
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
FEBRUARY 23, 2009**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, February 23, 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
Sandra 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
Paul D. Freels	David Kimbrough	Jim Vaughn
Frank E. Freels	Trisha LeMarbre	Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. 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 Les Flatt of the Highland Seventh-Day Adventist Church in Portland.

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

APPROVAL OF AGENDA

Chairman Hyde added a report concerning committees under Report of Chair, Item B. Report from the Education Committee was added. Under Budget Committee, Commissioners England and Satterfield requested 0902-09 be taken off the Consent Agenda and moved under the Regular Agenda. He added Resolution 0902-16 under Consent Agenda. Commissioner Moser moved, seconded by Commissioner Goode, to adopt the agenda with the additions and changes. The Commission approved the agenda as amended by unanimous voice vote of the body.

APPROVAL OF MINUTES

Chairman Hyde reported a correction to the minutes on Page 273 to Commissioner Satterfield's amendment to state the salary of the Finance Director "not" instead of "now" be allowed a raise. The minutes for the meeting of this body held on January 26,

2009, and recorded in the office of the Clerk, Bill Kemp, were approved as amended by voice vote after Commissioner Graves made the motion, seconded by Commissioner Akins.

RECOGNITION OF THE PUBLIC

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

Baker Black spoke in favor of Resolution 0902-02 regarding the election of a Superintendent of Schools.

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

REPORT OF THE CHAIR

Commissioner Fennell read the following resolution into the record:

A RESOLUTION HONORING THE MEMORY 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 18th Judicial Drug Task Force; and

WHEREAS, Mr. Denning, 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 23rd day of February, 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.

Upon motion of Commissioner Fennell, seconded by Commissioner Vaughn, the committee voted to approve the resolution honoring Mr. Denning in memoriam.

Commissioner Decker read the following resolution into the record:

A RESOLUTION IN MEMORY OF L.W. OLIVER

WHEREAS, Mr. Oliver, with his loving wife Frances, had three children and five grandchildren; and was a lifelong resident of Sumner County where he was an active community member and deacon for over 50 years at the Hendersonville Church of Christ; and

WHEREAS, L.W. Oliver was in the first graduating class for Hendersonville High School in 1941; and thereafter he served during World War II in the U. S. Army Air Corps; and

WHEREAS, L.W. Oliver served as Hendersonville Postmaster for 33 years from 1956 to his retirement in 1989 and then served as the Sumner County Veterans Service Officer from 1989 to his death; and

WHEREAS, L.W. Oliver was one of three people that initiated the organizing of the City of Hendersonville in the 1960's; was founder of the Hendersonville VFW Post 9851 and the Hendersonville Noon Sertoma Club; and the recipient of the General Joe Nunnally Award as Tennessee's Outstanding Veteran; and

WHEREAS, it is appropriate that L.W. Oliver be remembered for the very significant contribution he made to Sumner County through his dedication and involvement with the community.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body does hereby remembers Mr. L.W. Oliver for his dedication and service to the citizens and the community and this body further expresses its sympathy to the family of L.W. Oliver 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. L.W. Oliver.

Upon motion of Commissioner Decker, seconded by Commissioner Hyde, the committee voted to approve the resolution honoring Mr. Oliver in memoriam. Clerk Kemp noted correspondence from the Oliver family expressing gratitude for the Commission's expression of sympathy.

Commissioner Goode read the following resolution into the record:

**A RESOLUTION HONORING THE ACADEMIC ACHIEVEMENTS AND
NATIONAL RECOGNITION BESTOWED UPON THE MERROL HYDE
MAGNET SCHOOL**

WHEREAS, over the past three years, the students at Merrol Hyde Magnet School have averaged the highest ACT composite scores in state of Tennessee; and

WHEREAS, the U.S. News and World Reports recently awarded the school a silver ranking and named it as one of America's Best High Schools after only six years in operations; and

WHEREAS, Merrol Hyde Magnet School, its students and staff have worked diligently to exceed the academic standards of our state and thereby create the leaders of tomorrow for our county, state and world; and

WHEREAS, Merrol Hyde Magnet School students by exceeding certain academic requirements have brought honor to themselves and made a positive name for their school and this county; and

WHEREAS, these outstanding accolades not only demonstrate the outstanding education these students received, but help to serve as a tool to encourage businesses to relocate to our county and bring positive additions to all our citizens.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body does hereby congratulate and commend Merrol Hyde Magnet School for their 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 the Merrol Hyde Magnet School.

