
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
OCTOBER 15, 2012**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, October 15, 2012, 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	Chris Hughes	David Satterfield
Paul D. Freels	Merrol N. Hyde	Jo Skidmore
Frank E. Freels	Trisha LeMarbre	Jerry F. Stone
Billy Geminden	Joe C. Matthews	Paige Brown Strong
Paul Goode	Kirk Moser	Moe Taylor
Steve Graves	Bob Pospisil	Jim Vaughn
Ben Harris	Baker Ring	Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-one 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. Commissioner Decker, Guthrie and Kimbrough and were not present.

The Invocation was led by County Clerk Bill Kemp.

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

APPROVAL OF AGENDA

Commissioner Goode requested time for an announcement, as did Commissioner Ring. Without objection, Chairman Hyde placed announcements under the Report of Chair. Commissioner Atkins moved, and was duly seconded by Commissioner Graves, to adopt the agenda with the additions. The Commission approved the agenda as amended by unanimous voice vote of the body.

APPROVAL OF MINUTES

The minutes for the meeting of this body held on September 17, 2012, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Skidmore made the motion, seconded by Commissioner Pospisil.

RECOGNITION OF THE PUBLIC

Chairman Hyde opened the floor to allow the public to speak concerning any matter on the agenda. With no one else wishing to speak, recognition of the public was closed.

REPORT OF THE CHAIR

Chairman Hyde introduced the following resolution into the record:

A RESOLUTION HONORING THE GOODLETTSVILLE LITTLE LEAGUE BOYS BASEBALL TEAM AND COACHES

WHEREAS, the Goodlettsville Little League Boys Baseball team led by Head Coach Joey Hale and his outstanding coaching staff have completed a remarkable season where they prevailed as the Little League World Series United States Champions; and

WHEREAS, the Goodlettsville Little League team played with unending pride and unbreakable spirit and through their diligent efforts have brought honor to themselves, their community, Sumner County, Tennessee and our nation by their outstanding performance and dedicated efforts; and

WHEREAS, the members of Goodlettsville Little League team, Brock Myers, Justin Smith, Cole Carter, Lorenzo Butler, Jayson Brown, Seth Marlin, Jonathan Seals, Blake Osborne, Luke Brown, Collin O'Berry, Andrew Snyder, Ryan Lyle and Jake Rucker through their gallant struggles have demonstrated the benefits of hard work, teamwork and dedication and for their efforts have carved their place in Tennessee history.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012, that this body hereby congratulates and commends the Goodlettsville Little League team and coaches for their award winning, record-breaking, outstanding season; and

BE IT FURTHER RESOLVED that a copy of this resolution is to be spread on the minutes of this body and the Clerk is to provide a copy of this resolution to the Goodlettsville Little League team and coaches.

Upon motion of Commissioner Moser, seconded by Commissioner Frank Freels, the Commission voted to unanimously approve the resolution honoring the Goodlettsville Little League team and coaches.

Chairman Hyde announced a luncheon with Board of Education members on October 26 at Merrol Hyde Magnet School in Hendersonville. He also reminded the body of a CTAS workshop on October 16 in the Administration Building. Ring announced there will be a musical at the Palace Theater in Gallatin. Commissioner Goode announced a Halloween event October 27 in Hendersonville.

CONSENT AGENDA

Commissioner Stone moved, seconded by Commissioner Pospisil, to approve the items on the Consent Agenda.

1210-05 A RESOLUTION APPROPRIATING \$8,000.00 FROM COUNTY GENERAL FUND RESERVE TO CONSTRUCTION AND DEVELOPMENT BUDGET FOR ZONING VIOLATION ERADICATION

BE IT RESOLVED by the Sumner County Board Of County Commissioners meeting in regular session on this the 15th day of October, 2012 that this body does hereby appropriate \$8,000.00 from County General Reserve Fund to Construction and Development Budget for Zoning Violation Eradication.

1210-06 A RESOLUTION APPROVING CLOSEOUT OF THE GENERAL OBLIGATION BONDS SERIES 2010

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012, that this body hereby approve closeout of the General Obligation Bonds Series 2010 as set forth in the memo of October 1, 2012 of the Finance Director attached herewith.

