
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
MARCH 17, 2008**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, March 17, 2008, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was Chairman Pro Tem Ragan Hall. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

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

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman Pro Tem Hall 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. County Executive R.J. "Hank" Thompson was in attendance but unable to chair the meeting due to illness.

The Invocation was led by Pastor Steve Nelson of Trinity Baptist Church in Hendersonville.

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

APPROVAL OF AGENDA

Commissioner Goode moved, seconded by Commissioner Graves, to adopt the agenda with the additions. Commissioner Goode requested a matter be considered under New Business regarding construction management. Commissioner Hyde moved, Commissioner Holt seconded that Resolution 0803-04 be referred back to Committee. The motion carried. 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 February 25, 2008, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Skidmore made the motion, seconded by Commissioner Goode.

RECOGNITION OF THE PUBLIC

Chairman Pro Tem Hall opened the floor to allow the public to speak concerning any matter on the agenda.

Dolores Whitfield of 129 Cumberland Shores Drive in Hendersonville asked the Commission to vote in favor of the property tax freeze.

Commissioner Graves moved, seconded by Commissioner Goode, to suspend the rules and allow Sumner County Trustee Marty Nelson to speak. She stated that she was in favor of the property tax freeze for senior citizens.

Buzz Black requested commissioners to vote in favor of the appropriations for Portland Elementary and Middle schools and Westmoreland Elementary School.

Rod Lilly of 107 Ervin Street requested the Commission to vote in favor of Resolution 0803-10, the Comer Property purchase.

Sharon Walker, President of the Sumner County Education Association, requested the Commission to approve the bids for school building projects before them that evening and to rescind the construction management resolution.

Warren Nichols of 1192 Charles Reed Court in Gallatin and President of Volunteer State Community College asked for approval of the Comer property purchase. He said it is possible to create a Veterinarian Tech program using the facilities on the property.

Donald Lane of 120 Dillon Drive in Hendersonville stated that the Station Camp High School stadium was built improperly. He felt construction management may be an answer for this kind of oversight.

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

REPORT OF THE CHAIR

Clerk Kemp read the following Public Notice into the record:

PUBLIC NOTICE OF HEARING

HEARING TO EXAMINE AND EVALUATE THE JUDICIAL COMMISSIONER PROGRAM

There will be a Public Hearing by the Sumner County Commission on Monday, March 17th, 2008, at 7:00 P.M. (local time) with follow-up at the April 21, 2008 meeting at 7:00 P.M. (local time) in the County Commission Chambers, Sumner County Administration Building, 355 North Belvedere Drive, Gallatin, Tennessee, to examine and evaluate the program of judicial commissioners, to determine if such program is being conducted in accordance with law and is contributing to the orderly, effective and fair administration of justice.

Chairman Pro Tem Hall declared the Public Hearing open. With no one speaking, Chairman Pro Tem Hall declared the Public Hearing closed.

David Vance presented a report on the operations of the Judicial Magistrate program.

ETHICS COMMITTEE REPORT

Chairman Pro Tem Hall brought forth a report on an alleged conflict of interest regarding Commissioner Steve Graves. He stated that the Ethics Committee dismissed the complaint. The law requires that a report be made.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Holt, seconded by Commissioner Goode, 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 Pro Tem Hall introduced the following resolution:

0803-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.

BROWN, KATHY A.
BUCHANAN, KAREN D
CHERRY, ALMA FRANCES
CHITTUM, CHARLES ROY
CUTRELL, ROCHELLE DENIC
DICKERSON, BRITTNI E
DRURY, JANA DENISE
EARLES, GEORGE EAGLE
EDISON III, CARL WILLIAM
FOREMAN, GEORGIA ETTA
GARRETT, JUDY ADAMS

KELSEY, DIONICIA RENEE
LANE, DANITA
MCBROOM, DONALD EDWARD
MORELAND, VICKIE L
OWEN, CONSTANCE LEE
PARKER, KENNETH WAYNE
PEDERSEN, MARYETTE PEARL
ROLAND, JODI LYNN
SADLER, THERESA RITTENBERRY
SCRUGGS, SHARON PROCTOR
SHELTON, JOSHUA DANIEL