Upon motion of Commissioner Goode, seconded by Commissioner Hendricks, the committee voted to approve the resolution honoring Merrol Hyde Magnet School.

Commissioner Boyd read the following resolution into the record:

A RESOLUTION HONORING MR. JOHN GARROTT

WHEREAS, Mr. John Garrott has spent his entire life helping his fellow man, working to save the rich history of our county and by his efforts preserve the great past that has built Sumner County; and

WHEREAS, Mr. Garrott volunteers his time, talent and resources at the Sumner County Museum, Bledsoe Fort, Cragfont, Rosemont, Trousdale Place as well as the restoration of Wynnewood and all these sites have benefited from his fine furniture creations and skill; and

WHEREAS, Mr. Garrott is past president of the Sumner County Historical Society, helped establish Bledsoe Fort Historic Park and with his loving wife June, have three children and eight grandchildren and four great-grandchildren and reside in Gallatin, Tennessee where they are active members of their church as well as the community; and

WHEREAS, Mr. Garrott has used his gifts and given to countless endeavors, contributed distinctive guidance and direction to the citizens and leadership of Sumner County and by his efforts have made our County 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 23rd day of February, 2008, that this body does hereby recognize and commend Mr. John Garrott for his dedication and service to the citizens of Sumner County; 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 Mr. John Garrott.

Upon motion of Commissioner Boyd, seconded by Commissioner England, the committee voted to approve the resolution honoring Mr. Garrott.

Commissioner Decker read the following resolution into the record:

**A RESOLUTION HONORING
THE HAWKINS MIDDLE SCHOOL BASKETBALL TEAM**

WHEREAS, the Hawkins Middle School Basketball team led by head coach, Greg Stamps and Ted Griffith recently captured its first the Basketball Championship title in almost two decades; and

WHEREAS, Ryan Boatman, Alex Crump, Henry Dent, Kody Dorris, Chad Dye, Christian Harris, Kevin Key, Jacob Olive, Matt Osborne, David Sheehan, Matt Slaton, Caleb Stonestreet, Trey Wallace, Austin Williams, Derrick Walker and Forrest Wise, played with pride and through their dedication and hard work achieved this great accomplishment; and

WHEREAS, the Hawkins Middle School Basketball team, as well as its coaches, have distinguished themselves for their outstanding efforts and through their determination, brought honor, not only to themselves and their school, but to their community; and

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009 that this body does hereby congratulate the Hawkins Middle School Basketball team and coaches for their 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 the Hawkins Middle School.

Upon motion of Commissioner Decker, seconded by Commissioner Hyde, the committee voted to approve the resolution honoring Hawkins Middle School Basketball Team.

Commissioner Kimbrough read the following resolution into the record:

A RESOLUTION HONORING ANDY WICKE

WHEREAS, Mr. Andy Wicke, a graduate of Hendersonville High School is now an outstanding basketball player and senior at Belmont University; and

WHEREAS, Andy has been selected as a candidate for the 2008-2009 Lowe's Senior Class Award for men's basketball and only one of seven players in all of college basketball this season with the opportunity to earn a fourth consecutive automatic bid to the NCAA Tournament; and

WHEREAS, Andy has recently become the eighth Bruin in the NCAA era to score 1,000 or more career points; and

WHEREAS, Andy has been a part of Belmont University athletics' sport evangelism mission where he has helped under privileged locals, tutor high-school aged minority students, worked with leaders in East Nashville to plant and harvest fresh fruits and vegetables, and volunteered his time and talents at a special needs school in Nashville; and

WHEREAS, Andy is scheduled to graduate with honors in environmental studies this May, before applying to dental school; and

WHEREAS, Andy represents the future leadership of our county, is a positive role model for all persons and by his accomplishments has brought honor upon himself, his school, and this county.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body does hereby congratulate and commend Mr. Andy Wicke 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 Mr. Andy Wicke.

Upon motion of Commissioner Kimbrough, seconded by Commissioner Hughes, the committee voted to approve the resolution honoring Mr. Wicke.

