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**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
JANUARY 26, 2009**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, January 26, 2009, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Merrol Hyde. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

|                      |                 |                   |
|----------------------|-----------------|-------------------|
| Mike Akins           | Paul Goode      | Joe C. Matthews   |
| Saundra Ridings Boyd | Steve Graves    | Kirk Moser        |
| David Cummings       | Bob Hendricks   | Bob Pospisil      |
| Paul Decker          | Billy S. Hobbs  | David Satterfield |
| James A. England     | Chris Hughes    | Jo Skidmore       |
| Shawn Fennell        | Merrol N. Hyde  | Jerry F. Stone    |
| Frank Freels         | David Kimbrough | Jim Vaughn        |
| Paul D. Freels       | Trisha LeMarbre | Shawn Utley       |

Having a duly constituted quorum, the meeting was opened in due process by Chief Deputy Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-four members seated, a simple majority would be by thirteen votes; and that matters requiring a two-thirds vote would be by sixteen votes during this session.

The Invocation was led by Pastor Kenneth Shaw, Trinity Evangelical Lutheran Church Missouri Synod in Gallatin.

The Pledge of Allegiance was led by the County Clerk, Bill Kemp.

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**APPROVAL OF AGENDA**

Commissioner Goode moved, Commissioner Graves seconded, to adopt the regular agenda. The Commission approved the regular agenda by unanimous voice vote of the body. Upon motion of Commissioner Skidmore, and duly seconded, the Consent Agenda was approved unanimously by voice vote of the body.

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**APPROVAL OF MINUTES**

The minutes for the meeting of this body held on December 15, 2008, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Hobbs made the motion, seconded by Commissioner Skidmore. Commissioner Vaughn abstained from the vote.

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**RECOGNITION OF THE PUBLIC**

Chairman Hyde opened the floor to allow the public to speak concerning any matter on the agenda.

Jimmy Overton, a City of Gallatin Council member, requested the Commission approve Resolutions 0901-04 and 0901-07 to pay the Sheriffs Civil Service Board for its meetings.

With no one else wishing to speak, recognition of the public was closed.

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### REPORT OF THE CHAIR

Commissioner Vaughn read the following resolution into the record:

#### A RESOLUTION IN MEMORY OF MR. JIMMY GERMANY

**WHEREAS**, In 1997 Mr. Jimmy Germany, began his tenure with the Sumner County Sheriff's Department, where he diligently worked as a court officer at the courthouse on the square until his retirement in 2005; and

**WHEREAS**, Mr. Germany also had a smile and kind word for the countless people who entered the courthouse and his warm reception helped to ease their tension as they came to undertake court business; and

**WHEREAS**, Mr. Germany, through his diligent service and dedication to others, positively influenced the lives of countless people and by his efforts made our county a better place to live; and

**WHEREAS**, Mr. Germany was a respected citizen of the county who will be missed by friends and family alike.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009 that this body does hereby express its appreciation and gratitude for the many years of service and dedication of Mr. Jimmy Germany and this body further expresses its sympathy to the family of Mr. Jimmy Germany for their great loss; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the family of Mr. Jimmy Germany.

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Upon motion of Commissioner Vaughn, seconded by Commissioner Matthews, the Commission voted unanimously to approve the Certificate of Recognition honoring Mr. Germany in memoriam.

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Commissioner Vaughn read the following resolution into the record:

#### A RESOLUTION IN MEMORY OF MR. BRIAN DENNING

**WHEREAS**, Mr. Brian Denning, tragically lost his life in the line of duty on December 8, 2008, and with his passing our county lost a dedicated officer, citizen and friend; and

**WHEREAS**, Mr. Denning, began as an employee with the Sumner County Sheriff's Department in 2001 where he worked as a corrections officer, then

advanced to warrants deputy, was promoted to patrol deputy and was serving as an agent for the 18<sup>th</sup> Judicial Drug Task Force; and

**WHEREAS**, Mr. Dennen, through his diligent service and loyal dedication to others, positively influenced the lives of countless people and by his efforts made our county a caring and great place to live; and

**WHEREAS**, Mr. Denning was a dedicated family man, committed to the community, his job and his church, where he was active in numerous events and had a passion for working with children.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009 that this body does hereby express its appreciation and gratitude for the many years of service and dedication of Mr. Brian Denning and this body further expresses its sympathy to the family of Mr. Brian Denning for their great loss; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the family of Mr. Brian Denning.