GENUNG, JOHN GREGORY
GREEN, WANDA LLANA
GREGORY, NICHOLAS T
GREGORY, SHIRLEY M
HARRIS, HEATHER HAYS
HUDSON, VALITA GAYE
HUTCHENS, CYNTHIA L
JERNIGAN, RHONDA PERDUE
JOHNSON, LISA ANN

STEPHENS, ANNA MURRAY
THOMAS, KEITH ALLEN
WEAVER III, JOHN LAWSON
WOMACK, GLORIA SWANN
WOODBY, TAMARA J
WOODWARD JR, BILLIE JOE
WRIGHT, PATRICIA GAIL

Upon motion of Commissioner Hobbs, seconded by Commissioner Skidmore, voting was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	Y
Stone	A	Hobbs	Y	Pospisil	Y

0803-NOTARY Yes: 23 No: 0 Abs: 1 07:32 PM

Chairman Pro Tem Hall declared the election of notaries public by the body.

COMMITTEE ON COMMITTEES

Commissioner LeMarbre announced an appointment to the Sumner County Planning Commission to fill the unexpired term of Ragan Hall who resigned his position. County Executive Hank Thompson recommended Norman Tripp to fill Commissioner Hall's term. Upon motion of Commissioner LeMarbre, seconded by Commissioner Goode, the Commission approved the recommendation of Mr. Tripp to serve on the Planning Commission. Commissioners Hall and Hughes abstained from the vote.

Commissioner LeMarbre announced the next month appointments to the Board of Equalization.

HIGHWAY COMMISSION

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

0803-01 A RESOLUTION ENCOURAGING THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO NAME THE BRIDGE ON LUBY BROWN ROAD IN MEMORY OF CORPORAL JERRY W. HAMMOCK AND APPROPRIATING FUNDS FOR SIGNAGE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body encourages the State of Tennessee Department of Transportation ("TDOT") to name the bridge on Luby Brown Road in memory of Corporal Jerry W. Hammock; and

BE IT FURTHER RESOLVED that up to \$500.00 is appropriated from the County Commission fund for memorial signs; and

BE IT FURTHER RESOLVED that the County Clerk forward a copy of this resolution to our state officials.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

0803-01 Yes: 24 No: 0 Abs: 0 07:34 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

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

**0803-02 A RESOLUTION COMPLETING THE REQUIREMENTS OF
RESOLUTION 0712-09 REGARDING THE ROAD FEE FOR SUMNER
COUNTY**

WHEREAS, this body previously passed Resolution 0712-09 thereby creating a county road fee; and

WHEREAS, following the passage of the above referenced resolution, this body was to create a zone for fee usage as well as rules and procedures for appeals of the payments of the fee; and

WHEREAS, the Highway Committee along with the County Engineer, Road Superintendent and other interested persons met and developed the necessary policies, procedures, and plans.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby complete the terms of Resolution 0712-09 as follows:

(1) The entire zone of interest shall be designated as all unincorporated areas of the county. With the necessary review required by this body, funds will be directed to projects in the area of need.

(2) The appeal process of the road fee shall be as follows:

Any citizen, corporation, effected group or individual that seeks a building permit has the right to appeal payment of all or a portion of the fee to the Road Fund Appeal Committee ("The Committee").

Such appeal can be sought by submitting a letter to the County Engineer (355 N. Belvedere Drive, #210, Gallatin, Tennessee, 37066) whether by mail or submission in person, (It is the duty of the person seeking the appeal to confirm that the appeal has been received.) within thirty (30) calendar days of seeking a building permit, setting forth the map and parcel number, lot number and summary of circumstances which the fee change is sought.

Fees must be paid in full when permit is sought and if appeal is granted in whole or in part, a refund will be granted.

The Committee will do its best to consider the matters at their next regularly scheduled meeting. However, scheduling will depend on numerous factors.

Persons seeking the appeal are encouraged to be present at the meeting but attendance is not required.

The Committee shall consider each appeal and do its best to determine if an appeal is appropriate.

Developers are encouraged to propose developer financed – road improvements or donations and thereby seek credit for such road fees through the appeal committee.

