
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 19, 2011**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, September 19, 2011, 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 Decker
Paul D. Freels
Frank E. Freels
Billy Geminden
Paul Goode
Steve Graves
Michael Guthrie

Ben Harris
Chris Hughes
Merrol N. Hyde
David Kimbrough
Trisha LeMarbre
Joe C. Matthews
Kirk Moser

Baker Ring
David Satterfield
Jo Skidmore
Jerry F. Stone
Paige Brown Strong
Moe Taylor
Jim Vaughn
Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-three 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 Pospisil was not present for the meeting.

The Invocation was led by Pastor Roger Elliott of Long Hollow Baptist Church.

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

APPROVAL OF AGENDA

Chairman Hyde added the election of Commission Chairman and Chairman Pro Tem to the top of the agenda. Without objections, he also moved Resolutions 1109-03 and 1109-04 to Item D on the Report of Chair. Commissioner Skidmore moved to add under the General Operations Committee a resolution concerning the Sumner County Greenway. Commissioner Stone added under the Committee on Committees report appointments by the County Executive: two to the Health and Safety Board and one to the Sumner County Board of Tourism. Commissioner Paige Brown requested moving the Certificates of Recognition before Recognition of the Public. Commissioner Graves moved, and was seconded by Commissioner Akins, to adopt the agenda with the additions and changes. The Commission approved the agenda as amended by unanimous voice vote of the body.

ELECTION OF COMMISSION CHAIRMAN

Chairman Hyde yielded the floor to County Clerk Bill Kemp who then recognized Commissioner Stone who reported that the Committee on Committees nominated Commissioner Hyde to serve another term as Commission Chairman. Commissioner LeMarbre nominated Commissioner Kimbrough for the position. Commissioner Akins moved, seconded by Commissioner Taylor, to cease nominations. The motion was approved by consensus.

Clerk Kemp announced that Commissioner Hyde is the green button and Commissioner Kimbrough the red button.

The electronic vote was recorded in the following manner:

CHAIRMAN - HYDE – GREEN		KIMBROUGH - RED			
Akins	N	Taylor	Y	Geminden	Y
Utleigh	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	Y	Harris	N
Ring	N	Brown Strong	N	Vaughn	Y
LeMarbre	N	Moser	Y	Decker	Y
Hyde	Y	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y		

CHAIRMAN Yes: 14 No: 9 Abs: 0 07:06 PM

Chairman Hyde was elected as Commission Chairman for the 2011-12 year.

ELECTION OF CHAIRMAN PRO TEM

Commissioner LeMarbre nominated Commissioner Decker to serve as Chairman Pro Tem. Commissioner Vaughn moved, seconded by Commissioner Taylor, to cease nominations and approve Commissioner Decker as Chairman Pro Tem. The motion was approved unanimously.

APPROVAL OF MINUTES

The minutes for the meeting of this body held on August 15, 2011, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Skidmore made the motion, seconded by Commissioner Graves.

Chairman Hyde noted that the commissioners received the monthly veteran's report in their packets.

Commissioner Harris read the following resolution into the record:

A RESOLUTION PROCLAIMING THE WEEK OF OCTOBER 3, 2011 AS "NATIONAL FIRE PREVENTION WEEK"

WHEREAS, Sumner County hereby designates the Week of October 3, 2011 as "National Fire Prevention Week" in our county and encourages residents, children and parents, teachers and firefighters gain the necessary knowledge: "KNOWING WHAT TO DO" through attending or teaching programs that can and will save your life or the life of someone near and dear, because once a fire starts there's no time to develop a plan; and

WHEREAS, the history of National Fire Prevention Week has its roots in the Great Chicago Fire, which occurred on October 8, 1871, and this tragic conflagration killed some 300 people, left 100,000 homeless and destroyed more than 17,000 structures; and

WHEREAS, during the past year, our various city and volunteer fire departments have responded to numerous emergency incidents: including fire, accident, medical needs and many other public safety concerns; and

WHEREAS, every day firefighters and emergency personnel put their lives on the line in various situations and save the lives of those in need; and

WHEREAS, each year in the United States an estimated 2,800 children age 14 or younger are injured and 850 killed in residential fires, of these children, over 40 percent are under the age of five, 70 percent are under the age of 10.

NOW, THEREFORE, BE IT RESOLVED by this body, that the week of October 3, 2011 be designated as "National Fire Prevention Week" in Sumner County and encourages that residents, children and parents, teachers and firefighters to develop a fire safety plan; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread on the minutes of this body and made a permanent part of the record and this body further thanks all firefighters and emergency personnel for their dedication and service to others.