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Upon motion of Commissioner Vaughn, seconded by Commissioner Matthews, the Commission voted unanimously to approve the Certificate of Recognition honoring Mr. Denning in memoriam.

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Commissioner Vaughn read the following resolution into the record:

**A RESOLUTION IN MEMORY OF  
MR. JOE JACKSON**

**WHEREAS**, Mr. Joe Jackson, was hired in 1972 as an employee with the Sumner County Sheriff's Department and during his career worked as a deputy, sergeant and lieutenant and at the time of his retirement served as the elderly liaison deputy and checked on senior citizens throughout the county on a daily basis; and

**WHEREAS**, Mr. Jackson, through his diligent service and dedication to others, positively influenced the lives of countless people and by his efforts made our county a progressive and great place to live; and

**WHEREAS**, Mr. Jackson a respected citizen of the county, worked hard to improve the quality of life for everyone and his presence will be greatly missed by his family and the countless friends he made.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009 that this body does hereby express its appreciation and gratitude for the many years of service and dedication of Mr. Joe Jackson and this body further expresses its sympathy to the family of Mr. Joe Jackson for their great loss; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the family of Mr. Joe Jackson.

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Upon motion of Commissioner Vaughn, seconded by Commissioner LeMarbre, the Commission voted unanimously to approve the Certificate of Recognition honoring Mr. Jackson in memoriam.

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Commissioner Vaughn read the following resolution into the record:

**A RESOLUTION HONORING ATTORNEY GENERAL RAY WHITLEY**

**WHEREAS**, General Whitley is a graduate of Louisiana State University and Memphis State University Law School and served in the U.S. Army including serving two years in Vietnam; and

**WHEREAS**, General Whitley began his career in the 18<sup>th</sup> Judicial District in 1978, as an assistant district attorney; and in 1980 became district attorney general and has served in that capacity for more than 28 years; and

**WHEREAS**, General Whitley and his wife Pat, have four children and eight grandchildren; and are active members of Hendersonville First United Methodist Church; and

**WHEREAS**, Attorney General Ray Whitley has been awarded the prestigious McCutchen Award, because of his dedication to others and pursuit of justice and it is thereby appropriate that Attorney General Ray Whitley be recognized for his diligent service and dedication to the citizens of Sumner County.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby expresses its appreciation for the many years of service and dedication of the Attorney General Ray Whitley and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Attorney General Ray Whitley to Sumner County; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread on the minutes of this body so as to make it a permanent part of the records of this body and the Clerk is to furnish a copy of this resolution to the Attorney General Ray Whitley.

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Upon motion of Commissioner Vaughn, seconded by Commissioner Fennell, the Commission voted unanimously to approve the Certificate of Recognition honoring General Whitley.

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Commissioner Hobbs read the following resolution into the record:

**A RESOLUTION HONORING THE MEMORY OF MARY RALPH BRADLEY**

**WHEREAS**, Mrs. Mary Ralph Bradley, a life long resident of Sumner County, lived her life as an inspiration to all and during her noteworthy life served as an educator, school board member and community leader who was repeatedly honored and recognized by local and state administrators for her admirable qualities; and

**WHEREAS**, during her noteworthy life, Mrs. Bradley also served as secretary in the War Department at the Pentagon, worked as a Gallup Pollster,

managed a Sumner County Law office, taught homebound students, and was a published author; and

**WHEREAS**, Mrs. Bradley was the beloved mother of three children, seven grandchildren and five great grandchildren, well as being a dear friend to countless people; and

**WHEREAS**, Mrs. Bradley touched the life of numerous people and by her kind ways, our county is a better place to live.

**NOW, THEREFORE BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body does hereby recognize and honor the memory of Mrs. Mary Ralph Bradley and expresses its condolences to her family; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the family of Mrs. Mary Ralph Bradley.

