
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
NOVEMBER 15, 2010**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, November 15, 2010, 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	Ben Harris	Baker Ring
Paul Decker	Chris Hughes	David Satterfield
Paul D. Freels	Merrol N. Hyde	Jo Skidmore
Frank E. Freels	David Kimbrough	Jerry F. Stone
Billy Geminden	Trisha LeMarbre	Paige Brown Strong
Paul Goode	Joe C. Matthews	Moe Taylor
Steve Graves	Kirk Moser	Jim Vaughn
Michael Guthrie	Bob Pospisil	Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-four members seated, a simple majority would be by thirteen votes; and that matters requiring a two-thirds vote would be by sixteen votes during this session. Chairman Hyde noted the exception of the vote on Resolution 1011-07 regarding teachers' salaries, in which five commissioners will have to declare a direct conflict of interest. For this vote the super majority will be 14 members, and a majority 11 members.

The Invocation was led by Jonathan England, Pastor of Bushes Chapel.

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

APPROVAL OF AGENDA

Without objection, Chairman Hyde removed the report from the General Sessions Ad Hoc Committee. Commissioner Goode requested that Resolution 1011-04 be moved forward to the top of agenda because a guest speaker was present to speak. The Hendersonville High School Golf Team certificate was moved before Recognition of the Public. Chairman Hyde so ordered it, and, without objection, moved Resolution 1011-03 to the end of Report of Chair. Commissioner Frank Freels moved, Commissioner Matthews seconded, 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 October 18, 2010, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Graves made the motion, seconded by Commissioner Taylor. Commissioner Moser and Skidmore abstained from the vote.

RECOGNITION OF THE PUBLIC

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

Donna Duncan of 1005 Falcon Crest in Gallatin spoke on the Board of Education request to fund salary bonuses. She asked that all employees be considered for the increase.

Beth Cox of 113 Windham Circle in Hendersonville, and a Board of Education member, spoke on the ill-timed consideration of the Financial Management Act, given the current search for a Director of Schools. She requested the Commission to delay action.

Ted Wise of Clearview Road in Cottontown, and a Board of Education member, spoke against adoption of the Financial Management Act of 1981.

Sharon Walker of 1012 Fox Glen Road in Gallatin spoke on the need to consider the expenditures in conjunction with the Sumner County Education Association.

Darrel Johnson of 1403 Shoreside Drive in Hendersonville encouraged the Commission to fund Resolution 1011-06, regarding the Animal Control Facility expenditures.

Don Long of 132 Wynbrooke Trace, and Board of Education Chairman, encouraged the Commission to delay adoption of the Financial Management Act of 1981 until after selection of a Director of Schools.

Commissioner Skidmore moved, seconded by Commissioner Brown Strong, to suspend the rules and to allow a time extension for Mr. Long. The motion carried. He also advocated passage of salary bonuses for school employees.

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

REPORT OF THE CHAIR

Commissioner Decker read the following into the record:

A RESOLUTION HONORING THE HENDERSONVILLE HIGH SCHOOL COMMANDOS GOLF TEAM AND COACHES CLANCY HALL AND ANDY GILLEY

WHEREAS, for the Coaches Clancy Hall and Andy Gilley and the 2010-2011 Hendersonville High Commandos Golf Team completed an overall successful season record of 64-4 and for the first time in school history won the 2010 Tennessee State Championship along with winning the 2010 Hendersonville H & T Carpet Invitational Championship; and

WHEREAS, the coaches are to be commended for their influence and efforts in leading the Hendersonville High School Commandos Golf Team and through their efforts have demonstrated the benefits of hard work and dedication; and

WHEREAS, this season the Hendersonville High School Commandos Team has defeated countless state and nationally ranked opponents and has forged an astonishing legacy in high school golf; and

WHEREAS, the Hendersonville High School Commandos Golf Team, Braden Baugh, Michael Crenshaw, Bryan Grisard, Carson Jacobs, Kevin Lee, Noah Trenkler, Tucker Keen and Lucas Wheeler, were coached by Clancy Hall and Andy Gilley, played with pride and have brought honor not only to themselves and their team, but to their school and this county by their outstanding performance; and

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body does hereby congratulate the Hendersonville High School Commandos Golf Team and Coaches Clancy Hall and Andy Gilley 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 Hendersonville High School Commandos Golf Team and Coaches Clancy Hall and Andy Gilley.

Upon motion of Commissioner Decker, seconded by Commissioner LeMarbre, the Commission voted to honor the Hendersonville High School Golf team and coaches.