Upon motion of Commissioner Harris, seconded by Commissioner Satterfield, the Commission approved the certificate recognizing Fire Prevention Week.

Commissioner Taylor read the following resolution into the record:

**A RESOLUTION HONORING
MISS MCKENZIE TUTTLE**

WHEREAS, Miss McKenzie Tuttle, an eighth grader at Westmoreland Middle School, won the state competition spelling bee and went on to place second in the National Spelling Bee Competition; and

WHEREAS, Miss Tuttle, strived for excellence and thanks to her dedication and hard work, was rewarded by the victories she achieved; and

WHEREAS, Miss Tuttle's accomplishments have brought honor to herself, her school and our county and her efforts are an inspiration to all and she should be commended for her hard work and dedication.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011 that this body does hereby congratulate Miss McKenzie Tuttle for her outstanding achievements and success at the National Spelling Bee Competition; 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 Miss McKenzie Tuttle.

Upon motion of Commissioner Taylor, seconded by Commissioner Akins, the Commission approved the certificate recognizing Miss. Tuttle.

Commissioner Akins read the following resolution into the record:

**A RESOLUTION HONORING
THE WESTMORELAND MIDDLE SCHOOL
JUNIOR BETA CLUB**

WHEREAS, the Westmoreland Middle School Junior Beta Club Living Literature team has been named national champions for the third time in the last four years; and

WHEREAS, the Westmoreland Middle School Junior Beta Club Living Literature team is composed of Lauren Calvert, Chase Troutt, Brandon Hudson, Morgan Hall, McKenzie Tuttle, Presley Birdwell, Caleb Scholl, Tanner Troutt, Caleb Graves, and Adrienne Anderson; and

WHEREAS, the Westmoreland Middle School Junior Beta Club Living Literature team has well represented themselves through their diligence and effort and in so doing, have been an inspiration to others throughout this county and has brought honor to themselves, their school and Sumner County by their performance.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body does hereby congratulate and commend the Westmoreland Middle School Junior Beta Club Living Literature team 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 Westmoreland Middle School Junior Beta Club Living Literature team.

Upon motion of Commissioner Akins, seconded by Commissioner Taylor, the Commission approved the certificate recognizing Westmoreland Middle School Junior Beta Club.

Commissioner Vaughn read the following resolution into the record:

**A RESOLUTION HONORING
ASSISTANT DISTRICT ATTORNEY WAYNE HYATT**

WHEREAS, Mr. Wayne Hyatt, Assistant District Attorney General for the 18th Judicial District which represents Sumner County is retiring after over three decades of service to our county; and

WHEREAS, Mr. Hyatt was licensed to practice law in 1976 and through his years of service has become Sumner County's longest-serving prosecutor serving thirty-two years and during his tenure has provided aid to our citizens, strived to enforce laws and diligently fight for the victims of crime; and

WHEREAS, Mr. Hyatt is to be commended and recognized for his diligent service and dedication to the citizens of Sumner County and for the outstanding

assistance he provided to countless people throughout the many decades of work.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body does hereby express its appreciation and gratitude for the many years of service and dedication of Mr. Hyatt and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Mr. Hyatt to Sumner County and to our state; 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. Wayne Hyatt.

Upon motion of Commissioner Vaughn, seconded by Commissioner Matthews, the Commission approved the certificate recognizing Mr. Wayne Hyatt.

CONSENT AGENDA

Upon motion of Commissioner Frank Freels, seconded by Commissioner Matthews, the Commission voted by unanimous voice vote to approve the following items on the Consent Agenda:

**1109-06 A RESOLUTION TO REQUEST UNCLAIMED BALANCE OF
ACCOUNTS REMITTED TO STATE TREASURER UNDER
UNCLAIMED PROPERTY ACT**

WHEREAS, Tennessee Code Annotated Section 66-29-102 and Section 66-29-123, as amended by Public Chapter 401, Acts of 1985, provide that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and its agencies if it exceeds \$100, less a proportionate share of the cost of administering the program; and

WHEREAS, Sumner County and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act; and

WHEREAS, Sumner County agrees to meet all of the requirements of Tennessee Code Annotated Section 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid to it and to submit an annual report of claims received on these accounts to the State Treasurer by September 1 each year; and

WHEREAS, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative costs or service charge and that the balance of funds will be deposited in this local government's general fund.

