beginning October 1, 2026. (20260921-09)
- 16) A RESOLUTION by Mayor Mark Ward to reappoint Mr. Frank Wright to the Benton County Electric System Board for a four (4) year term. (20260921-10)
- 17) A RESOLUTION by Commissioners Jeff Murphy, Bret Burke, Phil Melton, Mike Nunnery, and Gary Furr, (Benton County Budget Committee), seeking approval to contribute \$5000.00 to *Savanna's Grace -- All Abilities Adult Day Center*, an adult day center for individuals with disabilities. (20260921-11)
- 18) A RESOLUTION, by Mayor Mark Ward to appropriate and budget funds in the amount of \$10,141.00 to cover Liability Insurance service fees. (20260921-12)
- 19) A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$7859.00 to cover Workers' Compensation Insurance service fees. (20260921-13)
- 20) A RESOLUTION by Mayor Mark Ward to appropriate funds in the amount of \$2900.00 within the Jails Budget to address an expected shortfall within the sergeant's payroll line item. (20260921-14)
- 21) A RESOLUTION to budget funds in the amount of \$8,612.50 received from the City of Camden to the Library budget. (20260921-15)
- 22) A RESOLUTION by Mayor Mark Ward to budget funds received from airport grants in the amount of \$12,375.09 to the airport's budget. (20260921-16)
- 23) A RESOLUTION, by Mayor Mark Ward, to appropriate and budget funds in the amount of \$50,000.00 to the airport's budget, to cover a shortfall in aviation fuel for the Airport. (20260921-17)

- 24) A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$5,330.29 to the Animal Shelter Budget in order to budget unused funds from the Tuturea monies. (20260921-18)**
- 25) A RESOLUTION by Mayor Ward to appropriate and budget funds in the amount of \$600.00 to the Senior Citizens budget for Data Processing Services for computer support through SCR. (20260921-19)**
- 26) A RESOLUTION by Mayor Mark Ward to appropriate funds in the amount of \$78.10 to an expenditure line item within the Circuit Court budget to fund printer copy overages. (20260921-20)**
- 27) A RESOLUTION by Mayor Mark Ward to appropriate an additional \$800.00 to Economic Development Director due to a rent increase of \$100.00 each month from the Chamber of Commerce beginning in November 2026. (20260921-21)**
- 28) A RESOLUTION by Mayor Mark Ward to appropriate funds in the amount of \$594.00 to the Maintenance Agreements expenditure line item within the Circuit Court budget to fund the maintenance agreement for two (2) copiers with Konica Minolta. (20260921-22)**
- 29) RESOLUTION SPONSORED BY Commissioners Price and Shannon. (20260921-23)**
- 30) A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, TENNESSEE, ESTABLISHING A TEMPORARY MORATORIUM ON CERTAIN COUNTY ACTIONS FACILITATING THE ESTABLISHMENT, CONSTRUCTION, DEVELOPMENT, EXPANSION, OR OPERATION OF DATA CENTERS, CRYPTOCURRENCY MINING FACILITIES, AND CERTAIN HIGH- DENSITY COMPUTING OPERATIONS IN THE UNINCORPORATED AREAS OF BENTON COUNTY, TENNESSEE; STATING AUTHORITY AND LEGISLATIVE INTENT; MAKING SPECIFIC FINDINGS; DIRECTING A STUDY AND PUBLIC REPORTING PROCESS; PROVIDING FOR APPLICABILITY, EXEMPTIONS, VESTED RIGHTS PROTECTION, ADMINISTRATIVE DETERMINATIONS, APPEALS, ENFORCEMENT, SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE; AND ESTABLISHING A SELF-TERMINATING DURATION. (20260921-24)**
- 31) A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$2,832.50 in order to purchase two (2) color laser printers from RJ Young for the Clerk & Master's Office and the Circuit Court Office. (20260921-25)**
- 32) Appointing Notaries**
- 33) Any Other Business**
- 34) Adjourn**

RESOLUTION NO. 20260921-01

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by DOS Mark Florence to budget funds received from the TNworks grant in the amount of \$5,000.00 within the schools' budget.

WHEREAS: The Benton County Board of Education received funds from TNworks for the apprentice grant;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2026-27 budget as follows;

INCREASE

46980	Other State Grants	\$5,000.00
71100 116	Instructional Teachers	\$4,385.97
71100 201	Social Security	271.93
71100 204	Retirement	278.50
71100 212	Medicare	63.60

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-02

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Benton County DOS Mark Florence to budget funds in the amount of \$10,741.11, received from TN Risk Management, to a proper expenditure line item.

WHEREAS: The Benton County Board of Education received funds from TN Risk Management for damage to Big Sandy intercom;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2026-27 budget as follows;

INCREASE

49700	Insurance Recovery	\$10,741.11
-------	--------------------	-------------

76100 399	Capital Outlay Other Contracted Services	\$10,741.11
-----------	--	-------------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-03

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$296.41 received from a Capital One refund.

WHEREAS: The Benton County Board of Education received a refund from Capital one;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2026-27 budget as follows;

INCREASE

44170	Miscellaneous Refunds	\$296.41
-------	-----------------------	----------

72250 499	Technology Other Supplies and Materials	\$ 59.30
-----------	---	----------

71100 599	Instruction Other Charges	159.33
-----------	---------------------------	--------

72610 410	Operation of Plant Custodial Supplies	77.78
-----------	---------------------------------------	-------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-04

SPONSORED BY BENTON COUNTY DOS MARK FLORENCE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by DOS Mark Florence to budget funds in the amount of \$41,782.64 received from the State Special Education Preschool Grant to various expenditure line items within the School's Budget.