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Upon motion of Commissioner Hobbs, seconded by Commissioner Pospisil, the Commission voted unanimously to approve the Certificate of Recognition honoring Mrs. Bradley in memoriam.

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Commissioner Decker read the following resolution into the record:

**A RESOLUTION HONORING  
NICK YAZZIE**

**WHEREAS**, Nick Yazzie, a member of the Hendersonville High School Commandos football team was named the 2008 "Sumner County Player of the Year"; after also being named a Tennessee Titans Player of the week and the Region 5 Most Valuable Player for the Region Champions; and

**WHEREAS**, Mr. Yazzie attributed his success to his teammates and the united effort the Commando team made during the 2008 football season; and

**WHEREAS**, Nick Yazzie has played with pride, practiced hard, strived for perfection and for his outstanding efforts has brought honor not only to himself, but his school and Sumner County.

**NOW THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body does hereby congratulate and commend Nick Yazzie for his outstanding achievements; and

**BE IT FURTHER RESOLVED** that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to Nick Yazzie.

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Upon motion of Commissioner Decker, seconded by Commissioner Hyde, the Commission voted unanimously to approve the Certificate of Recognition honoring Mr. Yazzi.

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Chairman Hyde announced that the Board of Education invited Shawn Utley and Frank Freels to serve on the Board's Facilities and Maintenance Committee, and

Commissioners Paul Good and Kirk Moser to serve on the Board's Compensation and Benefits Committee.

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County Law Director reported that Sumner County was not liable for bonds issued by Sumner Regional Health Systems. She stated the fact that the SRHS bonds might be downgraded have nothing to do with the County's bond status.

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Commissioner Kimbrough introduced the following resolution and moved for approval. Commissioner Moser seconded the motion.

**0901-14 A RESOLUTION APPOINTING DAVID LAWING AS  
FINANCE DIRECTOR FOR  
SUMNER COUNTY, TENNESSEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby appoints David Lawing as Finance Director for Sumner County pursuant to the terms of the contract attached herewith (in file).

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Commissioner Satterfield moved, seconded by Commissioner Cummings, to amend the motion to not allow a raise for the new Finance Director during the Fiscal Year 2009-10.

The electronic vote was recorded in the following manner:

**AMEND NO RAISE FOR DIRECTOR IN F.Y. 2009-10**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | N | Cummings    | Y |
| Utley     | A | Graves    | N | Satterfield | Y |
| F. Freels | N | Matthews  | N | Boyd        | N |
| England   | N | Hendricks | N | Vaughn      | N |
| LeMarbre  | N | Moser     | N | Decker      | N |
| Hyde      | Y | Hughes    | N | Kimbrough   | N |
| Goode     | N | Skidmore  | N | P. Freels   | N |
| Stone     | N | Hobbs     | Y | Pospisil    | N |

**0901-14.1 Yes: 5 No: 18 Abs: 1 07:28 PM**

Chairman Hyde declared the amendment failed to pass.

The electronic vote was recorded in the following manner:

**APPROVE FINANCE DIRECTOR**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | Y | Cummings    | Y |
| Utley     | Y | Graves    | Y | Satterfield | Y |
| F. Freels | Y | Matthews  | Y | Boyd        | Y |
| England   | Y | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | Y | Moser     | Y | Decker      | Y |
| Hyde      | Y | Hughes    | Y | Kimbrough   | Y |
| Goode     | Y | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | Y | Pospisil    | Y |

**0901-14 Yes: 24 No: 0 Abs: 0 07:29 PM**

Chairman Hyde declared the resolution approved by the body.

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## REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Hughes, seconded by Commissioner Akins, the commissioners approved unanimously the filing as received of the following reports: County Investments, County General Fund, County Debt Service Fund, County Highway Fund, County Capital Outlay Fund, School General Purpose Fund, School Federal Projects Fund, School Food Service Fund, Employee Health Insurance Trust Fund, Employee Dental Insurance Trust Fund, Casualty Insurance Trust Fund, County Trustee Funds, Special Reports: County Dental Insurance Claim Payments, County Health Insurance Claim Payments, County Property Tax Collections, County EMS Billing/Collections/Balances, County Sales Tax Collections, County Wheel Tax Collections, County Tax Rates/Property Values and County School Loan Program Rates. Approval of the filing of these records does not certify to the accuracy of the documents.