THEREFORE, BE IT RESOLVED that the Sumner County Board of Commissioners requests the State Treasurer to pay the unclaimed balance of funds to it in accordance with the provisions of Tennessee Code Annotated Section 66-29-121 with a list of remittances made by or on behalf of the local government and its agencies as attached; and

BE IT FURTHER RESOLVED that as this body composed of 24 members, meeting in regular session on the 19th day of September, 2011, does hereby adopt and certify this resolution for submission to the State of Tennessee.

1109-07 A RESOLUTION APPROPRIATING \$10,000.00 IN PASS-THROUGH FUNDS FOR THE "WALK ACROSS SUMNER" PROGRAM TO THE OFFICE OF THE COUNTY EXECUTIVE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body hereby appropriates \$10,000.00 in pass-through funds for the "Walk Across Sumner" program to the office of the County Executive as shown on the attachment herewith.

1109-08 A RESOLUTION APPROPRIATING \$1,000.00 IN PASS-THROUGH FUNDS FOR PROFESSIONAL DESIGNATIONS FOR THE ASSESSOR OF PROPERTY DEPARTMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body hereby appropriates \$1,000.00 in pass-through funds for professional designations for the Assessor of Property Department as shown on the attachment herewith.

1109-09 A RESOLUTION APPROPRIATING \$35,000.00 DONATION FROM THE CITY OF GALLATIN FOR BOOKS FOR THE GALLATIN LIBRARY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body hereby appropriates \$35,000.00 donation from the City of Gallatin for books for the Gallatin Library as shown on the attachment herewith.

1109-10 A RESOLUTION APPROPRIATING UP TO \$6,470.00 FROM 2010 BOND FUNDS FOR COMPLETION OF RENOVATION AT THE COURTHOUSE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body hereby appropriates up to \$6,470.00 from the 2010 Bond Funds for completion of the renovation at the courthouse.

1109-11 A RESOLUTION DECLARING ITEMS FROM EMERGENCY MANAGEMENT AGENCY AS SURPLUS OR SALVAGE 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 19th day of September, 2011 that this body does hereby declares various items from Emergency Management Agency as surplus or salvage and authorizes the same pursuant to state law and existing policies and procedures as shown on the attachment herewith.

RECOGNITION OF THE PUBLIC

Chairman Hyde opened the floor to allow the public to speak concerning any matter on the agenda, stating she did not see the need for many of the programs.

Jeanne Towe of Centerpoint Road in Hendersonville thanked the commissioners for not raising taxes.

Those who spoke in favor of providing additional funding to the Board of Education 2011-12 Budget were as follows:

Kaitiye Beegle of 245 Indian Lake Boulevard in Hendersonville
Brandon Denney of 103 Cardin Street in Hendersonville
Michael Hurdle of 127 Pin Oak Drive in Hendersonville
Brandon Kemp of 1019 Crossbow Drive in Hendersonville and student at Station Camp High School
MeriAllen Krueger of 121 Windham Circle in Hendersonville and a student in the school system
Caroline Krueger of 121 Windham Circle in Hendersonville
William Hooper 101 Nancy Drive in White House and a graduate of the school system stated that increasing property taxes for schools creates economic prosperity.
Mike Fussell of 128 Island Drive in Hendersonville
Don Long, Chairman of the Board of Education

Jeanette Jackson of 115 Woodside Drive in Hendersonville spoke on behalf of keeping the bookkeepers in the school system.

Makayla White of 282 Lakeside Park Drive in Hendersonville spoke on restoring funding for the EB Wilson school.

Those who spoke in favor of restoring funding to the adult education program were as follows:

Esther Wright of 704 Jessica Taylor Drive in Madison, Tennessee
David Leonard of 813 Spencer Avenue in Gallatin
Gary Bewley of 541 Murray Street in Gallatin
Cassie Hounsher of 115 Coarsey Boulevard in Hendersonville
Heather Murrell 134 Iris Drive in Hendersonville
Dr. Alzenia Walls of 345 Remington Avenue in Gallatin and President of the Sumner County Education Association
Joe Salter 659 Lindsey Hollow Drive in Gallatin
Mike Needel of 201 Pond Drive in Gallatin and a career counselor for veterans
Krista Wright an employee of the Legal Aid Society of Middle Tennessee

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

Commissioner Moser introduced the following resolution and moved for its approval. The motion was seconded by Commissioner Paul Freels

1109-03 A RESOLUTION AMENDING THE GENERAL CAPITAL PROJECTS BUDGET FOR \$576,782 .00

WHEREAS, \$500,000.00 is budgeted as a contribution from the Sumner County School System for its portion of the school bus replacements for the 2011-2012 fiscal year; and