Any party who disagrees with the actions of The Committee may seek an appeal of the decision to the Sumner County Commission. Such appeal must be filed in writing, so stating the reasons, with the County Clerk (355 N. Belvedere Drive, #111, Gallatin, Tennessee, 37066) within ten (10) calendar days of the decision of The Committee.

- (3) Developers shall be encouraged to finance offsite road improvements for their development and seek credit for road fees through the appeal process.

Commissioner Holt moved, seconded by Commissioner Goode, to amend the resolution to state on Page 2, Section (3) as follows: “ developers will be encouraged to finance offsite improvements that benefit their development; and to seek credit for road fees through the appeal process.” His motion clarified that internal roads in the developments are not part of the road credit process.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	A
Holt	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	Stone	Y
Hobbs	Y	Pospisil	Y		

0803-02A Yes: 22 No: 0 Abs: 1 07:41 PM

Chairman Pro Tem Hall declared the amendment approved by the body.

The electronic vote on the main motion as amended was recorded in the following manner:

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

0803-02 Yes: 18 No: 5 Abs: 1 07:44 PM

Chairman Pro Tem Hall declared the resolution approved by the body (amendment reflected in the above stated resolution).

EDUCATION COMMITTEE

Commissioner Decker reported that the Education Committee voted to approve the three school building projects presented under the Budget Committee report. He also reported on action by committee regarding construction management.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

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

0803-03 A RESOLUTION ACCEPTING ASSISTANCE FROM THE SUMNER COUNTY ANTI-DRUG COALITION TO PROVIDE HELP IN COUNTY ANTI-DRUG PROGRAMS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby accept assistance from the Sumner County Anti-Drug Coalition in order to provide solutions to eliminate substance abuse in Sumner County.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

0803-03 Yes: 24 No: 0 Abs: 0 07:47 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

PUBLIC WORKS COMMITTEE

There was no report from the General Operations Committee.

LEGISLATIVE COMMITTEE

There was no report from the General Operations Committee.

BUDGET COMMITTEE

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

**0803-05 A RESOLUTION TO ADOPT THE PROPERTY TAX FREEZE PROGRAM
AS PROVIDED FOR IN 2007 PUBLIC CHAPTER 581**

WHEREAS, Chapter 581 of the Public Acts of 2007, codified in Tennessee Code Annotated §67-5-705, is a local option law which authorizes counties to adopt a property tax freeze program; and

WHEREAS, the Sumner County Legislative Body has determined that it is in the best interest of Sumner County that the county adopt the property tax freeze program.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby adopt the property tax freeze program as follows:

SECTION 1. The property tax freeze program as provided for in Chapter 581 of the Public Acts of 2007, codified in Tennessee Code Annotated §67-5-705, is hereby adopted by the county legislative body of Sumner County.

SECTION 2. The property tax freeze program shall be implemented and administered in accordance with Tennessee Code Annotated §67-5-705 and the rules promulgated by the State Board of Equalization through the Division of Property Assessments.

SECTION 3. The County Clerk shall file a copy of this resolution with the Division of Property Assessments within forty-five (45) days of its adoption.

BE IT FURTHER RESOLVED that the trustee is authorized to act as the verification agent for any interested city within the county at a cost of ten dollars (\$10.00) per citizen applicant with such fee to be billed to and paid by the city.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

0803-05 Yes: 24 No: 0 Abs: 0 07:48 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

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

**0803-06 A RESOLUTION AMENDING RESOLUTION 0712-05 IN ORDER TO
ADDRESS THE EMERGING SCHOOL NEEDS**

WHEREAS, this body passed Resolution 0712-05 in order to direct that before requests for funds are sought by any group or organization that certain requirements be met; and

WHEREAS, Resolution 0712-05 requires that a construction management element be included in all funding requests for building construction; and

WHEREAS, an emergency situation exists with regard to the necessary time table for the construction of new schools; and

WHEREAS, the Board of Education at the time of the passage of Resolution 0712-05 had already begun the process beginning Portland middle school, Portland elementary school, Westmoreland elementary school, and Drakes Creek middle school.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby, in an effort to aid in the construction of schools so that four new facilities can be ready to open with the start of school in 2009, make funds available to construct Portland middle school, Portland elementary school, Westmoreland elementary school, and Drakes Creek middle school without the requirements of resolution 0712-05.