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Chairman Hyde introduced the following resolution:

**0901-NOT**

### **A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARY PUBLIC POSITIONS AND PERSONAL SURETY GUARANTORS**

**WHEREAS**, according to the law of the State of Tennessee, an individual must apply for the office of notary public in the county of residence, or of their principal place of business; and

**WHEREAS**, state statute requires personal sureties making bonds for Notaries Publics to be approved by the Sumner County Commission; and

**WHEREAS**, said applicant must be approved by the County Commission assembled; and

**WHEREAS**, Bill Kemp, Sumner County Clerk, has certified according to the records of his office that the persons named on the attached listing labeled "SUMNER COUNTY NOTARY PUBLIC APPLICATIONS and SURETY GUARANTORS" have duly applied for the positions so sought; and

**BE IT FURTHER RESOLVED THAT THIS TAKE EFFECT FROM AND  
AFTER PASSAGE.**

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ANDERSON, ELIZABETH MARIE  
AUSTIN, CO  
BLACKBURN, LINDA G  
BOURQUE, SUSAN B  
BRAZEL, CINDY L  
BURDETT, JACQUELINE MALANE  
BURGETT, DREW CARR  
CARMACK, DAN RAY  
CAROTHERS, ALWANDA GAYLE  
CATHEY, M TODD  
CHEYNE, LESLIE RENEE  
DAWES, LESLIE D  
DOWLEN, NATHAN ZALE  
EDWARDS, MELENA K  
ELLIS, ROSLYN DOROTHEA  
EWING-AGNEW, SHEILA D  
FRANKLIN, CHARLOTTE K  
GREER, LISA DAWN  
GROVES-SOECHTING, RHONDA

JENNINGS, CHRISTY LYNETTE  
JONES, JOE WARREN  
KEETON, MICHAEL  
MAGGART, DEBRA YOUNG  
MCKINNEY III, WILLIAM HAROLD  
MIMMS, EDWIN M.  
MOORE, DONNA S  
OLIVER, EVELYN D  
PAETZMANN, NORMA KAY  
POTTS, RHONDA MCEWEN  
ROBERTSON, LINDA DARLENE  
ROBINSON, ERIC J  
SAVAGE, TERESA JOANN  
SHATSWELL, KELLY S  
SHIPLEY II, THOMAS ALVIN  
SIMPSON, TONI LEA  
STEWART, VALERIE  
STOREY, LINDA GAY  
TESH, KENNY WAYNE

HAYES, WILLIAM CRAIG  
HOHLFELD, DAVID MICHAEL  
HOWELL, TONIA L  
HUTCHINGS, TERRY THOMAS

TREADWAY, DONNA FAYE  
WAITE, KIRK C.  
WALLER, DIANA  
WEBB, JENNIFER LYNN  
WOODALL, ANITA DIANE

Upon motion of Commissioner Vaughn, seconded by Commissioner Graves, voting was recorded in the following manner:

**APPROVE NOTARY APPLICATIONS**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | Y | Cummings    | Y |
| Utley     | Y | Graves    | Y | Satterfield | Y |
| F. Freels | Y | Matthews  | Y | Boyd        | Y |
| England   | Y | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | Y | Moser     | Y | Decker      | Y |
| Hyde      | Y | Hughes    | Y | Kimbrough   | Y |
| Goode     | A | Skidmore  | Y | P. Freels   | Y |
| Stone     | A | Hobbs     | Y | Pospisil    | A |

**0901-NOTARY                      Yes: 21                      No: 0                      Abs: 3                      07:31 PM**

Chairman Hyde declared the election of Notaries Public by the body.

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**COMMITTEE ON COMMITTEES**

Commissioner LeMarbre introduced two vacancies on the Industrial Development Board, placing in nomination Wayne Whiting and Jim Hodges. Commissioner Utley seconded the motion, which carried by unanimous voice vote of the body.