WHEREAS, the County General Capital Projects Fund is estimated to have adequate resources without the aforementioned contribution; and

WHEREAS, this body has found it advantageous to cover the School System's share of the bus replacements; and

WHEREAS, the School System has \$76,782.00 of needed capital items in its 2011-2012 budget; and

WHEREAS, the General Capital Projects Fund is estimated to have adequate resources to pay for the aforementioned capital items;

WHEREAS, this body has found it advantageous to pay for the \$76,782.00 of the School System's needed capital items; and

WHEREAS, by this action the Sumner County Board of County Commissioners, with the above actions, will free up \$576,782.00 of the resources allocated to the School System for other endeavors;

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011 that this body does hereby amend the General Capital Projects for the 2011-2012 fiscal year as follows:

Account Numbers	Description	Increase/ (Decrease)		
48130	Contributions (for School Buses)	\$ (500,000.00)		
91300-	Education Capital Projects -			
711-513	Furniture and Fixtures	\$ 76,782.00		
34585	Budgeted Ending Balance/Restricted For Capital Projects	<u>\$ (576,782.00)</u>		

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 Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y		

1109-03 Yes: 23 No: 0 Abs: 0 08:25 PM

Chairman Hyde declared the resolution approved by the body.

Commissioner Moser introduced the following resolution and moved for its approval. The motion was seconded by Commissioner Vaughn.

**1109-04 A RESOLUTION MAKING APPROPRIATIONS FOR THE
 SUMNER COUNTY SCHOOL DEPARTMENT FOR THE FISCAL YEAR
 BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012**

BE IT RESOLVED by the Board of County Commissioners of Sumner County, Tennessee, assembled in regular session on the 19th day of September 2011

that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of Sumner County Schools during the fiscal year beginning July 1, 2011 and ending June 30, 2012 according to the following schedule

General Purpose School Fund

Instruction

Regular Instruction Program	\$	93,947,612
Alternative Instruction Program		1,669,221
Special Education Program		19,010,654
Vocational Education Program		9,486,090
Adult Education Program		476,369

Support Services

Attendance		357,970
Health Services		1,018,396
Other Student Support		4,729,283
Regular Instruction Program		6,153,233
Alternative Instruction Program		356,009
Special Education Program		1,630,153
Vocational Education Program		192,758
Adult Education Program		306,802
Board of Education		4,866,518
Office of the Superintendent		822,185
Office of the Principal		12,491,972
Fiscal Services		1,095,554
Humans Services (Resources)/Personnel		474,445
Operation of Plant		13,354,652
Maintenance of Plant		4,601,067
Transportation		8,122,734
Central and Other		918,271

Operation of Non-Instructional Services

Food Services		22,125
Community Services		1,513,807
Early Childhood Education		90,039

Capital Outlay

Regular Capital Outlay		617,134
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Debt Service

Education Debt Service		45,627
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Other Uses

Transfers to Other Funds		5,000
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<i>Total General Purpose School Fund</i>	\$	188,375,680
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Central Cafeteria Fund	
Food Service	\$ 12,126,641
<i>Total Central Cafeteria Fund</i>	<u><u>\$ 12,126,641</u></u>
Endowment Fund	
Endowment Fund	\$ 5,000
<i>Total Endowment Fund</i>	<u><u>\$ 5,000</u></u>
School Federal Projects Fund	
Instruction	
Regular Instruction Program	\$ 4,980,263
Alternative Instruction Program	30,315
Special Education Program	4,024,510
Vocational Education Program	287,338
Support Services	
Health Services	108,540
Other Student Support	127,493
Regular Instruction Program	1,694,444
Special Education Program	1,370,959
Vocational Education Program	2,000
Transportation	118,470
Other Uses	
Other Uses (Transfers)	59,811
<i>Total School Federal Projects Fund</i>	<u><u>\$ 12,804,143</u></u>

BE IT FURTHER RESOLVED, by Resolution Number 0206-04, the Sumner County Board of County Commissioners, pursuant to Section 13, Subsection (e)(1) of Private Acts 2002, Chapter 113, that if the need shall arise, the Budget Committee, with the approval of any official, head of any department or division which may be affected, may transfer any amount within any major appropriation category. Also, the approval of the County Board of Commissioners must be obtained as required by law for transfers between major appropriation categories within the same fund. The School Director must also receive the approval of the Board of Education for transfers within each major appropriation category of the budget and the approval of the Sumner County Board of Commissioners for transfers between these major categories as required by law. Aforesaid authorization shall clearly state the reasons for the transfer, but this provision shall in no case whatsoever be construed as authorizing transfers from one fund to another but shall apply solely to transfers within a certain fund.