Commissioner England moved, seconded by Commissioner Akins, to delete construction management from the resolution.

The electronic vote was recorded in the following manner:

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

0803-06A Yes: 12 No: 10 Abs: 1 08:28 PM

Chairman Pro Tem Hall declared the amendment failed.

The electronic vote was recorded in the following manner:

Fennell	Y	Cummings	Y	Hall	A
Graves	Y	Holt	Y	Matthews	Y
Boyd	Y	England	N	Vaughn	N
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	N	Kimbrough	Y
Goode	Y	Freels	Y	Pospisil	Y

0803-06 Yes: 14 No: 3 Abs: 1 08:29 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

Commissioner Moser introduced the following resolution and moved for approval. Commissioner Pospisil seconded the motion. Commissioner Vaughn moved, seconded by Commissioner Pospisil, to group Resolution 0803-07, 0803-08 and 0803-09.

Chairman Pro Tem Hall stated that he had an indirect conflict of interest but would be participating in the vote.

**0803-07 A RESOLUTION APPROPRIATING \$15,374,438.00 FROM THE
OCTOBER 2007 BOND ISSUE TO THE BOARD OF EDUCATION FOR THE
CONSTRUCTION OF THE PORTLAND MIDDLE SCHOOL**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby appropriate \$15,374,438.00 from the October 2007 Bond Issue to the Board of Education for the construction of the Portland middle school.

**0803-08 A RESOLUTION APPROPRIATING \$13,237,597.00 FROM THE
OCTOBER 2007 BOND ISSUE TO THE BOARD OF EDUCATION FOR THE
CONSTRUCTION OF THE PORTLAND ELEMENTARY SCHOOL**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby appropriate \$13,237,597.00 from the October 2007 Bond Issue to the Board of Education for the construction of the Portland elementary school.

**0803-09 A RESOLUTION APPROPRIATING \$12,927,938.00 FROM THE
OCTOBER 2007 BOND ISSUE TO THE BOARD OF EDUCATION FOR THE
CONSTRUCTION OF THE WESTMORELAND ELEMENTARY SCHOOL**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby appropriate \$12,927,938.00 from the October 2007 Bond Issue to the Board of Education for the construction of the Westmoreland elementary school.

The electronic vote was recorded in the following manner:

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

0803-07A Yes: 23 No: 1 Abs: 0 08:37 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

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

0803-10 A RESOLUTION APPROPRIATING \$500,000.00 AND APPROVING A TEN (10) YEAR, INTEREST FREE NOTE FOR THE PURCHASE OF THE COMER HOUSE AND FIVE (5) ACRE TRACT, AND AUTHORIZING THE LEASE OF THE COMPANION PROPERTY FOR GREEN SPACE AND TOURISM ACTIVITIES PURSUANT TO THE TERMS AND AGREEMENTS SET FORTH

WHEREAS, the property known as the Comer Farm serves as a gateway to the heart of our county, standing as a historical and agricultural treasure trove that should be preserved and maintained for future generations; and

WHEREAS, The Comer Farm is presently owned by the Rogers Group, Inc. (hereinafter referred to as the "Rogers Group") and in a effort to maintain this historical property as well as green space in our county, Rogers Group has offered to sell a five acre tract with the existing house and lease a parcel of over 116 acres including the historical barns to Sumner County pursuant to the terms set forth in this resolution and supporting documents; and

WHEREAS, this body wishes to continue the historical traditions of our county while also partnering with various groups to develop future endeavors for generations to come at both the House Tract and the Barn Tract.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2007 that this body does hereby authorize the purchase and lease of the selected parcels of the Comer Farm from the Rogers Group, pursuant to the following terms and conditions:

1. Sumner County (hereinafter referred to as "The County") and Rogers Group shall enter into a CONTRACT OF SALE for the five (5) acre tract (hereinafter referred to as the "House Tract") (attached herewith as Exhibit 1).
2. The sale of the House Tract shall include a five hundred thousand dollar (\$500,000.00) purchase price at the time of closing as well as a DEED OF TRUST NOTE (attached herewith as Exhibit 2) which shall detail the annual one hundred thousand dollar (\$100,000.00) payment to complete the purchase over a ten (10) year period.
3. At closing, the County shall be given a SPECIAL WARRANTY DEED WITH REPURCHASE OPTION AND RESTRICTIONS (attached herewith as Exhibit 3) as evidence of transfer of the House Tract to the County.
4. The County and Rogers Group shall enter into a LEASE AGREEMENT which details the lease of the one hundred sixteen (116) acre parcel which includes the historical barns (hereinafter referred to as the "Barn Tract") (attached herewith as Exhibit 4).
5. The County shall use the Barn Tract to promote tourism, educational endeavors and any other uses related to historical and economic preservation.
6. A large animal veterinary training program as well as other education courses will be developed for the Barn Tract.

7. The House Tract shall be developed and used to provide a gateway to Sumner County, housing a welcome center, tourism office, and related activities.
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Commissioner Moser moved, seconded by Commissioner Vaughn, to approve the purchase of the Comer Property, and to authorize Budget Committee Chairman and Vice Chairman and the County Law Director to negotiate and execute the contract with Rogers Group.

Commissioner Hobbs moved, seconded by Commissioner Satterfield, to defer the matter, requesting the Budget Committee to take another look at this purchase and contract. Furthermore, Commissioner Hobbs moved to request the County Executive's office to come back with cost estimates of the employment of an environmentalists and structural engineer to evaluate the Comer house.

The electronic vote was recorded in the following manner:

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

0803-10B Yes: 17 No: 6 Abs: 1 08:56 PM

Chairman Pro Tem Hall declared the resolution approved by the body. The resulting resolution was prepared as follows:

0803-19 A RESOLUTION DEFERRING THE COMER CONTRACT TO THE BUDGET COMMITTEE FOR RECONSIDERATION AND TO DETERMINE THE COST OF AN ENVIRONMENTAL AND STRUCTURAL EVALUATION OF THE HOUSE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby defer the Comer contract to the Budget Committee for reconsideration and to determine the cost of an environmental and structural evaluation of the house.

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

0803-11 A RESOLUTION APPROPRIATING \$2,200,000.00 FROM THE PRINCIPAL ON NOTE-GENERAL ACCOUNT TO VARIOUS ACCOUNTS WITHIN DEBT SERVICE OF THE FINANCE DEPARTMENT FOR SPECIFIC PROJECTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body hereby appropriates \$2,200,000.00 from the Principal on Note-General Account (151-82110-602) to various accounts within Debt Service of the Finance Department for specific projects as shown on the attachment herewith (in file).

Commissioner Stone moved, seconded by Commissioner Hobbs, to strike the \$500,000.00 set aside for the Comer purchase in the resolution.

Upon motion of Commissioner Goode and duly seconded, the Commission voted to suspend the rules and allow Director of Finance Rachel Nichols to speak regarding a request by County Executive Hank Thompson.

Commissioner Hughes moved, seconded by Commissioner Hobbs, to have the Shackle Island building be evaluated by an engineer and environmentalist in order to proceed with the demolition of the old building.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

0803-11 Yes: 24 No: 0 Abs: 0 09:06 PM

Chairman Pro Tem Hall declared the amendment to the amendment approved by the body.

The electronic vote on Commissioner Stone's resolution was recorded in the following manner:

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

0803-11A Yes: 18 No: 5 Abs: 1 09:06 PM

Chairman Pro Tem Hall declared the amendment approved by the body.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	N
Stone	Y	Hobbs	Y	Pospisil	Y

0803-11B Yes: 23 No: 1 Abs: 0 09:05 PM

Chairman Pro Tem Hall declared the motion as amended approved by the body. The resulting resolution was prepared as follows:

0803-11 A RESOLUTION APPROPRIATING \$1,700,000.00 FROM THE PRINCIPAL ON NOTE-GENERAL ACCOUNT TO VARIOUS ACCOUNTS WITHIN DEBT SERVICE OF THE FINANCE DEPARTMENT FOR SPECIFIC PROJECTS – AS SHOWN ON THE ATTACHED SCHEDULE AND REQUIRING THE BUDGET COMMITTEE TO GET COST ESTIMATES FOR A STRUCTURAL ENGINEER AND ENVIRONMENTALIST TO REVIEW DEMOLITION ISSUES OF THE OLD SHACKLE ISLAND BUILDING

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body hereby appropriates \$1,700,000.00 from the Principal on Note-General Account (151-82110-602) to various accounts within Debt Service of the Finance Department for specific projects as shown on the attachment herewith; and

BE IT FURTHER RESOLVED that before demolition of the Old Shackle Island Building that the Budget Committee get a cost estimate from a structural engineer and environmentalist to review demolition issues of the Old Shackle Island Building.