Commissioner LeMarbre moved to re-appoint Mike Williams to the Zoning Board of Appeals. Commissioner Hughes seconded the motion and the Commission voted unanimously to approve Mr. Williams to fill the position.

Commissioner LeMarbre moved the nomination of Thomas Neal to be reappointed to the Highway Commission. The motion was seconded by Commissioner Satterfield. The Commission voted unanimously by voice vote to reappoint Tom Neal as the citizen member on the Highway Commission.

Commissioner LeMarbre announced the following appointments for next month:

- 1) Planning Commission Member
  - 2) Board of Zoning Appeals
  - 3) Board of Equalization
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**HIGHWAY COMMISSION**

There was no report from the Highway Commission.

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**EDUCATION COMMITTEE**

There was no report from the Education Committee.

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**GENERAL OPERATIONS COMMITTEE**



There was no report from the General Operations Committee.

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**EMERGENCY SERVICES COMMITTEE**

There was no report from the Emergency Services Committee.

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**PUBLIC WORKS COMMITTEE**

There was no report from the Public Works Committee.

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**LEGISLATIVE COMMITTEE**

Commissioner Pospisil introduced the following resolution and moved for approval;  
Commission Skidmore seconded the motion.

**0901-01 A RESOLUTION APPOINTING THE JUDICIAL MAGISTRATES  
OF SUMNER COUNTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioner meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby appoints the following individuals as Judicial Magistrates; and

**BE IT FURTHER RESOLVED** that the Judicial Magistrates shall serve a one year term or until a successor is appointed.

|                  |                |
|------------------|----------------|
| Downey, Bill     | Lilly, Rod     |
| Draper, Todd     | Ridings, Blane |
| Gann, Robert     | Ridings, Bobby |
| Gilbreath, Billy | Short, Calvin  |
| Johnson, Kevin   | Smith, Wade    |

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The electronic vote was recorded in the following manner:

**APPROVE JUDICIAL MAGISTRATES**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | Y | Cummings    | Y |
| Utley     | Y | Graves    | Y | Satterfield | Y |
| F. Freels | Y | Matthews  | Y | Boyd        | A |
| England   | Y | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | Y | Moser     | Y | Decker      | Y |
| Hyde      | Y | Hughes    | Y | Kimbrough   | Y |
| Goode     | Y | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | Y | Pospisil    | Y |

**0901-01      Yes: 23      No: 0      Abs: 1      07:34 PM**

Chairman Hyde declared Resolution 0901-01 approved by the body.

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Commissioner Pospisil introduced the following resolution and moved for approval;  
Commission Hobbs seconded the motion.

**0901-02 A RESOLUTION ADOPTING REQUIREMENTS OF PERMIT  
BONDS IN SUMNER COUNTY TENNESSEE**

**WHEREAS**, it is the desire of this body that contractors who perform work in this county meet all codes standards adopted by this body; and

**WHEREAS**, in an effort to encourage contractors to not only meet the required code standards but place a safeguard to address any statutory neglect or failures as well as to shield and protect consumers from contractors who might fail to meet the required code standards, this body does hereby adopt permit bond pursuant to the general provisions of Tennessee Code Annotated Section 62-6-137 and this resolution.

**THEREFORE BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of January, 2009 that this body does hereby, pursuant to Tennessee Code Annotated Section 62-6-137, hereby adopt, in the unincorporated areas of the county, permit bonds as set forth below:

**SUMNER COUNTY PERMIT BONDS**

**Section 1. Registration and Bond Necessity.** It shall be the duty of every person who shall make contracts for the construction, erection, alteration, repair, removal or demolition of any building or structure or part thereof; or repair or replacement of any damage to a building or structure caused by insects or natural disasters; or to erect or construct any sign, billboard or similar structure, or to construct any public or private swimming pool; or to do or perform any work for which a permit is required (and every such person, making such contracts or subletting the same or any part thereof) to register with the department of codes administration or other appropriate departments and to post a permit bond in the amount set forth herein.

**Section 2. Bond Amount.** (1) For building permits under twenty-five thousand dollars, the bond amount shall be ten thousand (\$10,000.00) dollars.