BE IT FURTHER RESOLVED that any appropriations made by this resolution, which cover the same purpose for which a specific appropriation is made by statute, are made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the fiscal year ending June 30, 2012. The aggregate

expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

BE IT FURTHER RESOLVED that the detailed "General Purpose School Fund Draft Budget, School Nutrition Draft Budget, Endowment Fund Draft Budget and the Federal Projects Draft Budget" for the Fiscal Year Ended June 30, 2012 are adopted by reference for line-item detail.

BE IT FURTHER RESOLVED that any resolution which may hereafter be presented to the Sumner County Board of Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the fiscal year in which the expenditure is to be made, to meet such additional appropriations.

BE IT FURTHER RESOLVED that the County Executive and the County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the fiscal year 2011-2012 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Executive and countersigned by the County Clerk and shall mature and be paid in full without renewal no later than June 30, 2012.

BE IT FURTHER RESOLVED that the delinquent county property taxes for the year 2010 and prior years and the interest and penalty thereon collected during the year ending June 30, 2012 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2010. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

BE IT FURTHER RESOLVED that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and be of no further effect at the end of the fiscal year at June 30, 2012.

BE IT FURTHER RESOLVED that any resolution or part of a resolution which has been passed by the Sumner County Board of Commissioners that is in conflict with any provision in this resolution is hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2011. This resolution shall be spread upon the minutes of the Sumner County Board of Commissioners.

PASSED THIS 19th DAY OF SEPTEMBER 2011.

Commissioner Hughes moved to amend the resolution to fully fund the \$5.1 million request of the Board of Education from the \$20 million Capital Fund. The motion was seconded by Commissioner LeMarbre.

Commissioner Ring declared an indirect conflict-of-interest and stated that he would vote his conscience.

Commissioner Satterfield moved, seconded by Commissioner Ring, to add \$1 million to the Board of Education budget.

Chairman Hyde recognized David Lawing, County Finance Director, who stated that the Capital Projects Fund has \$18,544,323. He said that the \$5.1 will become part of the maintenance of effort to the school system, so the County will have to continue it. After the subtraction of the \$5.1 the remaining balance is \$13,477,323. He stated that 75 percent of the interest earned is returned to the principal and 25 percent goes into a projects fund.

The electronic vote was recorded in the following manner:

AMEND 1109-04 TO INCREASE SCHOOL FUNDING \$5M FROM RESERVE

Akins	N	Taylor	N	Geminden	N
Utle	N	Graves	N	Satterfield	N
F. Freels	N	Matthews	N	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	N
LeMarbre	Y	Moser	N	Decker	Y
Hyde	N	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	P. Freels	N
Stone	N	Guthrie	Y		

1109-04.1 Yes: 9 No: 14 Abs: 0 09:03 PM

Chairman Hyde declared the amendment failed to be approved by the body.

Commissioner Goode moved, seconded by Commissioner Decker, to amend the resolution to fund E. B. Wilson School (\$340,000.00) and the adult education program (\$278,240.00) from the Capital Fund in the amount of \$623,240.00. The source of funding was the \$18 million Capital (hospital) Fund.

Upon motion of Commissioner Brown Strong, seconded by Commissioner Matthews, the Commission vote to suspend the rules to allow Dr. Del Phillips, Director of Schools, to speak. Dr. Phillips stated that the amount designated to be cut for library clerks was \$131,700.00.

Commissioner Ring moved, seconded by Commissioner Kimbrough, to amend the amendment to restore the jobs of the library clerks in the amount of \$131,700.00.

The electronic vote was recorded in the following manner:

AMEND BUDGET TO INCLUDE \$131,700.00 FOR LIBRARY CLERKS

Akins	N	Taylor	N	Geminden	N
Utle	N	Graves	N	Satterfield	Y
F. Freels	N	Matthews	Y	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	N
LeMarbre	Y	Moser	N	Decker	Y
Hyde	N	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	P. Freels	N
Stone	N	Guthrie	Y		

1109-04.3 Yes: 11 No: 12 Abs: 0 09:12 PM

Chairman Hyde declared the amendment to the amendment failed to be approved by the body.

Commissioner Satterfield moved, seconded by Commissioner Ring, to amend the amendment to fund an additional \$1 million to the school system from the Capital (hospital) Fund.