Commissioner Pospisil read the following resolution into the record:

**A RESOLUTION HONORING THE WHITE HOUSE HIGH SCHOOL
BLUE DEVILS FOOTBALL TEAM AND COACH JEFF PORTER**

WHEREAS, the White House High School Blue Devils football team led by Coach Jeff Porter and an outstanding coaching staff completed a remarkable season that took them to the Region 4-3A Champions Class 3A State Semi-Finalist; and

WHEREAS, the White House High School Blue Devils football team completed their season with an outstanding record of twelve wins and two losses which gave them the Region 6-0 Championship; and

WHEREAS, the 2008 Tennessee Titans High School Coaches of the Week, honored head coach Jeff Porter in week nine; team members Trox Greenwade was named Offensive Most Valuable Player; Matt Parker was named Defensive Most Valuable Player; DeMarqus Payne received the Co-Offensive Back award; Chad Neal received the Defensive Back award; Matthew Gossett received the Place Kicker award; Blaine Boone was one of the top three finalist in the 2008 Tennessee Titans Mr. Football award and along with the other members of the team have exhibited diligent effort and hard work and through their efforts have been an inspiration to others and have brought honor to themselves, their school and this county.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body does hereby congratulate the White House High School Blue Devils football team and Coach Jeff Porter for their outstanding season; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the White House High School Blue Devils football team and Coach Jeff Porter.

Upon motion of Commissioner Pospisil, seconded by Commissioner Hobbs, the committee voted to approve the resolution honoring the White House High School Football Team.

County Executive Anthony Holt read two pieces of correspondence, one being from the mayor of Princeton, Kentucky, thanking Sumner County Emergency Management Agency and other agencies for their response in the recent ice storm. The second piece of correspondence was from the Federal Aviation Administration regarding a November 8, 2008, helicopter crash. Ken Widener accepted a commemorative plaque from the FAA for his agency's service.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Akins, seconded by Commissioner Hughes, 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.

Chairman Hyde introduced the following resolution:

0902-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.

AMBURGEY, DAVID ANTHONY
 BANE, JANICE L
 BLAUW, BEVERLY JOANN
 BRADEN, CAROLYN SUE
 BREEDING, BRENDA RAINS
 BROWN, CAROLYN SUTTLE
 BURRIS, CATHERINE JEANETTE
 CAPPS, NOLAN LOUIS
 CATRON, JAMI L
 CHAPMAN, HELEN
 DAY, DEBORAH ANN
 DUNIGAN, PATRICIA A
 FREEMAN, RUSSELL ERNEST
 GARRETT, FAYE
 GOODALL, DOROTHY FORBES
 GRIFFIN JR, JAMES HERMAN
 HANNAH, JAMI ANN
 HARRELL, MORGAN J
 HAWKINS, BETSY ROGERS
 HAYNES, KATHY DIANNE
 HODGE, EDWARD H
 KIDD, SUZANNE L
 KIRBY, LENICE ANITA

MCCLINTOCK, DENISE L
 MCGOWAN, SONYA KAY
 MORALES, GILBERTO ANTONIO
 MUELLER, DAVID ROBERT
 MUSIL, GINA MARIE
 OLIVER III, LOUIS W
 PICKARD, PAMELA A
 PINEDA, MARITZA YOLANDA
 RICE, KAYE
 ROYER, TIMOTHY A
 SATTERFIELD, TRUDY DIANE
 SHEEN, MICHAEL LLOYD
 SILCOX, COURTNEY LYNN
 SINDLE, ROBERT ALLEN
 STRAWTHER JR, ALBERT
 THOMPSON, LYNDY
 THURMAN, KATHERINE W.
 TOMERLIN, TOM EARL
 VINCENT, TEENA DENISE
 WATERS, CHRISTOPHER CHAD
 WHEAT, MARSHA GAIL
 WILSON, JOHNNY E
 YORK, VICKI D

PERSONAL SURETY
 GREEN, HATTIE H
 PERRY, MALINDA

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

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	Y	Skidmore	Y	P. Freels	Y
Stone	A	Hobbs	Y	Pospisil	Y

0902-NOTARY Yes: 23 No: 0 Abs: 1 07:44 PM

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

COMMITTEE ON COMMITTEES

Commissioner LeMarbre moved, seconded by Commissioner Goode, to approve the appointments of the following positions on the Sumner County Regional Airport Authority:

- reappointments of Charles Moore (July 2013); Jerry Kirby (2013); David Blankenship, (2012);
- appointments of Dan Downs (replacing Robert Newman, July, 2009); and Kevin McCutcheon (replacing Lynn T. Williams, Nov. 2011)

The motion carried with an abstentions by Commissioners Hughes and Matthews.