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

0803-12 A RESOLUTION APPROPRIATING \$2,485.00 FROM THE AMBULANCE FEES ACCOUNT TO THE SALARY DIRECTOR ACCOUNT WITHIN THE DEPARTMENT OF THE EMERGENCY MEDICAL SERVICES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body hereby appropriates \$2,485.00 from the Ambulance Fees Account (101-43120) to the Salary Director Account (101-55130-105) within the department of Emergency Medical Services for the salary of the Interim Director as shown on the attachments herewith.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

0803-12 Yes: 24 No: 0 Abs: 0 09:07 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

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

0802-06 A RESOLUTION TO LEVY A COUNTY-WIDE MOTOR VEHICLE TAX

WHEREAS, Tennessee Code Annotated, Section 5-8-102, authorizes counties to levy a motor vehicle privilege tax (hereinafter "the vehicle tax") as condition precedent to the operation of a motor vehicle within a county; and

WHEREAS, this body has previously found the need to levy such vehicle taxes and for the public good continues to collect same; and

WHEREAS, administrative costs of these collections have increased greatly but have not been raised even though the need is great and such costs continue to rise.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby raise the administrative fee of the total vehicle taxes due by \$.25 (twenty-five cents) per vehicle effective July 1, 2008; and

BE IT FURTHER RESOLVED that this additional administrative fee applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owner of which resides within said county; and

BE IT FURTHER RESOLVED that this resolution shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body at two (2) consecutive regularly scheduled meetings; and

BE IT FURTHER RESOLVED that all other resolutions and legislation adopting or levying wheel taxes, vehicle taxes or privilege taxes shall remain in full force and effect and shall be administered as previously set forth.

Passed 1st reading on February 25, 2008

Chairman Pro Tem Hall recognized Clerk Kemp who explained that 25 cents increase would be used to staff the larger Clerk's office.

The electronic vote was recorded in the following manner:

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

0802-06 Yes: 20 No: 2 Abs: 2 09:09 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

CONSENT AGENDA

Commissioner Moser moved, seconded by Commissioner Freels, to approve the following resolutions on the Consent Agenda.

0803-13 A RESOLUTION APPROVING THE FLOOR PLAN RENOVATION FOR THE NEW HENDERSONVILLE OFFICE OF THE COUNTY CLERK AND APPROPRIATING UP TO \$70,000.00 FOR ALL RENOVATION COSTS WITH FUNDING FROM CAPITAL OUTLAY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby approve the floor plan renovations for the new Hendersonville Office of the County Clerk (as shown on Exhibit A); and

BE IT FURTHER RESOLVED that this body does hereby approve a fee of \$5,000.00 for Kaatz, Binkley, Jones and Morris Architects, Inc. for the plans for the renovation; and

BE IT FURTHER RESOLVED that this body does hereby appropriate up to \$70,000.00 for the cost of these renovations and architect fees from capital outlay funds.

0803-14 A RESOLUTION APPROVING THE FISCAL YEAR 2007-2008 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 17th day of March, 2008 that this body hereby approves the 2007-2008 Sumner County Board Federal Projects Budget Amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedules which are hereby incorporated as a part of this resolution.

0803-15 A RESOLUTION APPROPRIATING FUNDS TO VARIOUS ACCOUNTS WITHIN DEBT SERVICE OF THE FINANCE DEPARTMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body hereby appropriates funds to various accounts within Debt Service of the Finance Department to correct chart of accounts as directed by the State Comptroller as shown on the attachments herewith.