The electronic vote was recorded in the following manner:

AMEND TO INCREASE BUDGET BY \$1M FROM RESERVE

Akins	N	Taylor	N	Geminden	N
Utley	N	Graves	N	Satterfield	Y
F. Freels	N	Matthews	Y	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	N
LeMarbre	Y	Moser	N	Decker	Y
Hyde	N	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	P. Freels	N
Stone	N	Guthrie	Y		

1109-04.4 Yes: 11 No: 12 Abs: 0 09:17 PM

Chairman Hyde declared the amendment to the amendments failed to be approved by the body.

Commissioner Taylor called for the question to end debate on the amendment.

The electronic vote was recorded in the following manner:

CALL FOR QUESTION TO END DEBATE

Akins	Y	Taylor	Y	Geminden	Y
Utley	N	Graves	Y	Satterfield	Y
F. Freels	N	Matthews	Y	Harris	Y
Ring	N	Vaughn	Y	LeMarbre	Y
Moser	N	Decker	Y	Hyde	Y
Hughes	Y	Goode	A	Skidmore	Y
P. Freels	Y	Stone	Y	Guthrie	Y

QUESTION Yes: 16 No: 4 Abs: 1 09:22 PM

Chairman Hyde declared the call for the question approved by the body.

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

AMEND TO INCREASE BUDGET \$623,240 FOR EB WILSON/ADULT ED

Akins	Y	Taylor	N	Geminden	N
Utley	N	Graves	Y	Satterfield	Y
F. Freels	N	Matthews	Y	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	N
LeMarbre	Y	Moser	N	Decker	Y
Hyde	N	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	P. Freels	N
Stone	N	Guthrie	Y		

1109-04.2 Yes: 13 No: 10 Abs: 0 09:23 PM

Chairman Hyde declared the amendment approved by the body.

Commissioner Moser stated that there was an error in the School Federal Projects Fund and yielded the floor to Mr. Lawing who stated that on Page 2 of the appropriation resolution the total was \$12,856,157.00, which agrees to the detailed budget for capital projects. When the school personnel put together the budget, they left out \$42,014. He said the total on the summary page in the amount of

\$12,804,142.00 is correct. The total and the details need to be corrected to reflect the proper amount. Commissioner Moser stated that he would like to make this a part of his motion to approve the school budget, and the one seconding the motion agreed to the change.

The electronic vote was recorded in the following manner:

1109-04 APPROVE SCHOOL BUDGETS AS AMENDED

Akins	Y	Taylor	Y	Geminden	Y
Utle	Y	Graves	Y	Satterfield	Y
F. Freels	N	Matthews	Y	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	P. Freels	N
Stone	N	Guthrie	Y		

1109-04 Yes: 20 No: 3 Abs: 0 09:26 PM

Chairman Hyde declared the school budget approved by the body.

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.

Mr. Lawing provided a copy of the Sumner County Financial Statements to be filed with the record in the County Clerk's office.

Chairman Hyde introduced the following resolution:

1109-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 PUBLIC TO BE ELECTED

CONNIE J AMONS	CAROLLYNN HAIEND
DEBRA S ARCHIE	MICHELLE HIGHTOWER
DIANE R BABBITT	M J ISHAM
CAROL DIANE BARNES	KAY JOYCE
JANICE BOONE	LISA KLING
MICHELLE BOWERS	I D LEWIS III
SONYA M BRANHAM	ANN MAYNARD
LORI BUIE	ALANNA MEADOR
BRUCE ALLEN CARTER	GLORIA ALLMAN MOORE
JESSE J CASKEY III	GREG PARNELL
DONNA F CLEMONS	SHARON POOLE
SUSAN KAY COHAN	JANICE Q RAY
JESSICA DAY	LAURA ANN SAWYERS
KAREN DICKERSON	RUSSELL S SHEPHARD
TONYA DONOHO	BEVERLY SHILLINGFORD
CALLIE M DOWLEN	MARIA JESUSA SMITH
CHRISTINE DROWNS	LISA G SMITH
NANCY E FERGUSON	SHERRIE L. SORRELLS
JAMES P FITE	CONNIE TAYLOR
MELINDA GAIL GENTRY	DARRELL G TROUTT
DENA GIBSON	JANET WALKER
RACHEL G GODZIEJEWSKI	MARK C. WALKER
	PERSONAL SURETY
	JERRY W PIKE SR
	WILLIAM K BARRETT

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

Akins	Y	Taylor	Y	Geminden	Y
Utlely	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	A
Goode	Y	Skidmore	Y	Stone	A
Guthrie	Y				

1109-NOTARY Yes: 20 No: 0 Abs: 2 09:27 PM

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

COMMITTEE ON COMMITTEES

Commissioner Stone stated that the Committee on Committees deferred the Board of Tourism replacement for the Commission Chairman.