(2) For all building permits of twenty-five thousand dollars and larger the bond amount shall be fifty thousand (\$50,000.00) dollars.

(3) For all gas/mechanical, plumbing and excavation permits the bond amount shall be forty-thousand (\$40,000.00) dollars.

**Section 3. Bond Details.** The bond required by this section shall be a permit bond conditioned to conform to the requirements of this chapter and all applicable laws, ordinances, rules, and regulations of the Sumner County, Tennessee relating to work which is performed by the principal pursuant to a permit issued under this bond, or for work performed by the principal for which a permit should have been obtained prior to commencement of such activity; and to indemnify the Sumner County, Tennessee and property owners against any and all loss suffered by them by reason of the failure of such contractor to comply with such laws, ordinances, rules and regulations. Such bond shall be continuous and may not be cancelled without at least ten days' prior notice in writing, to the Director of the Sumner County Codes Office. The liability of the surety shall continue to attach to work performed pursuant to any permit issued prior to the termination date of the bond even if the non-complying act should occur after the termination date of the bond. The liability of the surety for any and all claims, suits or action under this bond shall not exceed the bond penalty. Regardless of the number of years this bond may remain in force, the liability of the surety shall not be cumulative and the aggregate liability of the surety for any and all claims, suits or actions under this bond shall not exceed the face amount. The bond shall be issued by a U.S. Treasury-listed corporate surety or a Tennessee domestic insurance company on forms provided by the department of codes administration.

**Section 4. Obtain Business License.** It shall be the duty of every person, firm or corporation desiring to register with Director of the Sumner County Codes Office under this section to secure the required contractor's business license from Sumner County.

**Section 5. Multiple Trades.** Contractors with multiple trades may provide one fifty thousand (\$50,000.00) dollar bond to meet the requirements of the above.

**Section 6. Bond Form.** The bond shall be referenced by a standard form legal agreement, approved by the County Attorney and attached herewith as Exhibit A.

**Section 7. Effective Date** This resolution and its requirements shall begin on July 1, 2009, the public welfare requiring it.

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Commissioner Graves moved to refer the matter to the Planning Commission for further study. The motion was seconded by Commissioner Akins.

The electronic vote was recorded in the following manner:

**DEFER 0901-02**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | Y | Cummings    | Y |
| Utle      | Y | Graves    | Y | Satterfield | Y |
| F. Freels | Y | Matthews  | N | Boyd        | Y |
| England   | Y | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | N | Moser     | N | Decker      | N |
| Hyde      | Y | Hughes    | N | Kimbrough   | Y |
| Goode     | N | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | N | Pospisil    | N |

**0901-02DEFER            Yes: 16            No: 8            Abs: 0            07:40 PM**

Chairman Hyde declared the resolution deferred by the body.

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Commissioner Pospisil introduced the following resolution and moved for approval; Commission Freels seconded the motion.

**0901-03            A RESOLUTION RESTATING THE POLICY THAT  
SUMNER COUNTY, TENNESSEE  
DOES NOT DISCRIMINATE ON THE BASIS OF RACE,  
SEX, COLOR, RELIGION, NATIONAL ORIGIN, AGE,  
DISABILITY OR VETERAN STATUS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby restates its policy that Sumner County, Tennessee, does not discriminate on the basis of race, sex, color, religion, national origin, age, disability or veteran status.

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Chairman Hyde declared the resolution approved by voice vote of the body.

The electronic voted was recorded in the following manner:

**0901-04 A RESOLUTION APPROVING A MEETING FEE FOR THE COUNTY  
CIVIL SERVICE BOARD MEMBERS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009

that this body hereby approves a fee of \$100.00 per meeting attended for the County Civil Service Board Members as allowed by the Sumner County Civil Service Private Act.

Commissioner England moved, seconded by Commissioner Skidmore, to amend the motion to include a provision that the Sumner County Election Commission receive \$100.00 per meeting.