1210- 07 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE HIGHWAY DEPARTMENT AS SURPLUS AND AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO EXISITING POLICIES AND PROCEDURES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012 that this body does hereby declare the items from the Highway Department 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.

Tax Refunds

- | | |
|-------------------------|----------|
| • Clear Wireless | \$207.21 |
| • The Foundation ZB LLC | \$203.03 |
| • Hunter Trucking | \$458.88 |
-

Chairman Hyde declared the resolutions on the Consent Agenda approved unanimously by voice vote of the body on the first and final reading.

REPORT FROM COUNTY OFFICIALS

County Officials filed 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:

**1210-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.

Notaries Elected October 15, 2012

CAROLYN ALLEN	TED KELLEY
EDDIE ATKINS	DIANE LADD
APRIL J BOSHERS	LEAH A LOFTIS
NANCY BOWEN	PEGGY D OVERMAN
KAREN P BURKHALTER	BETTYE L PEDIGO
PAGE CABRON	SHERRI L PORTER
TERIS D CLAY	JANET DALE ROARK
CHRISTIE COLE	NODJA SHETTERS
KATHY E COLEMAN	J STOUT
DUSTIN DEASON	DEVON J SUTHERLAND
STACIE L FISK	TANYA J TAYLOR
DARREN FRYAR	LORENA VALDEZ
KIM GILLESPIE	RUTH WHITE
ROSALYN R GOLDRING	JANICE WOOD
CONTE GREEN HACKETT	NANCY HUNT

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

Akins	Y	Taylor	Y	Geminden	Y
Utle	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Hyde	Y
Hughes	Y	Goode	Y	Skidmore	Y
P. Freels	Y	Stone	A	Pospisil	Y

1210-NOTARY Yes: 20 No: 0 Abs: 1 07:07 PM

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

COMMITTEE ON COMMITTEES

Commissioner Stone announced the expiring term of Mark McKee, Sr., member of the Zoning Board of Appeals. He stated that the Construction and Development Department recommended Mr. McKee's re-appointment and so moved. Commissioner Frank Freels seconded the motion. Chairman Hyde declared the Commission approved unanimously the re-appointment of Mr. McKee, Sr.

Commissioner Stone noted the following appointments for next month:
Industrial Development Board Expiring Terms- Jim Hodges and Wayne Whiting;
Airport Authority- Five-Year Term Richard Coker; Board of Construction Appeals - Larry Brown and Ted Williams, Alternates; Doug Cowden, Bob Goodall, Jr., Robert Hill and Millard Bridges - Two Year Terms

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no report from the Education Committee.

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 SERVICES COMMITTEE

There was no report from the Public Services Committee.

LEGISLATIVE COMMITTEE

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

1210-01 A RESOLUTION TO PARTICPATE IN THE STATE ROUTE 109 CORRIDOR MANAGEMENT AGREEMENT PROJECT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012, that this body hereby agrees to participate in the State Route 109 Corridor Management Agreement Project as shown on the attached agreement.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utleay	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Hyde	A
Hughes	N	Goode	Y	Skidmore	Y
P. Freels	Y	Stone	Y	Pospisil	Y

1210-01 Yes: 19 No: 1 Abs: 1 07:11 PM

Chairman Hyde declared the resolution approved by the body.

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

**1210-02 A RESOLUTION REJECTING SEVERAL OF THE ZONING
RECOMMENDATIONS
OF THE CITY OF GALLATIN FOR THE STATION CAMP GREENWAY
PHASE 3 – PC FILES 3 PC0032-12:**

WHEREAS, this body has spent almost a decade developing the Station Camp Greenway; a phased state and federal project that has gone through months of detailed approval by multiple state and federal agencies who oversee the numerous grants as well as preservation of historical details of this project; and

WHEREAS, a small portion of this project is located in the planning and zoning area of the City of Gallatin; and

WHEREAS, while this body wishes to always work well with the cities within its borders, several of the recent items suggested by the City of Gallatin cannot be accomplished due to project approvals as well as fiscal limitations.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012, that this body does hereby, as is authorized by state statute, reject the following recommendations of the City of Gallatin for this project:

1. **REQUEST:** “The applicant shall provide the required parking lot screening for the trailhead/parking area.”