0803-16 A RESOLUTION APPROPRIATING \$100,000.00 AS PASS-THROUGH FUNDS FROM THE FEDERAL FUNDS DISASTER RELIEF ACCOUNT TO THE OTHER CHARGES DISASTER EXPENSES ACCOUNT WITHIN THE DEPARTMENT OF EMERGENCY MANAGEMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body hereby appropriates \$100,000.00 as pass-through funds from the Federal Funds Disaster Relief Account (101-47230) to the Other Charges Disaster Expenses Account (101-54490-599-143) within the department of Emergency Management from federal funds received for the February 5-6, 2008 tornadoes as shown on the attachment herewith.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Vaughn	Y	LeMarbre	Y

Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Freels	Y	Stone	Y	Hobbs	Y
Pospisil	Y				

0803-CON Yes: 22 No: 0 Abs: 0 09:10 PM

Chairman Pro Tem Hall declared the resolution approved by the body.

PROPERTY TAX REFUNDS

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

Tax Refunds from Property Tax Collections: Baxter, Duncan L etux Jeanine \$251.37; Franklin, W.A Jr. etal \$332.31; Ledbetter, Melvin M, \$100.89; Norris, Christopher C., \$56.43; Cato, Michael etux Vanessa \$437.78.

Chairman Pro Tem Hall declared the Consent Agenda approved by the body on the first and final reading.

NEW BUSINESS

Commissioner England introduced the following resolution and moved for approval; Commissioner Akins seconded the motion.

**0803-17 RESOLUTION TO RECONSIDER THE USE OF CONSTRUCTION
MANAGEMENT AS SET FORTH BY RESOLUTION 0712-05**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby rescind the previous action as stated in Resolution 0712-05 as pertaining to phase one of the building program of The Board of Education.

Commissioner Hobbs moved, seconded by Commissioner Pospisil, to rescind the previous action of 0712-05 as pertaining to "Phase I of the Board of Education building program."

The electronic vote was recorded in the following manner:

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

0803-17A Yes: 18 No: 5 Abs: 0 09:24 PM

Chairman Pro Tem Hall declared the amendment approved by the body, as reflected in the above-stated resolution.

The electronic vote was recorded in the following manner:

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

0803-17 Yes: 21 No: 3 Abs: 0 09:25 PM

Chairman Pro Tem Hall declared the resolution as amended approved by the body.

Chairman Pro Tem Hall recognized Commissioner Goode who moved to hire a construction manager for the R.J. "Hank" Thompson Archives Building and the Shackle Island Community Center.

The electronic vote was recorded in the following manner:

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

ADD Yes: 14 No: 7 Abs: 2 09:29 PM

Chairman Pro Tem Hall declared the resolution approved by the body. The resulting resolution was prepared as follows:

0803-18 A RESOLUTION DIRECTING THE USE OF CONSTRUCTION MANAGEMENT ON THE R.J. "HANK" THOMPSON ARCHIVES BUILDING AS WELL AS THE SHACKLE ISLAND COMMUNITY BUILDING AND DIRECTING THE LAW DIRECTOR AND THE COUNTY EXECUTIVE TO DETERMINE THE APPROPRIATE MANNER TO INCORPORATE CONSTRUCTION MANAGEMENT INTO THESE PROJECTS AND SEEK PROPOSALS FOR SUCH SERVICES WITH FUNDING FROM THE GENERAL FUND

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of March, 2008 that this body does hereby direct the use of construction management on the R.J. "Hank" Thompson Archives Building as well as the Shackle Island Community Building; and

BE IT FURTHER RESOLVED that the Law Director and the County Executive are to determine the appropriate manner to incorporate construction management for these projects and seek proposals for such services; and

BE IT FURTHER RESOLVED that the costs of construction management shall be funded from the general fund.

Being on the prevailing side, Commissioner Akins moved, seconded by Commissioner Stone, to reconsider the previous vote on the motion to hire a construction manager to oversee the stated projects.

The electronic vote was recorded in the following manner:

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

RECONSIDER Yes: 11 No: 13 Abs: 0 09:31 PM

Chairman Pro Tem Hall declared the motion to reconsider failed to be approved by the body.

ADJOURNMENT

Chairman Pro Tem Hall declared the Commission meeting adjourned at 9:30 p.m. upon motion of Commissioner Goode.

BILL KEMP, CLERK

R.J. "HANK" THOMPSON, CHAIRMAN

Prepared by Maria A. Moser

Approved on _____