WHEREAS: The Benton County Board of Education received the State Special Ed. Preschool Grant;

THEREFORE: Be it resolved by the Benton County Board of Commissioners to approve the following changes within the 2026-27 budget as follows;

INCREASE

46515 SPRK	State Sp. Ed PRK Grant	\$41,782.64
71200 116 SPRK	Sp. Ed. Teachers	\$6,560.00
71200 163 SPRK	Sp. Ed. Assistants	2,880.00
71200 201 SPRK	Social Security	590.00
71200 204 SPRK	State Retirement	705.00
71200 212 SPRK	Medicare	140.00
71200 217 SPRK	Hybrid Retirement	63.00
71200 399 SPRK	Other Contracted Services	25,000.00
72220 524 SPRK	Staff Development	5,844.64

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-05

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 21, 2026

A RESOLUTION to budget funds in the amount of \$150,000.00 received from a School Resource Officer Grant to the Sheriff's Office Budget.

WHEREAS, the Benton County Sheriff's Office has received grant funds in the amount of \$150,000.00 from the School Resource Officer Grant; and

WHEREAS, the funds in the amount of \$150,000.00 must be budgeted to line items for expenditure; and,

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 21st day of September, 2026 that funds in the amount of \$150,000.00 received by the Benton County Sheriff's Office be budgeted as follows:

DECREASE REVENUES:

101.46240	School Resource Officer Grants	\$150,000.00
		\$150,000.00

INCREASE EXPENDITURES:

101.54110.170	School Resource Officer	\$100,039.00
101.54110.431	Law Enforcement Supplies	\$29,961.00
101.54110.524	In Service/Staff Development	\$20,000.00
		\$150,000.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted Aye _____ Voted Nay _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-06

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 21, 2026

A RESOLUTION by Sheriff Kenny Christopher to appropriate and budget funds in the amount of \$400.00 to proper expenditure line items within the Sheriff's Budget to purchase Shredder for Dispatch Office.

WHEREAS, it will be necessary to appropriate funds in the amount of \$400.00 into the appropriate line items with the Sheriff's budget in order to cover the approved purchases; and,

NOW, THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds in the amount of \$400.00 be appropriated and budgeted in the following manner:

DECREASE REVENUES:

101.39000	Unassigned Fund Balance	\$400.00
		\$400.00

INCREASE ESPENDITURES:

101.54110.719	Office Equipment	\$400.00
		\$400.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted Aye _____ Voted Naye _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-07

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 21, 2026

A RESOLUTION by Sheriff Kenny Christopher to appropriate and budget funds in the amount of \$400.00 to proper expenditure line items within the Jail's Budget to purchase Shredder for Jail Administrator's Office.

WHEREAS, it will be necessary to appropriate funds in the amount of \$400.00 into the appropriate line items with the Jail's budget in order to cover the approved purchases; and,

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds in the amount of \$400.00 be appropriated and budgeted in the following manner:

DECREASE REVENUES:

101.39000	Unassigned Fund Balance	\$400.00
		\$400.00

INCREASE EXPENDITURES:

101.54210.719	Office Equipment	\$400.00
		\$400.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted Aye _____ Voted Naye _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-08

SPONSORED BY BENTON COUNTY SHERIFF KEN CHRISTOPHER

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 21, 2026

A RESOLUTION by Sheriff Kenny Christopher to appropriate and budget funds in the amount of \$6595.00 to proper expenditure line items within the Jail's Budget to repair the Kitchen Hood Vent in the Jail's Kitchen.

WHEREAS, it will be necessary to appropriate funds in the amount of \$6595.00 into the appropriate line items with the Jail's budget in order to cover the approved purchases; and,

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds in the amount of \$6595.00 be appropriated and budgeted in the following manner:

DECREASE REVENUES:

101.39000	Unassigned Fund Balance	\$6595.00
		\$6595.00

INCREASE ESPENDITURES:

101.54210.336	Maintenance and Repair Services-Equipment	\$6595.00
		\$6595.00

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted Aye _____ Voted Naye _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-09

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to reappoint Brad Mills to the Benton County E-911 Board for a four (4) year term beginning October 1, 2026.

WHEREAS, with the end of his current term on the Benton County E-911 Board approaching, it is necessary and prudent to reappoint Brad Mills to an additional four (4) year term; and

WHEREAS, Brad Mills is a talented and honorable citizen of Benton County, who has served on the E-911 Board honorably and has expressed a willingness to continue to serve our community; and

WHEREAS, Benton County Mayor Mark Ward requests that, effective upon the end of his current term October 2026, Brad Mills be reappointed to the Benton County E-911 Board to serve a four (4) year term; and

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that Brad Mills be reappointed to a position on the Benton County E-911 Board, to serve a four-year term ending October 2030.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-10

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: NONE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to reappoint Mr. Frank Wright to the Benton County Electric System Board for a four (4) year term.

WHEREAS, due to the upcoming expiration of his term Mr. Frank Wright will need to be reappointed to this position; and,

WHEREAS, Mr. Wright is well respected throughout the community and has completed the appropriate board training. During his service on the BCES Board, his decisions have consistently reflected the best interests of the ratepayers and the electric system, without political influence; and,

WHEREAS, Benton County Mayor Mark Ward requests that Frank Wright be reappointed to the Benton County Electric System Board for a 4-year term, beginning upon the expiration of his current term, October 1, 2026; and

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026, that Frank Wright be reappointed to a 4-year term on the Benton County Electric System Board.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-11

SPONSORED BY COMMISSIONERS JEFF MURPHY, BRET BURKE, PHIL MELTON, MIKE NUNNERY, AND GARY FURR – BUDGET COMMITTEE

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Commissioners Jeff Murphy, Bret Burke, Phil Melton, Mike Nunnery, and Gary Furr, (Benton County Budget Committee) seeking approval to contribute \$5000.00 to *Savanna's Grace -- All Abilities Adult Day Center*, an adult day center for individuals with disabilities.