RESPONSE: The current design plans do not include design for landscaping/screening nor does the budget include funding for this item. In the future, the County could apply for a Community Tree Planting Grant to plant trees at the site.

2. **REQUEST:** “The applicant shall move the location for the Bison Trail pedestrian crossing to the intersection with Lower Station Camp Creek Road. However, if the applicant chooses not to relocate the pedestrian crossing, the applicant shall provide street signage according to MUTCD standards for midblock pedestrian crossings.”

RESPONSE: Due to design constraints of drainage ditch, sewer line, and power poles, the relocation is not a feasible option. The county will move forward with the current design and provide the proper street signage.

3. **REQUEST:** "The applicant shall provide 6" striped lines for the crosswalk rather than "piano keys"."

RESPONSE: The County will follow the City's recommendation on the striped lines for the crosswalk.

4. **REQUEST:** "The applicant shall consider markings along the trail in order to assist in locating persons along the trail in case of an emergency."

RESPONSE: This item is not in the current budget or design plans.

5. **REQUEST:** "The applicant shall submit TDEC NPDES Storm Water Construction General Permit Notice of Coverage and obtain a Land Disturbance Permit from the City of Gallatin Engineering Division prior to commencing grading activities."

RESPONSE: The County has obtained the TDEC permit per TDOT regulations. We will work with the City of Gallatin to obtain the Land Disturbance Permit.

6. **REQUEST:** "The applicant shall submit a No-Rise Flood Study and Certification from a Registered Professional Engineer for construction activities proposed within the Floodway and obtain a Floodplain Development Permit from the Gallatin Codes/Planning Department prior to commencing any grading activities".

RESPONSE: The County is currently reviewing the guidelines for the no-rise. We will work with Gallatin to obtain Floodplain Development Permit.

7. **REQUEST:** "The Planning Commission strongly recommends that the County consider placing animal waste containers and bags on the trail."

RESPONSE: At this time, the County does not have plans to purchase these items. The County will purchase regular trash receptacles and post signs at the site for individuals to pick up after their pets. In the event the waste becomes a problem, the county will consider purchasing separate waste containers.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown	Y	Vaughn	Y
LeMarbre	N	Moser	Y	Hyde	Y
Hughes	Y	Skidmore	Y	P. Freels	Y
Stone	Y	Pospisil	Y		

1210-02 Yes: 19 No: 1 Abs: 0 07:12 PM

Chairman Hyde declared the resolution approved by the body.

RULES AND PROCEDURES

There was no report from the Rules and Procedures Committee.

FINANCIAL MANAGEMENT COMMITTEE

There was no report from the Financial Management Committee.

BUDGET COMMITTEE

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

1210-03 A RESOLUTION APPROPRIATING \$45,293.00 AS PASS-THROUGH FUNDS FROM GHSO GRANT TO THE DRUG COURT BUDGET

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012, that this body hereby appropriates \$45,293.00 as pass-through funds from GHSO Grant to the Drug Court Budget as shown on the attachment herewith.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown	Y	Vaughn	Y
Moser	Y	Hyde	Y	Hughes	Y
Goode	Y	Skidmore	Y	P. Freels	Y
Stone	Y	Pospisil	Y		

1210-03 Yes: 20 No: 0 Abs: 0 07:14 PM

Chairman Hyde declared the resolution approved by the body.

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

1210-04 A RESOLUTION APPROVING DISBURSEMENT OF THE SUMNER COUNTY VOLUNTARY TAX ACT FUND TO THE BUDGET OF THE BOARD OF EDUCATION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of October, 2012, that this body hereby approves disbursement of the \$685.00 Sumner County Voluntary Tax Act contributions to date, to the budget of the Board of Education pursuant to the attached.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Hyde	Y
Hughes	Y	Goode	Y	Skidmore	Y
P. Freels	Y	Stone	Y	Pospisil	Y

1210-04 Yes: 21 No: 0 Abs: 0 07:15 PM

Chairman Hyde declared the resolution approved by the body.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 7:16 p.m. upon motion of Commissioner LeMarbre and seconded by Commissioner Matthews.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on _____