The electronic vote was recorded in the following manner:

**AMEND TO INCREASE ELECTION COMMISSION TO \$100.00**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | A | Cummings    | N |
| Utley     | N | Graves    | Y | Satterfield | Y |
| F. Freels | N | Matthews  | N | Boyd        | Y |
| England   | Y | Hendricks | Y | Vaughn      | N |
| LeMarbre  | N | Moser     | N | Decker      | N |
| Hyde      | A | Hughes    | N | Kimbrough   | N |
| Goode     | N | Skidmore  | Y | P. Freels   | N |
| Stone     | Y | Hobbs     | Y | Pospisil    | A |

**0901-04.1            Yes: 9            No: 12            Abs: 3            07:48 PM**

Chairman Hyde declared the amendment failed to pass.

Commissioner Cummings moved, and was duly seconded, to amend the resolution to reduce the pay of the Civil Service Board to \$75.00.

The electronic vote was recorded in the following manner:

**AMEND PAY TO \$75.00 PER MEETING**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | A | Cummings    | Y |
| Utley     | N | Graves    | N | Satterfield | Y |
| F. Freels | N | Matthews  | N | Boyd        | N |
| England   | Y | Hendricks | N | Vaughn      | N |
| LeMarbre  | N | Moser     | N | Decker      | N |
| Hyde      | Y | Hughes    | N | Kimbrough   | N |
| Goode     | N | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | Y | Pospisil    | N |

**0901-04.2            Yes: 9            No: 14            Abs: 1            07:53 PM**

Chairman Hyde declared the amendment failed to pass.

Commissioner Fennell declared an direct conflict of interest and stated that he would abstain from the vote.

The electronic vote was recorded in the following manner:

**APPROVE 0901-04**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | A | Cummings    | N |
| Utley     | Y | Graves    | Y | Satterfield | N |
| F. Freels | Y | Matthews  | Y | Boyd        | Y |
| England   | N | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | Y | Moser     | Y | Decker      | Y |
| Hyde      | A | Hughes    | Y | Kimbrough   | Y |
| Goode     | Y | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | Y | Pospisil    | Y |

**0901-04                      Yes: 19                      No: 3                      Abs: 2                      07:53 PM**

Chairman Hyde declared passage of the main motion.

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Commissioner Pospisil introduced the following resolution and moved for approval. Commissioner Vaughn seconded the motion.

**0901-05                      A RESOLUTION APPROVING CERTAIN AMENDMENTS TO THE  
   FMLA POLICIES OF PERSONNEL POLICIES FOR THE  
   EMPLOYEES OF SUMNER COUNTY OFFICES COVERED BY  
   COUNTY PERSONNEL POLICIES**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby approves the attached amendments to the FMLA policies of personnel policies for the employees of Sumner County offices covered by county personnel policies.

**BE IT FURTHER RESOLVED** that Exhibits A, which amends the adopted Personnel Policies shall be filed in the Office of the County Clerk.

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The electronic vote was recorded in the following manner:

**APPROVE 0901-05**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | Y | Cummings    | Y |
| Utley     | Y | Graves    | Y | Satterfield | Y |
| F. Freels | Y | Matthews  | Y | Boyd        | Y |
| England   | Y | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | Y | Moser     | Y | Decker      | Y |
| Hyde      | Y | Hughes    | Y | Kimbrough   | Y |
| Goode     | Y | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | Y | Pospisil    | Y |

**0901-05                      Yes: 24                      No: 0                      Abs: 0                      07:54 PM**

Chairman Hyde declared Resolution 0901-05 approved unanimously by the body.

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**BUDGET COMMITTEE**

Commissioner Moser stated that the Budget Committee matters appeared on the Consent Agenda.

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**CONSENT AGENDA**

Commissioner Moser moved, seconded by Commissioner Pospisil, to approve the following items:

**0901-06                      A RESOLUTION APPROPRIATING \$1,650.00  
   TO THE GENERAL SESSIONS JUDGE DIVISION I FUND FROM  
   COURTHOUSE AND JAIL MAINTENANCE FUNDS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby appropriates \$1,650.00 to the General Sessions Judge

Division I Fund from Courthouse and Jail Maintenance Funds for a replacement of courtroom recording equipment.