WHEREAS, Savanna's Grace provides essential faith-based adult day services and support programs to individuals with disabilities within our community; and,

WHEREAS, the services provided by Savanna's Grace enhance the quality of life, promote independence, and offer vital community engagement for these citizens; and,

WHEREAS, Benton County desires to support the continuing mission of this organization by providing a financial contribution to assist with their operational costs and programming; and,

WHEREAS, funds are available within the county budget to support this community service contribution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Benton County, Tennessee, assembled in regular session on this 21st day of September, 2026, that:

SECTION 1. The Benton County Board of Commissioners hereby authorizes a financial contribution in the amount of \$5,000.00 to Savanna's Grace to support its adult day programming for individuals with disabilities.

SECTION 2. The County Mayor and relevant financial officials are authorized to execute any necessary documentation and issue payment from the appropriate budget line item for this purpose.

SECTION 3. This resolution shall take effect immediately upon its passage, the public welfare requiring it.

DECREASE EXPENDITURES:

101.39000	UNASSIGNED FUND BALANCE	\$5,000.00
-----------	-------------------------	------------

INCREASE EXPENDITURES:

101.58500.316	CONTRIBUTIONS	\$5,000.00
---------------	---------------	------------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-12

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: INSURANCE COMMITTEE & BUDGET COMMITTEE

September 21, 2026

A RESOLUTION, by Mayor Mark Ward to appropriate and budget funds in the amount of \$10,141.00 to cover Liability Insurance service fees.

WHEREAS, the expenditure line item for services from the Liability Insurance was incorrectly calculated; and,

WHEREAS, it will be necessary to appropriate and budget funds in the amount of \$10,141.00 in order to cover this expenditure; and;

NOW, THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds in the amount of \$10,141.00 be appropriated and budgeted as follows:

DECREASE:

101.39000	UNASSIGNED FUND BALANCE	\$ 10,141.00
-----------	-------------------------	--------------

INCREASE:

101.51900.506	LIABILITY INSURANCE	\$ 10,141.00
---------------	---------------------	--------------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-13

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: INSURANCE COMMITTEE & BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$7859.00 to cover Workers' Compensation Insurance service fees.

WHEREAS, the expenditure line item for services from the Workers' Compensation was incorrectly calculated; and,

WHEREAS, it will be necessary to appropriate and budget funds in the amount of \$7859.00 in order to cover this expenditure; and,

NOW, THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds in the amount of \$7859.00 be appropriated and budgeted as follows:

DECREASE:

101.39000	UNASSIGNED FUND BALANCE	\$ 7859.00
-----------	-------------------------	------------

INCREASE:

101.51900.513	WORKER'S COMP INSURANCE	\$ 7859.00
---------------	-------------------------	------------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-14

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET & LAW ENFORCEMENT COMMITTEES

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate funds in the amount of \$2900.00 within the Jails Budget to address an expected shortfall within the sergeant's payroll line item.

WHEREAS, there is an expected shortfall of funds within the sergeant's line item; and,

WHEREAS, it will be necessary to appropriate funds from the unassigned fund balance line items to cover an expected payroll expense for the duration of the fiscal year.

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds be budgeted as follows:

DECREASE FUND BALANCE:

101.39000	UNASSIGNED FUND BALANCE	\$2900.00
-----------	-------------------------	-----------

INCREASE EXPENDITURES:

101.54210.115	SERGEANT(s)	\$2900.00
---------------	-------------	-----------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-15

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION to budget funds in the amount of \$8,612.50 received from the City of Camden to the Library budget.

WHEREAS, the Benton County Library has received funds in the amount of \$8,612.50 for city of Camden allocation/contribution collected in the month of July 2026; and

WHEREAS, it will be necessary to budget the said funds in the amount of \$8,612.50 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 21st day of September, 2026 that the funds in the amount of \$8,612.50 received by the Benton County Library for city of Camden allocation/contribution received for the month of July 2026 be budgeted as the following:

INCREASED REVENUES:

101.48130	CONTRIBUTIONS (City of Camden Allocation)	\$ 8,612.50
-----------	---	-------------

\$ 8,612.50

INCREASED EXPENDITURES

101.56500.169	PART-TIME PERSONNEL	\$ 8,612.50
---------------	---------------------	-------------

\$ 8,612.50

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-16

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to budget funds received from airport grants in the amount of \$12,375.09 to the airport's budget.

WHEREAS, the Benton County Airport has received reimbursement on various grants in the amount of \$12,375.09 from the State of Tennessee. These grants include the Terminal Renovation Grant, the Windsock and Beacon Panel Grant, the Taxiway Grant, and the Equipment Grant; and,

WHEREAS, it is necessary and prudent to budget these funds to a proper line item to allow for expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September 2026, that funds be budgeted as follows:

DECREASE:

189.47590	OTHER FEDERAL THROUGH STATE	\$ 12,375.09
-----------	-----------------------------	--------------

INCREASE:

189.91110.724	SITE DEVELOPMENT	\$ 12,375.09
---------------	------------------	--------------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-17

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION, by Mayor Mark Ward, to appropriate and budget funds in the amount of \$50,000.00 to the airport's budget, to cover a shortfall in aviation fuel for the Airport.

WHEREAS, the Benton County Airport requires additional funds to cover a shortfall in the purchase of aviation fuel; and,

WHEREAS, it is necessary and prudent to appropriate and budget funds in the amount of \$50,000.00 for this purpose; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 21st day of September 2026, that funds be budgeted as follows.