Commissioner LeMarbre moved, seconded by Commissioner Goode, to reappoint Richard Jones to the Zoning Board of Appeals. The motion carried by unanimous voice vote of the body.

Commissioner LeMarbre moved, seconded by Commissioner Pospisil, to approve the County Executive's recommendation of Commissioner Paul Goode to serve on the Sumner County Planning Commission. The motion carried by unanimous voice vote of the body.

Commissioner LeMarbre moved, Commissioner Graves seconded, to appoint James Robert Ramsey as the citizen member on the Equalization Board. The motion carried by unanimous voice vote of the body.

HIGHWAY COMMISSION

Commissioner Graves introduced the following resolution and moved for approval. Commissioner Goode seconded the motion.

0902-01 A RESOLUTION LOWERING OF THE SPEED LIMIT ON LOWER STATION CAMP CREEK ROAD TO 10 MPH

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body approves the lowering of the speed limit on lower Station Camp Creek Road to 10 mph in order to promote a safer road for the public.

Commissioner Satterfield moved, seconded by Commissioner Hughes, to amend the motion to increase the speed limit to 20 miles per hour.

The electronic vote on the amendment was recorded in the following manner:

AMEND 0902-01 TO 20 MPH

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

0902-01.1 Yes: 15 No: 9 Abs: 0 07:57 PM

Chairman Hyde declared the amendment approved by the body.

Commissioner Freels moved, seconded by Commissioner Hughes, to hold off on speed bumps on the road until it is time to close the road.

Commissioner Goode moved, seconded by Commissioner Moser, to defer Resolution 0902-01.

The electronic vote on the motion to defer was recorded in the following manner:

DEFER 0902-01

Akins	Y	Fennell	Y	Cummings	N
Utley	Y	Graves	Y	F. Freels	N
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	N	P. Freels	Y	Stone	Y
Hobbs	N	Pospisil	Y		

DEFER Yes: 19 No: 4 Abs: 0 08:00 PM

Chairman Hyde declared the matter deferred by the body.

EDUCATION COMMITTEE

Commissioner Decker reported that matters approved by the Education Committee were under the Budget and Consent Agendas.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

PUBLIC WORKS COMMITTEE

There was no report from the Public Works Committee.

LEGISLATIVE COMMITTEE

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

**0902-02 A RESOLUTION ASKING THE STATE OF TENNESSEE
 TO PASS A LAW PERTAINING TO THE APPOINTMENTS OF THE
 DIRECTOR OF SCHOOLS**

WHEREAS, the individual counties within the State of Tennessee should be allowed to have a local option to either elect or to appoint the Director of Schools; and

WHEREAS, the counties should be allowed to make this decision by a resolution passed by the County Commission.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commission meeting in regular session on this the 23rd day of February, 2009 that this body hereby asks that a state law be drawn that allows Tennessee counties to either appoint or to elect the director of schools based on their individual discretion; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to all our State Representatives.

The electronic vote was recorded in the following manner:

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	N
Stone	N	Hobbs	N	Pospisil	Y

0902-02 Yes: 21 No: 3 Abs: 0 08:03 PM

Chairman Hyde declared Resolution 0902-02 approved by the body.

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

**0902-03 A RESOLUTION IN SUPPORT OF AN APPLICATION TO
TENNESSEE DEPARTMENT OF TRANSPORTATION FOR ASSISTANCE
IN CONSTRUCTION OF INDUSTRIAL ACCESS HIGHWAY**

WHEREAS, Sumner County, Tennessee is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development; and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of Sumner County; and

WHEREAS, the Industrial Highways Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee; and

WHEREAS, *The Sumner County Regional Airport has embarked on a \$5.6 million improvement plan, and the work including an extension of the runway is generating economic development projects on airport property and to the surrounding industries; and*

WHEREAS, *the construction of an industrial access road to serve the Sumner County Regional Airport and the adjacent development properties is necessary and vital to the successful operation of this project and the future economic well-being of this area.*

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009 that application be made to the Tennessee Department of Transportation for assistance in construction and completion of the herein proposed industrial access highway under the provisions of the Industrial Highways Act of 1959.

The electronic vote was recorded in the following manner:

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

0902-03 Yes: 16 No: 6 Abs: 1 08:04 PM

Chairman Hyde declared Resolution 0902-03 approved by the body.