Commissioner LeMarbre moved for approval of the following resolution; Commissioner Decker seconded the motion.

1011-03 A RESOLUTION AUTHORIZING AMENDMENT OF THE SCHOOL SYSTEM GENERAL PURPOSE BUDGET FOR EMPLOYEE BONUSES NOT COVERED BY THE FEDERAL BONUS PROGRAM

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body does hereby authorize amendment of the School System General Purpose Budget in order to authorize the payment of employee bonuses not covered by the Federal Bonus Program as shown on the attached.

Commissioner Stone moved, seconded by Commissioner Moser, to amend the resolution such that the school employees receive a one-time, \$500.00 bonus to be taken from the Building Improvements Fund in the amount of \$78,000.00.

The electronic vote was recorded in the following manner:

AMEND \$500 PER EMPLOYEE

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

1011-03.1 Yes: 15 No: 9 Abs: 0 07:58 PM

Chairman Hyde declared the amendment approved by the body.

The electronic vote on the main motion 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	N	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	P. Freels	Y
Stone	Y	Guthrie	Y	Pospisil	Y

1011-03 Yes: 22 No: 2 Abs: 0 07:58 PM

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

1011-03 A RESOLUTION AUTHORIZING AMENDMENT OF THE SCHOOL SYSTEM GENERAL PURPOSE BUDGET FOR EMPLOYEE BONUSES NOT TO EXCEED \$500.00 PER EMPLOYEE NOT COVERED BY THE FEDERAL BONUS PROGRAM WITH FUNDING FROM THE BUILDING IMPROVEMENT FUND

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body does hereby authorize amendment of the School System General Purpose Budget in order to authorize the payment of employee bonuses not to exceed \$500.00 per employee for personnel not covered by the Federal Bonus Program in the amount not to exceed \$78,000.00 with sums to be transferred from the building improvement fund and subject to board approval.

Chairman Hyde directed the Clerk to read the following Public Notice into the record:

PUBLIC NOTICE

There will be a public hearing before the Sumner County Commission on November 15, 2010, at 7:00 p.m. in the Sumner County Administration Building Commission chambers located at 355 N. Belvedere Drive, Gallatin, TN.

Charles Randall Carter is requesting to have a portion of his property rezoned from R1A to Commercial 2 Planned Unit Development. Subject property is

located at 2812 Hartsville Pike, Castalian Springs, TN, is on Tax Map 110, Parcel 45.10 P/O, contains 6.15 acres and is zoned R1A.

A copy of this request is on file in the Sumner County Construction and Development Office, which is located in Room 202 in the Sumner County Administration Building, 355 N. Belvedere Drive, Gallatin, TN.

Anyone having an interest, desiring to comment or ask questions concerning this request is invited to attend this meeting or call the Sumner County Planning Office at (615) 452-1467.

Chairman Hyde declared the public hearing open, and the following persons were recognized to speak:

Rodney Jones of 2820 Hartsville Pike in Castalian Springs, spoke against the rezoning, stating that it would affect his property values.

Martha Akins of 126 Harsh Lane in Castalian Springs, and a historic preservationist with the Tennessee Historical Commission, urged the Commission to vote down the rezoning in the area because it does not support the revitalization of the Castalian Springs Community.

J. Bruce Rainey, 1298 A. B. Wade Road in Portland, and representative of Mr. Carter, stated that the owner went through several changes to appease local residents. He also stated that considerable property tax would be generated from the build out.

With no one else wishing to speak, Chairman Hyde declared the public hearing closed.

Commissioner Graves moved for approval of the resolution, seconded by Commissioner Vaughn.

**1011-01 A RESOLUTION AMENDING THE ZONING RECLASSIFICATION
OF PROPERTY AT 2812 HARTSVILLE PIKE, CASTALIAN SPRINGS,
TENNESSEE, ZONED R1A TO COMMERCIAL 2 PUD**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby amends the zoning reclassification of property currently owned by Charles Randall Carter at 2812 Hartsville Pike, Castalian Springs, Tennessee (identified as Parcel 45.10 P/O on Tax Map 110 and being approximately 6.15 acres), and is zoned R1A to Commercial 2 PUD.

Chairman Hyde recognized Gary Hammock, Building Commissioner, who clarified the resolution. Commissioner Utley requested the resolution state the rezoning as a Commercial 2 Planned Unit Development (reflected in the above-referenced resolution).

The electronic vote was recorded in the following manner:

Akins	A	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	A
F. Freels	Y	Matthews	Y	Harris	N
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	N	Pospisil	Y

1011-01 Yes: 20 No: 2 Abs: 2 08:16 PM

Chairman Hyde declared the rezoning approved by the body.