DECREASE:

101.39000	UNASSIGNED FUND BALANCE	\$ 50,000.00
-----------	-------------------------	--------------

INCREASE:

101.58220.425	GASOLINE	\$ 50,000.00
---------------	----------	--------------

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-18

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$5,330.29 to the Animal Shelter Budget in order to budget unused funds from the Tuturea monies.

WHEREAS, there exists a need to appropriate and budget funds in the amount of \$5,330.29 to the Animal Shelter Budget for the unspent money budgeted in the 2025-2026 fiscal year; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee, assembled in regular session on this the 21st day of September, 2026, that funds be appropriated and budgeted as follows:

DECREASE:

101.39000	UNASSIGNED FUND BALANCE (Tutureau)	\$5,330.29
-----------	------------------------------------	------------

INCREASE:

101.55120.357	VETERINARY SERVICES	\$5,330.29
---------------	---------------------	------------

Upon a Motion by _____ Seconded by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-19

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Mayor Ward to appropriate and budget funds in the amount of \$600.00 to the Senior Citizens budget for Data Processing Services for computer support through SCR.

WHEREAS, The Benton County Senior Citizen Office will now have computer support through SCR and funds need to be appropriated in the amount of \$600.00 for the yearly fee; and,

WHEREAS, in order to properly fund this line item, the Benton County Mayor requests that funds in the amount of \$600.00 be appropriated from the unassigned fund balance to the Senior Citizen's budget; and,

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that the funds in the amount of \$ 600.00 be appropriated and budgeted as follows:

DECREASE REVENUES:

101.39000	UNASSIGNED FUND BALANCE	\$ 600.00
-----------	-------------------------	-----------

INCREASE EXPENDITURE:

101.56300.317	DATA PROCESSING SERVICES	\$ 600.00
---------------	--------------------------	-----------

Upon a Motion by _____ Seconded
by _____

On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed
_____ Absent

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-20

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEES

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate funds in the amount of \$78.10 to an expenditure line item within the Circuit Court budget to fund printer copy overages.

WHEREAS, Benton County Circuit Court has overages in paper copies within their Konica Minolta agreement; and,

WHEREAS, it will be necessary to appropriate funds in the amount of \$78.10 into the appropriate line item within the Circuit Court's budget in order to cover the cost of overages with Konica Minolta.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 21st day of September, 2026 that funds in the amount of \$ 78.10 be appropriated as follows:

DECREASE REVENUES:

101.39000	Unassigned Fund Balance	\$78.10
-----------	-------------------------	---------

INCREASE EXPENDITURES:

101.53100.334	Maintenance Agreements	\$78.10
---------------	------------------------	---------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-21

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate an additional \$800.00 to Economic Development Director due to a rent increase of \$100.00 each month from the Chamber of Commerce beginning in November 2026.

WHEREAS, the Chamber of Commerce has increased the rent for the Economic Development Director by \$100 per month; and

WHEREAS, this rent increase will take effect November 1, 2026 requiring an additional appropriation of \$800; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this 21st day of September, 2026 that funds in the amount of \$800.00 be appropriated and budgeted as follows:

- **Section 1.** The budget line item for IDB office rent shall be increased by \$800, bringing the total additional allocation to cover the \$100 monthly increase for eight months.
- **Section 2.** This resolution takes effect November 1, 2026.

DECREASE:

101.39000	UNASSIGNED FUND BALANCE	\$800.00
-----------	-------------------------	----------

INCREASE:

101.58190.351	RENTALS	\$800.00
---------------	---------	----------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-22

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEES

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate funds in the amount of \$594.00 to the Maintenance Agreements expenditure line item within the Circuit Court budget to fund the maintenance agreement for two (2) copiers with Konica Minolta.

WHEREAS, Benton County Circuit Court has entered into an agreement with Konica Minolta for two (2) copiers at \$297.00 each; and,

WHEREAS, it will be necessary to appropriate funds in the amount of \$594.00 into the appropriate line item within the Circuit Court's budget in order to cover the cost of one year of maintenance agreements with Konica Minolta.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 21st day of September, 2026 that funds in the amount of \$594.00 be appropriated as follows:

DECREASE:

101.39000	Unassigned Fund Balance	\$594.00
-----------	-------------------------	----------

INCREASE:

53100.334	Maintenance Agreements	\$594.00
-----------	------------------------	----------

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-23

SPONSORED BY BENTON COUNTY COMMISSIONERS PRICE AND SHANNON

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

RESOLUTION SPONSORED BY Commissioners Price and Shannon

LEGISLATIVE REFERENCE: Directive Regarding Content of Rules of Procedure to be Adopted Pursuant to 2026 Tenn. Pub. Ch. 599

WHEREAS, 2026 Tenn. Pub. Ch. 599 requires each county legislative body to adopt local rules of internal procedure by majority vote within ninety (90) days of the convening of a newly elected county legislative body, and further provides that any subsequent amendment to such rules shall require a two-thirds (2/3) vote of the membership; and

WHEREAS, this Commission, having convened following the general election, is required to adopt its Rules of Order and Procedures within ninety (90) days of this date; and

WHEREAS, Section XIII.1.B of the Benton County Rules of Order and Procedures charges the Budget Committee with updating the Rules of Order as necessary; and

WHEREAS, this Commission finds that resolutions involving automated license plate reader systems, including but not limited to systems marketed as “Flock Safety” or functionally similar automated surveillance camera networks (hereinafter “Covered Resolutions”), raise matters of significant public interest touching on privacy, civil liberties, law enforcement policy, and county expenditure; and

WHEREAS, this Commission finds that citizens of Benton County should be afforded adequate advance notice and opportunity to be heard before any Covered Resolution is taken up for substantive debate or vote; and