RECESS

Commissioner Stone moved, seconded by Commissioner Goode, to recess for five minutes. The motion carried and Chairman Hyde declared a five-minute recess at 9:30 p.m. The Commission reconvened at 9:38 p.m.

COMMITTEE ON COMMITTEES

Commissioner Stone nominated, seconded by Commissioner Vaughn, Commissioners Pospisil, Moser, Frank Freels and Graves to serve on the Financial Management Act of 1981. Chairman Hyde recognized Commissioner Hughes who nominated, seconded by Commissioner Satterfield, Commissioners Kimbrough, Moser, Graves and Guthrie. Chairman Hyde asked if there were other nominations and seeing none, he declared nominations ceased.

Clerk Kemp noted that Slate 1 was represented by the green button and Slate 2 by the red button.

The electronic vote was recorded in the following manner:

FIN MGT COMMITTEE SLATE1 GREEN		SLATE2 RED			
Akins	N	Taylor	Y	Geminden	Y
Utlely	N	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	N	Harris	N
Ring	N	Brown Strong	N	Vaughn	Y
LeMarbre	N	Moser	Y	Decker	N
Hyde	Y	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	N		

FINMGT Yes: 10 No: 13 Abs: 0 09:41 PM

Chairman Hyde declared the election of Slate 2 . Commissioners Moser, Graves, Hughes and Kimbrough were elected to the Financial Management Committee of 1981.

Commissioner Stone nominated, and was duly seconded, Commissioners Pospisil, Moser, Frank Freels and Graves to serve on the Financial Management Act of 2002. Hearing no other nominations, Chairman Hyde closed nominations and declared, upon voice vote, the election of the Committee members. Commissioner Goode requested that his vote be shown as voting against the slate.

Commissioner Stone brought forth the nomination of Betty Kingery to replace Gail Eller who resigned her position. He so moved and was duly seconded to approve the appointment of Ms. Kingery. The motion carried upon voice vote of the body.

Commissioner Stone brought forth the recommendation of Dr. Charles Brewton to replace John Pennington who resigned his position on the Sumner County Board of Tourism. Commissioner Stone moved, seconded by Commissioner LeMarbre, to approve the appointment of Mr. Brewton. The motion carried upon voice vote of the body.

Commissioner Stone brought forth the recommendation from the County Executive of Daniel R. Koulianos to replace H.G. Kirby who resigned his position on the Health and Safety Board. Another recommendation was James Flockencier to replace Terry Fisher on the Health and

Safety Board. Commissioner Stone so moved, seconded by Commissioner LeMarbre, the Commission voted to approve the appointments of Mr. Koulianos and Mr. Flockencier.

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no report from the Education Committee.

GENERAL OPERATIONS COMMITTEE

Commissioner Skidmore introduced the following resolution and moved for its approval. The motion was seconded by Commissioner Matthews.

1109- 12 A RESOLUTION APPROVING THE BID OF CIVIL CONSTRUCTORS, INC. FOR THE STATION CAMP GREENWAY PROJECT, PHASE TWO

BE IT RESOLVED BY, the Sumner County Board of County Commissioners meeting in regular session on this the 19th of September, 2011 that this body does hereby accept the bid of Civil Constructors, Inc. as the low bid with funding to be provided from various grants, road funds and previously allocated funds as shown on the attached documents.

The electronic vote was recorded in the following manner:

APPROVE GREENWAY CONTRACTOR

Akins	Y	Taylor	Y	Geminden	Y
Utleigh	Y	Graves	Y	F. Freels	Y
Matthews	Y	Harris	Y	Ring	Y
Vaughn	Y	LeMarbre	Y	Moser	Y
Decker	Y	Hyde	Y	Hughes	Y
Kimbrough	Y	Goode	Y	Skidmore	Y
P. Freels	Y	Stone	Y	Guthrie	Y

1109-12 Yes: 21 No: 0 Abs: 0 09:46 PM

Chairman Hyde declared the resolution approved by the body.

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 Decker introduced the following resolution and moved for its approval. The motion was seconded by Commissioner Frank Freels.