Commissioner Goode moved for approval of the following resolution. The motion was seconded by Commissioner Pospisil.

**1011-02 A RESOLUTION ESTABLISHING THE CATASTROPHE ACTIVITY
PROCEDURE FUND (“CAP FUND”) FOR THE INVESTMENT,
HANDLING AND USE OF ALL NET PRINCIPAL HOSPITAL BALANCES**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body does hereby adopt the following policy which shall be made part of the rules of this body:

The Catastrophe Activity Procedure Fund (“CAP Fund”) is hereby established by this body and shall be comprised from the net principal balances from all hospital sale funds. This CAP Fund shall be secured for use only pursuant to the terms of this resolution.

The Financial Management Committee through its Investment Committee shall work with the Trustee and Finance Director to invest the CAP Fund in the most lucrative investments authorized by state statute and the State Comptroller. On an as needed basis, the CAP Fund shall be invested in various financial instruments which will vary depending on the interest rate and market strategy of that period.

Twenty-five percent of the interest earned annually on the CAP Fund shall be placed in a separate account (outside the appropriation requirements of this resolution) to be used for non-reoccurring capital items. All other earnings received by the CAP Fund shall be reinvested into the CAP Fund.

On a quarterly basis, the Finance Director shall make a written report of the balance of the CAP Fund as well as any additional sums earned.

In order for sums to be expended from The CAP Fund, this Body must make the following written findings of fact (“Findings”) which shall become a part of the appropriation resolution of this body. The Findings shall include the following:

- (1) Public good served by the need presented, including how the county as a whole will be assisted by the expenditure; and
- (2) Emergency or urgent situation which facilitates the need for spending of sums from The CAP Fund now instead of using other funding sources; and
- (3) Why the money requested could not be appropriated from other sources; and
- (4) Financial analysis of the cost to The CAP Fund to withdraw the sum requested including any lost interest costs as well as any fees or penalties; and
- (5) Analysis of similar requests that have had funds granted or declined by this Body within the last fiscal year by any funding source as well as potential for similar requests being presented in the future.

Once the findings are drafted and adopted by this Body by a two-thirds vote, the approved findings shall be placed on the Sumner County website until the next regularly scheduled meeting of the Body and public comment shall be solicited regarding the request.

At the next regularly requested meeting, this Body shall consider any public comments received as well as any citizens who choose to speak for or against the appropriation from the CAP Fund.

Passage of the appropriation by a two-thirds vote at the second vote, shall authorize expenditure of the requested sums from the CAP Fund.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	A
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	Pospisil	Y

1011-02 Yes: 23 No: 0 Abs: 1 08:17 PM

Chairman Hyde declared the resolution approved by the body.

Commissioner Goode moved for approval of the following resolution. The motion was seconded by Commissioner Pospisil.

**1011-04 A RESOLUTION ADOPTING THE COUNTY FINANCIAL
MANAGEMENT SYSTEM OF 1981 IN SUMNER COUNTY
AND CREATING AN ECONOMIC FEASIBILITY AD HOC COMMITTEE**

WHEREAS, the Tennessee General Assembly has enacted the County Financial Management System of 1981, codified in *Tennessee Code Annotated*, Sections 5-21-101 et seq (hereinafter referred to as "the 1981 Act"); and,

WHEREAS, it is the desire of this body to investigate the most cost effective manner to operate all county departments and where possible, coordinate expenditures and the provision of services.

WHEREAS, *Tennessee Code Annotated*, Section 5-21-126, authorizes counties to adopt the provisions of the County Financial Management System of 1981 by a two-thirds (2/3) majority vote of the county legislative body; and

WHEREAS, the County has concluded that it is in the best interest of the county to follow the procedures delineated in the 1981 Act.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body does hereby adopt the County Financial Management System of 1981 (the 1981 Act) and shall follow the financial management system set forth by *Tennessee Code Annotated* 5-21-101 et seq and any amendments thereto; and

BE IT FURTHER RESOLVED that Sumner County shall be governed by the provisions of the County Financial Management System of 1981 and pursuant to this law, this body shall develop and undertake an implementation plan for the 1981 Act; and

BE IT FURTHER RESOLVED that this resolution, having received the required two-thirds (2/3) majority vote of this body, is hereby made a part of the record of the Commission; and

BE IT FURTHER RESOLVED that the 1981 Financial Management Committee (hereinafter referred to as “the 1981 Committee”) shall be considered and appointed by this body through the appropriate committees in December of 2010, the 1981 Committee shall meet and elect its chair within the statutory time period and the implementation plan shall be created and put into operation as set forth by the 1981 Act;