WHEREAS, this Commission finds it prudent to direct that this notice and scheduling procedure be embedded within the Rules of Order and Procedures at the time of their initial adoption under 2026 Tenn. Pub. Ch. 599, so that it takes effect by simple majority vote rather than being added later at a two-thirds threshold;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Benton County, Tennessee, that the Budget Committee, in fulfilling its duty under Section XIII.1.B to update the Rules of Order, is hereby directed to include, as a section of the draft Rules of Order and Procedures presented to this Commission for adoption within the ninety (90) day period prescribed by 2026 Tenn. Pub. Ch. 599, a Special Notice and Scheduling Procedure providing substantially as follows:

1. **Scope.** The rule shall apply to any resolution, motion, or proposed action presented to the Commission that would authorize, fund, approve, renew, expand, or otherwise enact the acquisition, installation, use, or continuation of automated license plate reader systems or functionally similar automated surveillance camera networks (each, a “Covered Resolution”).
2. **Deferred Consideration.** A Covered Resolution shall not be taken up for substantive debate or vote at the meeting at which it is first presented to the Chairperson.

3. **Threshold Vote to Calendar.** At the meeting at which a Covered Resolution is first presented, the Commission shall vote on the sole question of whether to place the Covered Resolution on the agenda of the next regularly scheduled monthly meeting for substantive consideration. This threshold vote shall require the affirmative vote of a majority of the entire membership of the Commission, being ten (10) of eighteen (18) members, and not merely a majority of those present or of a quorum.
4. **Effect of Vote.** If the Commission votes in the affirmative under Section 3, the Covered Resolution shall be placed on the next month's agenda and become eligible for debate and vote at that meeting, subject to all other applicable resolution procedures. If the Commission fails to achieve the affirmative vote required under Section 3, the Covered Resolution shall not be further considered unless resubmitted for a subsequent meeting.
5. **Preservation of Public Comment.** Nothing in the rule shall limit any citizen's right to address the Commission regarding automated license plate reader or surveillance camera systems during the Citizens Forum, regardless of the status of any Covered Resolution.
6. **No Substantive Limitation.** The rule shall govern only the timing and sequencing of Commission action on Covered Resolutions and shall create no substantive restriction on the Commission's ultimate authority to approve, reject, table, or amend any Covered Resolution once properly and timely before it.

BE IT FURTHER RESOLVED, that the Budget Committee shall present the draft Rules of Order and Procedures, inclusive of the foregoing provision, to the full Commission for adoption within the ninety (90) day period prescribed by 2026 Tenn. Pub. Ch. 599.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-24

SPONSORED BY BENTON COUNTY COMMISSIONERS KIEHN, PRESSON, PRICE, AND SHANNON

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, TENNESSEE, ESTABLISHING A TEMPORARY MORATORIUM ON CERTAIN COUNTY ACTIONS FACILITATING THE ESTABLISHMENT, CONSTRUCTION, DEVELOPMENT, EXPANSION, OR OPERATION OF DATA CENTERS, CRYPTOCURRENCY MINING FACILITIES, AND CERTAIN HIGH-DENSITY COMPUTING OPERATIONS IN THE UNINCORPORATED AREAS OF BENTON COUNTY, TENNESSEE; STATING AUTHORITY AND LEGISLATIVE INTENT; MAKING SPECIFIC FINDINGS; DIRECTING A STUDY AND PUBLIC REPORTING PROCESS; PROVIDING FOR APPLICABILITY, EXEMPTIONS, VESTED RIGHTS PROTECTION, ADMINISTRATIVE DETERMINATIONS, APPEALS, ENFORCEMENT, SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE; AND ESTABLISHING A SELF-TERMINATING DURATION.

Sponsors:

Commissioner Terry Kiehn

Commissioner Rocky Presson

Commissioner Jerry Price

Commissioner Randy Shannon

Section 1. Authority and Legislative Intent

1.01 Authority

The Board of County Commissioners of Benton County, Tennessee, finds and declares that this Resolution is adopted pursuant to the lawful authority of Benton County under Tennessee law, including T.C.A. § 5-1-118 and other applicable provisions of general law authorizing counties to act to protect the public health, safety, and welfare and to address matters affecting public nuisances and detrimental uses of property in the unincorporated areas of the County.

The Board further finds that Tennessee law recognizes the authority of government to prevent, restrain, and abate conditions that constitute or may constitute public nuisances, including conditions that may unreasonably interfere with public rights, safety, peace, comfort, or the use and enjoyment of property.

The Board further recognizes that Tennessee vested-rights statutes address the effect of development moratoria by providing that when a local government enacts a moratorium on development or construction, the vesting period authorized by law is tolled during the moratorium.

1.02 Legislative Intent

This Resolution is intended to preserve the status quo for a limited period while Benton County studies and evaluates the impacts of certain high-intensity computing uses, receives public input, prepares objective standards, and considers whether permanent regulations or other lawful measures are warranted.

The Board expressly finds that Benton County does not presently maintain countywide zoning in the unincorporated areas and does not presently administer a building official or codes-permits

office for the unincorporated areas. Accordingly, this Resolution is intended to operate only through County actions, approvals, permissions, consents, contracts, utility commitments, road-related approvals, subdivision-related approvals if any, and other administrative acts that are independently authorized by existing law, and is not intended to create a new permitting office or a new countywide zoning system.

This Resolution is intended to be temporary, narrowly tailored, and limited in scope, and it is not intended to prohibit lawful existing uses, lawfully vested rights, or ordinary incidental computing activity.

Section 2. Specific Findings

The Board of County Commissioners adopts the following findings as the factual and policy basis for this Resolution:

2.01 Utility and Infrastructure Concerns

The Board finds that emerging large-scale data centers, cryptocurrency mining facilities, and other high-density computing operations may impose substantial and concentrated demands on electric power infrastructure, water resources, backup generation systems, roads, and related utility facilities, particularly in rural and unincorporated areas where existing infrastructure may be limited.