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**0901-07 A RESOLUTION APPROPRIATING UP TO \$4,000.00 FROM THE  
EVALUATION AND TESTING CIVIL SERVICE ACCOUNT TO THE  
NEW CIVIL SERVICE COMMISSION FEE LINE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby appropriates \$4,000.00 from the Evaluation and Testing Civil Service Account to the New Civil Service Commission Fee Line.

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**0901-08 A RESOLUTION APPROVING THE FISCAL YEAR 2008-2009  
SUMNER COUNTY BOARD OF EDUCATION FEDERAL PROJECTS  
BUDGET AMENDMENTS AND APPROPRIATING AND/OR  
TRANSFERRING SUCH FUNDS AS REQUIRED**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009 that this body hereby approves the 2008-2009 Sumner County Board Federal Projects Budget Amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedule which is hereby incorporated as a part of this resolution.

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**0901-09 A RESOLUTION APPROPRIATING \$35,000.00 TO THE  
HENDERSONVILLE LIBRARY  
FROM THE LIBRARY RESERVE FUND**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby appropriates \$35,000.00 from the Library Reserve Fund to the Hendersonville Library.

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**0901-10 A RESOLUTION DECLARING UNCLAIMED ITEMS LEFT AT  
CARMACK LIBRARY TO BE DECLARED SURPLUS AND  
AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO  
EXISTING POLICIES AND PROCEDURES**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009 that this body does hereby declare the items left at Carmack Library as surplus.

**BE IT FURTHER RESOLVED**, that the disposal or sale of the same is authorized pursuant to existing policies and procedures.

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**0901-11 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE  
ELECTION OFFICE AS SURPLUS AND AUTHORIZING DISPOSAL OR SALE  
OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009

that this body does hereby declare the items from the Election Office as surplus as shown on the attachments; and

**BE IT FURTHER RESOLVED**, that the disposal or sale of the same is authorized pursuant to existing policies and procedures.

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**0901-12 A RESOLUTION ACCEPTING STEED COURT AS COUNTY ROAD**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby accepts Steed Court as a Class 1 County Road, being .10 miles in length beginning at Harness Circle ending at dead end at cul-de-sac and having a fifty foot (50') right-of-way and a twenty-eight feet (28') road bed, as shown on attached.

**BE IT FURTHER RESOLVED** that said road be added to the official Road List.

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**0901-13 A RESOLUTION ACCEPTING HARNESS CIRCLE AS COUNTY ROAD**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of January, 2009, that this body hereby accepts Harness Circle as a Class 1 County Road, being .46 miles in length beginning at Rock Bridge at mile marker 0.3 ending at Rock Bridge mile marker 0.5 and having a fifty foot (50') right-of-way and a twenty-eight feet (28') road bed, as shown on attached.

**BE IT FURTHER RESOLVED** that said road be added to the official Road List.

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The electronic vote was recorded in the following manner:

**APPROVE CONSENT AGENDA**

|           |   |           |   |             |   |
|-----------|---|-----------|---|-------------|---|
| Akins     | Y | Fennell   | Y | Cummings    | Y |
| Utley     | Y | Graves    | Y | Satterfield | Y |
| F. Freels | Y | Matthews  | Y | Boyd        | Y |
| England   | Y | Hendricks | Y | Vaughn      | Y |
| LeMarbre  | Y | Moser     | Y | Decker      | Y |
| Hyde      | Y | Hughes    | Y | Kimbrough   | Y |
| Goode     | Y | Skidmore  | Y | P. Freels   | Y |
| Stone     | Y | Hobbs     | Y | Pospisil    | Y |

**0901-CONSENT            Yes: 24            No: 0            Abs: 0            07:55 PM**

Chairman Hyde declared the items on the Consent Agenda approved by the body.

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**ADJOURNMENT**

Chairman Hyde declared the Commission meeting adjourned at 8 p.m.

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MINUTE BOOK SEVENTEEN  
JANUARY 26, 2009

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BILL KEMP, CLERK

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MERROL HYDE, CHAIRMAN

Prepared by Maria A. Moser

Approved on \_\_\_\_\_