BE IT FURTHER RESOLVED that this body does hereby create a seven (7) member Economic Feasibility Ad Hoc Committee to be appointed by the Chairman of the County Commission which will study the feasibility of the coordination of maintenance services for all county departments, the practicality of volume purchasing and the any other economically feasible cost savings measures; and

BE IT FURTHER RESOLVED that this Economic Feasibility Ad Hoc Committee shall immediately undertake its analysis and present a final report to this body by May of 2011; and

BE IT FURTHER RESOLVED that this resolution shall take effect upon passage, the public welfare requiring it; and

BE IT FURTHER RESOLVED that the body does hereby recommend to the Committee on Committees that Commissioners David Kimbrough, Merrol Hyde, Frank Freels, and Paul Goode be appointed as the four commission members of the new County Financial Management Committee.

Commissioner Goode moved, seconded by Commissioner Matthews, to suspend the rules to allow Tom McAnulty, the author of the Financial Management Act of 1981, to speak to the Commission. The motion carried by unanimous voice vote. After an introduction, Mr. McAnulty explained the benefits of adopting the Act and the importance of cooperation during the implementation process.

Commissioner Harris moved to amend the resolution in regard to the seven-member committee: “said committee shall show a cost savings to the citizens of Sumner County or this said resolution shall become null and void.” Chairman Hyde ruled the amendment was not possible to do, because it was not in the state statute.

Commissioner Harris further moved to amend the last paragraph on the first page regarding the “1981 Committee” to add “the present finance administrator of the School Board shall assume the duties of the Director of Finance.” Chairman Hyde said the amendment could not be added, because the matter would have to be taken up by the Committee and then approved by the entire Commission.

Commissioner Skidmore moved, seconded by Commissioner LeMarbre, to defer Resolution 1011-04 for 18 months.

The electronic vote was recorded in the following manner:

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

DEFER 1011-04 Yes: 6 No: 18 Abs: 0 08:46 PM

Chairman Hyde declared the motion to defer failed to pass.

The electronic vote was recorded in the following manner:

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

1011-04 Yes: 18 No: 6 Abs: 0 08:47 PM

Chairman Hyde declared the resolution approved by the body.

Chairman Hyde said he had communicated with several people that would like to be involved including the County Executive, Highway Superintendent, and the Director of Schools. He suggested that the Commission forward to the Committee on Committees a request to appoint Commissioner Kimbrough as the leader of the 1981 Committee, as well as appointing Commissioners Hyde, Frank Freels and Goode. Commissioner Pospisil moved, seconded by Commissioner Vaughn, to make this suggestion. The motion carried with two voting against the matter. Chairman Hyde stated that he would appoint the Economic Feasibility Ad Hoc Committee at a later time.

REPORT FROM COUNTY OFFICIALS

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

Chairman Hyde introduced the following resolution:

**1011-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 LIST

MICHELLE ADAMS	CAROLYN E PARKER
LISA M ASK	CHAD PENICK
SHAY C BARGER	CARISSA PERRY
DAVIDA P BLACK	ELIZABETH R PIERPAOLI
BILLY W CARVER	AMANDA PRIEST
JEAN A CRAIN	DEBRA E ROBERTSON
EDWARD LEE DONOVAN	DOLORES HUFF ROE
JESSICA LYNN EMERSON	ANGELA M SCRUGGS
STACEY L HARPER	KELLY NICOLE STAGG
TERESA L HAWN	BETTY STRONG
WENDY KAY HICKS	LAURA THIGPEN
PEGGY A KEMP	AMY L WHEATON
JONA M. KICKLITER	GLENDA A WHITE
ETHEL LACKEY	GLENDA JOANN WISCHHOF
RHONDA L MCBRIDE	MELINDA J NOVAK

Upon motion of Commissioner Goode, seconded by Commissioner Taylor, the electronic vote 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	Y
Goode	Y	Skidmore	Y	P. Freels	Y
Stone	A	Guthrie	Y	Pospisil	Y

1011-NOTARY Yes: 23 No: 0 Abs: 1 08:49 PM

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

Clerk Kemp reported that correspondence was received from the Joe Matthews family, expressing gratitude for flowers sent by the Commission during their time of loss.

COMMITTEE ON COMMITTEES

Commissioner Stone brought forth the appointment of Mac Curtis to serve on the Health and Safety Board. Upon motion of Commissioner Stone, seconded by Commissioner Goode, the Committee voted to appoint Mr. Curtis to the Health and Safety Board.