The Board further finds that Benton County has a legitimate governmental interest in understanding whether such facilities may strain utility capacity, require extraordinary infrastructure upgrades, increase heavy-vehicle traffic, or create conflicts with existing service demands for residents, farms, schools, churches, and businesses.

2.02 Land Use and Nuisance Concerns

The Board finds that such facilities may generate significant noise, vibration, heat, lighting, and other operational impacts that may be incompatible with nearby residential, agricultural, civic, or mixed-use areas if not appropriately regulated.

The Board further finds that temporary restraint while regulations or other lawful controls are studied is reasonably related to preventing potential nuisance conditions and protecting public health, safety, and welfare.

2.03 Existing Governmental Structure

The Board finds that, because Benton County does not presently maintain countywide zoning in the unincorporated areas and does not presently administer a building official or codes-permits office for such areas, the County cannot rely on a conventional zoning or building-permit review system to manage the emergence of Covered Facilities.

The Board further finds that any temporary moratorium adopted by the County should therefore be framed and administered through existing County actions and legal authorities rather than through a permitting structure that does not currently exist.

2.04 Planning Need

The Board finds that counties and municipalities in Tennessee and elsewhere have used temporary moratoria to preserve the status quo while studying emerging land uses and adopting more specific standards.

The Board further finds that Benton County requires a defined period of time to evaluate utility demand, water use, noise, setbacks, buffering, fire suppression, emergency response, road impacts, backup generation, environmental effects, and compatibility with surrounding uses before facilitating new Covered Facilities through County action.

2.05 Temporary Nature and Narrow Tailoring

The Board finds that a temporary moratorium with a fixed termination date, limited applicability, clear exemptions, written findings, and an express work program is a measured planning tool and not a permanent ban.

The Board intends that this Resolution be construed and administered to avoid arbitrary results, to protect vested rights recognized by Tennessee law, and to allow only the minimum restraint reasonably necessary during the study period.

Section 3. Definitions

For purposes of this Resolution, the following definitions shall apply:

3.01 Data Center

“Data Center” means any building, room, facility, campus, or operation primarily used for the housing and operation of computer servers, data storage systems, processing systems, cooling systems, electrical equipment, backup generation, network hardware, or related digital infrastructure, where the use meets one or more of the following thresholds:

1. Aggregate installed electrical demand of one megawatt (1 MW) or greater.
2. Dedicated electrical substation or transformer infrastructure rated at 500 kVA or greater.
3. Backup generation capacity of 500 kW or greater.
4. Ten thousand (10,000) square feet or more of floor area primarily devoted to server, storage, cooling, or related computing infrastructure.

3.02 Cryptocurrency Mining Facility

“Cryptocurrency Mining Facility” means any facility, operation, or site that houses computing equipment primarily used to validate, secure, or record blockchain or similar distributed-ledger transactions, or to conduct analogous cryptographic processing, and that meets one or more of the following thresholds:

1. Aggregate installed electrical demand of five hundred kilowatts (500 kW) or greater.
2. Installation of dedicated substation, transformer, or backup generation infrastructure.
3. Continuous or near-continuous operation, averaging more than sixteen (16) hours per day over any thirty (30) day period, of computing equipment primarily devoted to such activity.

3.03 High-Density Computing Operation

“High-Density Computing Operation” means any facility, operation, or site, not otherwise included above, that houses computing equipment and associated infrastructure primarily used for artificial intelligence training or inference, large-scale cloud computing, or other similar intensive data-processing activity, and that meets one or more of the following thresholds:

1. Aggregate installed electrical demand of one megawatt (1 MW) or greater.
2. Dedicated electrical substation or transformer infrastructure rated at 500 kVA or greater.
3. Backup generation capacity of 500 kW or greater.

4. Continuous or near-continuous operation averaging more than sixteen (16) hours per day over any thirty (30) day period, together with aggregate operational heat output exceeding one million (1,000,000) BTUs per hour.

3.04 Covered Facility

“Covered Facility” means a Data Center, Cryptocurrency Mining Facility, or High-Density Computing Operation as defined in this Section.

3.05 County Action

“County Action” means any approval, acceptance, authorization, consent, contract, agreement, utility commitment, road-related approval, subdivision-related approval, permit if any exists under current law, letter of support, certification, filing acceptance, or other discretionary or ministerial act by Benton County, its officers, employees, boards, commissions, or agents that is required for, materially facilitates, or materially supports the establishment, construction, development, expansion, or operation of a Covered Facility.

3.06 Exclusions

This Resolution does not apply to ordinary business, office, institutional, educational, medical, agricultural, or governmental uses with incidental or accessory computing equipment that does not independently satisfy the objective thresholds stated above.

Section 4. Applicability and Scope

4.01 Moratorium on County Actions

From and after the Effective Date and during the Moratorium Period, Benton County shall temporarily suspend, withhold, defer, or decline to accept, approve, issue, execute, authorize, or extend any County Action that would authorize, materially facilitate, or materially support the establishment of a new, or the expansion of an existing, Covered Facility in the unincorporated areas of Benton County.

4.02 Illustrative County Actions Covered

Without limiting the generality of Section 4.01, and only to the extent independently authorized or required by existing law, this moratorium applies to:

1. Acceptance or approval of any subdivision plat, development-related filing, or similar submission to the extent such action is required from Benton County or a County-affiliated body for a project constituting a Covered Facility.
2. County consent, approval, agreement, or commitment relating to County-owned or County-controlled roads, rights-of-way, access points, utility capacity, utility extension, service commitment, easements, or infrastructure support for a Covered Facility.
3. Letters of support, certifications, local-government consents, host acknowledgments, or similar County instruments sought in connection with any state or federal permit, financing, grant, tax arrangement, or regulatory process for a Covered Facility.
4. Any permit, approval, or acceptance process that may now exist or later be identified under current County law or valid private act authority, to the extent the same would materially facilitate a Covered Facility.