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

0902-04 A RESOLUTION TO AUTHORIZE AND APPROPRIATE FUNDS FOR AN ACTUARIAL STUDY OF THE COST(S) ASSOCIATED WITH PARTICIPATION OF A POLITICAL SUBDIVISION IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM IN ACCORDANCE WITH TITLE 8, SECTION 34 THROUGH 37 OF THE TENNESSEE CODE ANNOTATED

WHEREAS, the Tennessee Code Annotated Section 8-35-201 permits a political subdivision to petition the Board of Trustees of the Tennessee Consolidated Retirement System for participation into said system; and

WHEREAS, Sumner County, Tennessee desires to consider the cost(s) of such coverage effective for all its County Commission Members prior to the final authorization of said coverage; and

WHEREAS, the determination of said cost(s) requires the service of an actuary, the cost of said actuarial study is required to be paid by the political subdivision; and all public entities responsible for the direct funding of the said political subdivision must approve these provisions.

NOW THEREFORE BE IT RESOLVED, that the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009 that this body hereby authorizes and appropriates funds for an actuarial study of the cost(s) of participation for said employees in the Tennessee Consolidated Retirement System pursuant to Tennessee Code Annotated Section 8-35-201; and the basic actuarial study shall include the cost of determining the liability if, (a) the employer elects to purchase all of the employees' years of prior service and (b) the liability if, the employer elects to not purchase prior service, but accepts the unfunded liability if the employee elects to establish all years of prior service.

1. The employer may also elect to pay for further actuarial calculations based on one or more of the following prior service choices:
 - a. No prior service will be established
 - b. The employer will purchase all years of prior service, and will accept the unfunded liability if the employee should elect to establish all years of additional prior service.
 - c. The employer will purchase all years of prior service, and no additional prior service will be established.

There is hereby appropriated from the general funds such amount required to pay for the cost of said actuarial study. Upon receipt of the determination of such study, the County Executive of Sumner County, Tennessee is hereby authorized and directed to pay the cost of said study from the funds herein above appropriated, to the Tennessee Consolidated Retirement System or as directed by the Board of Trustees of said system.

State of Tennessee
County of Sumner

I, Bill Kemp clerk of the board of the County Commissioners of Sumner County, Tennessee, do certify that this is a true and exact copy of the foregoing resolution that was approved and adopted at a meeting held on the _____ day of _____ 2009, the original of which is on file in this office. I further certify

that _____ members voted in favor of the resolution and that _____ members of the governing body were present and voting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____.
(Name of County, City, Town, etc.)

The electronic vote was recorded in the following manner:

Akins	N	Fennell	Y	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	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	P. Freels	Y
Stone	Y	Hobbs	A	Pospisil	Y

0902-04 Yes: 18 No: 5 Abs: 1 08:09 PM

Chairman Hyde declared Resolution 0902-04 approved by the body.

BUDGET COMMITTEE

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

0902-09 A RESOLUTION APPROPRIATING \$115,294.52 FROM COUNTY GENERAL FUND RESERVE TO THE ARCHIVE CONSTRUCTION ACCOUNT TO COMPLETE ALL REMAINING PROJECT COSTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body hereby appropriates \$115,294.52 from County General Fund Reserve to the archive construction account to complete all remaining project costs.

Chairman Hyde recognized Commissioner Hughes who explained the construction overages on the new Archives and Storage Building.

The electronic vote was recorded in the following manner:

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

0902-09 Yes: 21 No: 1 Abs: 2 08:18 PM

Chairman Hyde declared Resolution 0902-09 approved by the body.

CONSENT AGENDA

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

0902-05 A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR AN EMERGENCY MANAGEMENT GRANT, AUTHORIZING THE ACCEPTANCE OF SAID GRANT AND ALLOWING THE SUMNER COUNTY EMA DIRECTOR, IN COORDINATION WITH THE FINANCE DIRECTOR AND LAW DIRECTOR TO DIVIDE THE PROJECT INTO FIVE (5) PARTS AND NOT BID A NEW PART UNTIL THE SUBSEQUENT PORTION HAS BEEN FINISHED AND FUNDS REIMBURSED TO THE COUNTY

WHEREAS, the Sumner County EMA intends to apply for Grant to update various public safety matters; and

WHEREAS, the contract for the grant will impose certain legal obligations upon the Sumner County EMA; and

WHEREAS, even though this is a 100% funded, non-matching grant, there are expenses that must be paid, prior to reimbursement; and

WHEREAS, EMA plans to divide the project into five (5) parts and coordinate the bidding and purchase of each part in order that each new portion will not be purchased until the previous section has been finished and repaid to the county.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that Sumner County EMA is authorized to apply on behalf of Sumner County for the Public Safety Grant; and

BE IT FURTHER RESOLVED, that once said application is approved, the EMA Director, Finance Director and County Law Director are authorized to execute contracts or other necessary documents which may be required to signify acceptance of the Grant by the Sumner County and to divide the project into five (5) parts and not bid a new part until the subsequent portion has been finished and funds reimbursed to the county.