1109-01 A RESOLUTION STATING OPPOSITION TO ALL EFFORTS OF THE UNITED STATES ARMY CORPS OF ENGINEERS OR ANY AGENCY TO CHARGE FEES TO UTILITY ENTITIES WHICH PUMP WATER OUT OF OLD HICKORY LAKE OR ITS SUPPORTING WATER SOURCES

WHEREAS, Sumner County relies on the Cumberland River, Old Hickory Lake and Old Hickory Dam and the utility districts which serve the citizens of these cities and counties use these waterways as the source of water and services; and

WHEREAS, Old Hickory Lake and the supporting waterways have for decades been the source of natural collection of resources for the areas and have served as a priceless supply of water for our daily needs and activities; and

WHEREAS, this free natural resource should not become a source of income for the federal government nor an arbitrary tax or fee collected to pay for services not received nor used by the citizens of Sumner County; and

WHEREAS, Sumner County and the numerous citizens of its communities are concerned, not only for today's population and economic impact of additional costs, but how fees and the authority to charge same, could impact future generations.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011 that this body firmly requests that any plan to charge a storage rate, tax, cost or withdrawal fee for the usage of water from Old Hickory Lake be brought to an end and prohibited; and

BE IT FURTHER RESOLVED that any efforts, by the U.S. Army Corps of Engineers or any other federal agency, to create a charge or fee for the use or storage, be abandoned; and

BE IT FURTHER RESOLVED that this body strongly asks our leaders at the state and national level to oppose, through every means available, any efforts to charge a fee to any utility entity which pumps water out of Old Hickory Lake or its supporting water sources; and

BE IT FURTHER RESOLVED that this body further encourages our state and federal representatives to draft, present and support legislative to discontinue any such future plan; and

BE IT FURTHER RESOLVED that this body directs the County Executive to seek assistance from our federal representatives in Washington in order that they can express our objection to these proposed regulations; and

BE IT FURTHER RESOLVED that the County Executive is to discuss with other government entities the idea of forming a cooperative organization to fight this endeavor with whatever means necessary, including undertaking judicial proceedings.

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 Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y		

1109-01 Yes: 23 No: 0 Abs: 0 09:48 PM

Chairman Hyde declared the resolution approved by the body.

BUDGET COMMITTEE

Commissioner Moser yielded the floor to Mr. Lawing who reported that a report regarding Westmoreland Expo was available in his office and provided to the Budget Committee for its review. This included the business plan and the audit review.

Commissioner Moser introduced the following resolution and moved for its approval. The motion was seconded by Commissioner Vaughn.

1109-02 A RESOLUTION APPROPRIATING \$2,500.00 FROM COUNTY GENERAL FUND RESERVE TO DISCRETIONARY FUND OF THE COUNTY EXECUTIVE FOR REIMBURSEMENT OF THE MAINTENACE EXPENSES AT BLEDSOE CREEK PARK

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011 that this body does hereby appropriate, \$2,500.00 from County General Fund Reserve to the Discretionary Fund of the County Executive to be used for reimbursement of maintenance expenses at Bledsoe Creek Park.

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 Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	N	Kimbrough	Y
Goode	Y	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y		

1109-02 Yes: 22 No: 1 Abs: 0 09:50 PM

Chairman Hyde declared the resolution approved by the body.

Commissioner Moser introduced the following resolution and moved for its approval. The motion was seconded by Commissioner LeMarbre.

1109-05 A RESOLUTION APPROPRIATING \$209,000.00 FROM THE \$572,000.00 SCHOOL SYSTEM CAPITAL PROJECT ALLOCATION FOR REPLACEMENT OF BLEACHERS AT BEECH HIGH SCHOOL GYM

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of September, 2011, that this body does hereby appropriate \$209,000.00 from the \$572,000.00 school system capital project allocation for replacement of both sides of bleachers at the Beech High School Gym.

The electronic vote was recorded in the following manner:

Akins	Y	Geminden	Y	Utley	Y
Graves	Y	F. Freels	Y	Matthews	Y
Harris	Y	Ring	Y	Brown Strong	Y
Vaughn	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	P. Freels	Y	Stone	Y
Guthrie	Y	LeMarbre	Y		

1109-05 Yes: 20 No: 0 Abs: 0 09:51 PM

Chairman Hyde declared the resolution approved by the body. Commissioner LeMarbre requested that her vote be changed to reflect that she voted in favor of the resolution.

RULES AND PROCEDURES

There was no report from the Rules and Procedures Committee.

Chairman Hyde recognized Commissioner Matthews who considered whether to change his vote on the election of the Financial Management Act 1981 Committee but decided to let his vote stand.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 9:54 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____