4.03 Covered Projects and Determinations

A project shall be treated as subject to this Resolution only if one or more of the following are present:

1. The materials submitted to the County expressly propose the establishment, construction, development, expansion, or operation of a Covered Facility.
2. The materials submitted to the County, including site plans, utility requests, load letters, equipment schedules, road access requests, infrastructure requests, or similar documents, show that the proposed use meets the objective thresholds in Section 3.
3. The County Mayor, acting in consultation with the County Attorney and such other County officials as may be appropriate, issues a written determination based on substantial evidence that the project meets the objective criteria in Section 3.

4.04 Limited Effect and No New Permit Regime

This Resolution applies only through County Actions that are independently authorized or required by existing law and shall not be construed to create or require a County permit, County approval, zoning district, building inspection office, or other regulatory structure where none presently exists.

This Resolution shall not be construed as a criminal prohibition on lawful activity independent of required County Action, nor as a permanent prohibition on the covered uses.

This Resolution shall be construed, to the extent reasonably possible, to avoid any interpretation that would eliminate all economically beneficial use of any parcel as a whole during the Moratorium Period.

Section 5. Study, Milestones, and Public Reporting

5.01 Study Directive

The County Mayor, County Attorney, members of the Board of County Commissioners standing property committee, such additional County officials as the Mayor may designate with approval by a majority vote of the Board of County Commissioners, and any consultants or advisors retained by the County are directed to evaluate and prepare recommendations regarding potential regulations or other lawful controls for Covered Facilities, including standards relating to utility demand, water use, noise, vibration, lighting, setbacks, buffering, fire suppression, emergency response, backup generation, road impacts, environmental effects, site design, and compatibility with surrounding uses.

5.02 Coordination

In carrying out the study, the County may request information and assistance from utility providers, emergency services officials, road officials, state agencies, any regional planning commission with jurisdiction over the study area, and other public or private stakeholders with relevant expertise.

5.03 Milestones

The study process shall include, at a minimum:

1. A preliminary written report within one hundred twenty (120) days after the Effective Date.

2. At least one publicly noticed workshop or hearing to receive public input before any extension is considered.
3. A final written report and recommendation to the Board within three hundred (300) days after the Effective Date.

5.04 Status Reports

Written reports prepared under this Section shall be made available for public inspection at the County Courthouse and on the County website to the extent reasonably practicable.

5.05 Purpose of Moratorium

The study and reporting obligations in this Section are material to the basis for this Resolution. This Resolution shall be administered consistently with the intent that the County proceed diligently and in good faith toward completion of the study and consideration of permanent regulations or other lawful measures.

Section 6. Exemptions, Grandfathering, and Vested Rights

6.01 Vested Rights Under Tennessee Law

This Resolution shall not apply to any project or application that was lawfully vested before the Effective Date under Tennessee law, including T.C.A. §§ 13-3-413 and 13-4-310, provided the applicant supplies substantial evidence sufficient to establish such status.

6.02 Lawfully Existing Facilities

This Resolution shall not apply to any legally established Covered Facility fully constructed and operating before the Effective Date, provided there is no expansion of physical footprint, approved utility demand, approved structure height, or intensity of operation beyond what was lawfully existing and approved as of the Effective Date.

6.03 Grandfathered County Matters

This Resolution shall not apply to any County Action if, before the Effective Date, the applicant had already obtained the specific County Action sought, or had submitted all materials required by existing law for that specific County Action and the County had formally accepted the matter as complete for consideration, and the project has not thereafter been materially changed or expanded in scope, intensity, utility demand, or footprint.

The County may require reasonable documentation of completeness and acceptance, including timestamped filings, correspondence, meeting agendas, utility communications, road access submissions, fee records if any, and written staff or official confirmation.

6.04 Routine Maintenance and Repairs

This Resolution shall not apply to routine maintenance, repair, replacement in kind, or interior renovation of an existing lawful facility that does not materially increase computing capacity, exterior intensity, noise, heat, backup generation, utility demand, road impact, or other off-site impacts.

6.05 Emergency and Legal Compliance Actions

This Resolution shall not apply to emergency work necessary to protect public health or safety, to prevent imminent property damage or environmental harm, or to comply with federal or state law, court order, or regulatory mandate.

6.06 Limited Hardship Waiver

The Board of County Commissioners may grant a written hardship waiver only upon findings, supported by substantial evidence in the record, that:

1. The proposed activity will not materially increase demands on utilities, roads, emergency services, or other public infrastructure beyond capacity reasonably available to serve the site.
2. The proposed activity will not create off-site noise, vibration, heat, lighting, traffic, or similar nuisance impacts beyond applicable standards.
3. Denial would impose an extraordinary hardship unique to the applicant or property and not shared generally by similarly situated property owners.

The burden of proof shall be on the applicant. Waivers shall be construed narrowly so as not to impair the purposes of this Resolution.

Section 7. Administrative Determinations and Appeals

7.01 Initial Administration

Because Benton County does not presently maintain a building official, zoning administrator, or codes-permits office for the unincorporated areas, the County Mayor shall serve as the initial administrative officer for purposes of this Resolution, in consultation with the County Attorney and such other officials as may have relevant responsibilities.

7.02 Submissions and Review

The County may accept materials or correspondence for the limited purpose of determining whether the matter involves a Covered Facility, whether a requested County Action is subject to this Resolution, and whether an exemption or waiver applies. No substantive County Action subject to this Resolution shall be granted during the Moratorium Period unless the matter is found exempt or a waiver is granted.