0902-06 A RESOLUTION APPROVING THE FISCAL YEAR 2008-2009 SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND 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 23rd day of February, 2009 that this body hereby approves the 2008-2009 Sumner County Board of Education General Purpose School Fund 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.

0902-07 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 23rd day of February, 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.

0902-08 A RESOLUTION APPROPRIATING \$39,000.00 IN PASS THROUGH FUNDS FROM THE COUNTY GENERAL FUND TO THE OFFICE OF THE SHERIFF FOR THE CERTIFIED OFFICER GRANT ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body hereby appropriates \$39,000.00 in pass through funds from the County General Fund to the Office of the Sheriff – Certified Officer Grant account upon receipt of the state salary supplements for certified officers as shown on the attached documents.

0902-10 A RESOLUTION AUTHORIZING THE \$50,186.63 CHANGE ORDER FROM OCTOBER 2007 BOND FUNDS FOR SCHOOL PROJECTS TO NANNIE BERRY ELEMENTARY RENOVATION ACCOUNTS FOR FOUNDATION REPAIR

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body hereby authorizing the \$50,186.63 change order from October 2007 bond funds for school projects to Nannie Berry Elementary renovation accounts for foundation repair.

0902-11 A RESOLUTION APPROVING THE ALLOCATION OF \$289,000.00 TO BOARD OF EDUCATION FOR WATER AND SEWER INSTALLATION AT PORTLAND ELEMENTARY SCHOOL

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body does hereby approve the allocation of \$289,000.00 to Board of Education for water and sewer installation at Portland Elementary School with funds from the following accounts: \$196,992.68 from \$17 million note and \$92,007.32 from \$75 million bond issue.

0902-12 A RESOLUTION APPROPRIATING \$22,423.35 AS PASS-THROUGH FUNDS FROM A REAPPRAISAL GRANT TO STATE TAX DATA PROCESSING EXPENSES OF THE TAX ASSESSOR'S OFFICE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body hereby appropriates \$22,423.35 as pass-through funds from a reappraisal grant to state tax data processing expenses of the Tax Assessor's office.

0902-13 A RESOLUTION AUTHORIZING PAYMENT OF \$4,875.36 TO MR. OLIVER, JR. FOR COMPENSATORY TIME

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body hereby authorizes payment of \$4,875.36 to Mr. Oliver, Jr. for unpaid and unused compensatory time.

**0902-14 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
AMBULANCE SERVICE 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 23rd day of February, 2009 that this body does hereby declare various items from the Ambulance Service as surplus as shown on the attached schedule; and

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

**0902-15 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
HENDERSONVILLE COUNTY CLERK'S 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 23rd day of February, 2009 that this body does hereby declare the items from the Hendersonville County Clerk's 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.

**0902-16 A RESOLUTION ALLOCATING \$227,199.00 (PLUS A 10% OVERRUN
ALLOCATION OF \$22,719.90) TO THE BOARD OF EDUCATION FOR THE
DRAKES CREEK MIDDLE SCHOOL CONSTRUCTION PROJECT FROM THE
OCTOBER 2007 BOND FUND PROCEEDS**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of February, 2009, that this body does hereby allocate \$227,199.00 (plus a 10% overrun allocation of \$22,719.90) for a total of \$249,918.90 to the Board of Education for the Drakes Creek Middle School Construction Project from the October 2007 bond fund proceeds.

PROPERTY TAX REFUNDS

The following property tax refunds were included on the Consent Agenda:

Harold Gary -- \$28.50
Henry Ragan Hall, III --\$2,710.92
Mission Discovery, Inc. --\$1,852.27
Richard Sutphin -- \$67.83
Ray Ward -- \$63.27

Chairman Hyde declared the Consent Agenda approved by the body on the first and final reading.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 8:20 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Moser

Approved on _____