7.03 Written Determinations

The County Mayor, or the Mayor's written designee if one is appointed for this purpose, shall issue a written determination within ten (10) business days after receipt of a complete submission stating whether:

1. The matter concerns a Covered Facility.
2. The requested County Action is subject to this Resolution.
3. An exemption applies.
4. A hardship waiver is recommended for Board consideration or is denied as unsupported.

The written determination shall briefly identify the facts relied upon and the provisions of this Resolution applied.

7.04 Appeals and Waiver Hearings

Any applicant aggrieved by a written determination under this Resolution may appeal to the Board of County Commissioners by filing a written notice of appeal with the County Clerk within ten (10) business days after issuance of the determination.

Any hardship waiver request not denied administratively as unsupported shall be scheduled by the County Clerk for consideration by the Board of County Commissioners at a regular or special meeting for which notice and agenda deadlines can reasonably be met.

The Board may affirm, reverse, or modify an appealed determination, and may grant or deny a hardship waiver, based on the record submitted and any additional information the Board allows.

The Board shall record its action in the minutes and may issue written findings or a written order reflecting the basis for its action.

Section 8. Enforcement and Remedies

8.01 Uniform Administration

This Resolution shall be administered uniformly to similarly situated persons, properties, projects, and requests for County Action.

8.02 Returned or Deferred Matters

Any request for County Action submitted in violation of this Resolution may be returned, deferred, tabled, or declined during the Moratorium Period, together with written notice identifying the basis for the County's action.

8.03 Available Remedies

In addition to withholding County Action, Benton County may pursue appropriate administrative, civil, or equitable relief authorized by general law to enforce this Resolution and to prevent or restrain actions undertaken in circumvention of County authority, including injunctive relief where appropriate.

Section 9. Effective Date, Duration, Extension, and Early Termination

9.01 Effective Date

This Resolution shall take effect at 12:01 a.m. local time on the first business day following its passage and filing with the Benton County Clerk.

9.02 Duration and Self-Termination

Unless sooner terminated or lawfully extended as provided herein, this Resolution shall remain in effect for twelve (12) months from the Effective Date and shall then automatically expire without further action of the Board.

9.03 Extension

Prior to expiration, the Board may extend this Resolution one time for a period not exceeding six (6) months only upon adoption of updated written findings at a public meeting that:

1. The study and drafting process required by Section 5 is ongoing and has proceeded with reasonable diligence.

2. Additional time is necessary to complete consideration of permanent regulations or other lawful measures.
3. Continuation of the moratorium remains reasonably necessary to protect the public health, safety, and welfare and to prevent or reduce the risk of nuisance conditions.

Any proposed extension shall be accompanied by a written status report made available to the public before the meeting at which extension is considered.

9.04 Early Termination

The Board may terminate this Resolution before its scheduled expiration by subsequent resolution upon adoption of permanent regulations or upon a finding that the conditions necessitating the moratorium no longer exist.

Section 10. Severability and Savings

10.01 Severability

If any section, subsection, sentence, clause, phrase, or application of this Resolution is held invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions or applications of this Resolution, which shall continue in full force to the greatest extent permitted by law.

10.02 Savings and Construction

This Resolution is intended to be interpreted and applied consistently with the Constitutions of the United States and the State of Tennessee and with all applicable state and federal laws. If any provision is found to conflict with applicable law, that provision shall be construed and enforced to the maximum extent possible consistent with such law.

Nothing in this Resolution shall be construed to impair vested rights recognized by Tennessee law, to waive any defenses available to Benton County, or to create any entitlement to any permit, waiver, exemption, approval, contract, consent, or other County Action except as expressly provided by law.

Section 11. Repealer

All resolutions or parts of resolutions in conflict with this Resolution are repealed only to the extent of such conflict.

Section 12. Adoption

BE IT FURTHER RESOLVED that this Resolution shall be spread upon the minutes of the Board of County Commissioners of Benton County, Tennessee, and shall be effective according to its terms.

ADOPTED this ____ day of _____, 2026.

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN

RESOLUTION NO. 20260921-25

SPONSORED BY BENTON COUNTY MAYOR MARK WARD

LEGISLATIVE REFERENCE: BUDGET COMMITTEE

September 21, 2026

A RESOLUTION by Mayor Mark Ward to appropriate and budget funds in the amount of \$2,832.50 in order to purchase two (2) color laser printers from RJ Young for the Clerk & Master's Office and the Circuit Court Office.

WHEREAS, the Benton County judges have requested color printers be purchased for each office; and,

WHEREAS, the Administrative Office of the Courts has provided us with the necessary bid for these printers; and

WHEREAS, it is necessary to fund a new Lexmark C4342 Color Laser Printer for the Benton County Clerk & Master's Office and the Circuit Court Office; and,

NOW THEREFORE BE IT RESOLVED, By the Board of Commissioners of Benton County, Tennessee assembled in regular session on this the 21st day of September, 2026 that the funds in the amount of \$2,832.50 be budgeted as follows.

DECREASE REVENUES:

101.34520	Special Reserve Account	\$1,416.25
101.34520	Special Reserve Account	\$1,416.25

INCREASE EXPENDITURES:

101.53100.709	Data Processing Equipment	\$1,416.25
101.53400.709	Data Processing Equipment	\$1,416.25

\$2,832.50

Upon a Motion by _____ Seconded by _____
On a Roll Call Vote _____ Voted AYE _____ Voted NAY _____ Passed _____ Absent _____

APPROVED:

ATTEST:

COUNTY MAYOR, MARK WARD

COUNTY CLERK, WANDA MALIN