Commissioner Stone stated that the appointments to the Airport Authority were deferred for thirty days.

Commissioner Stone announced the remaining two commissioner appointments to the Sumner County Planning Commission were deferred for one month.

Commissioner Stone brought forth the expiring terms on the Board of Construction Appeals. Upon motion of Commissioner Stone, seconded by Commissioner Taylor, the committee voted to approve the re-appointment of all members of the Board of Construction Appeals.

Commissioner Stone brought forth the expiring terms on the Industrial Development Board of Mac McKinley and Tom Glass. Upon motion of Commissioner Stone, seconded by Commissioner Frank Freels, the Commission voted to approve the re-appointments of Mr. McKinley and Mr. Glass to the Industrial Development Board.

Commissioner Stone announced the following appointments for next month:

Emergency 911 Communications District
Sumner County Regional Planning Commission
Health and Safety Standards Board

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no further report from the Education Committee.

GENERAL OPERATIONS COMMITTEE

Commissioner Hughes reported that a resolution from the General Operations Committee was reported under the Budget 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 Pospisil had no further report.

RULES AND PROCEDURES COMMITTEE

Commissioner Brown Strong moved for approval of the following resolution. The motion was seconded by Commissioner Frank Freels.

**1011-05 A RESOLUTION AMENDING THE STANDING RULES AND
PROCEDURES OF THE SUMNER COUNTY BOARD OF
COUNTY COMMISSIONERS
RULE III, SECTION D, 11 (a), (b), (c), (d) & (e)**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular Session on this the 15th day of November, 2010 that this body does hereby amend the standing rules of this body by deleting Rule III, Section D at part 11 (a), (b), (c) (d) & (e) (pages 19, 20, 21, 22, & 23 of the adopted (peach colored) working copy) and replacing these pages with the new format attached herewith as New Pages 19, 20, 21, 22, & 23(blue copy).

Upon motion of Commissioner Brown Strong, seconded by Commissioner Frank Freels, the Commission voted unanimously to approve Resolution 1011-05.

BUDGET COMMITTEE

Commissioner Moser moved for approval of the following resolution. The motion was seconded by Commissioner Pospisil.

1011-06 A RESOLUTION APPROPRIATING \$128,473.96 FROM THE 2010 BOND FUND TO COMPLETE THE NEW ANIMAL CONTROL FACILITY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body does hereby appropriate \$128,473.96 from the 2010 Bond Fund to complete the Animal Control Facility.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	N	Geminden	Y
Utley	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	Y	Harris	N
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	Pospisil	Y

1011-06 Yes: 21 No: 3 Abs: 0 09:14 PM

Chairman Hyde declared Resolution 1011-06 approved by the body.

Commissioner Moser moved for approval of the following resolution. The motion was seconded by Commissioner LeMarbre.

1011-07 A RESOLUTION APPROVING THE FISCAL YEAR 2010-2011 SUMNER COUNTY BOARD OF EDUCATION FEDERAL BUDGET AMENDMENTS AND APPROPRIATING AND/OR TRANSFERRING SUCH FUNDS FOR ONLY FEDERALLY FUNDED EDUCATION SALARY BONUS EXPENDITURES AS SHOWN ON THE ATTACHED

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body hereby approves the 2010-2011 Sumner County Board of Federal Projects Budget Amendments and appropriates and/or transfers such funds for education salary bonus expenditures as shown on the attached schedule which is hereby incorporated as a part of this resolution.

The following commissioners declared a direct conflict of interest and did not vote on the resolution: Commissioners Goode, Decker, Guthrie, Utley and Ring; while Commissioner Akins announced an indirect conflict of interest and cast a vote in the matter. Give the declarations of a direct conflict, the majority vote constituted ten commissioners and a super majority 14 members.

The electronic vote was recorded in the following manner:

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

1011-07 Yes: 19 No: 0 Abs: 0 09:17 PM

Chairman Hyde declared the resolution approved on the first and final reading by the necessary two-thirds majority.

CONSENT AGENDA

Commissioner Moser moved for approval of the following resolution. The motion was seconded by Commissioner Graves.

1011-08 A RESOLUTION QUIT CLAIMING PROPERTY DESIGNATED AS MAP 141 D PARCEL D-D16.00 TO THE CITY OF MILLERSVILLE

WHEREAS, property known as map 141D parcel D-D16.00 ("The Parcel") has been through the statutory tax sale process due to the nonpayment of various real and personal property taxes; and

WHEREAS, no bidder has sought to purchase the parcel; and

WHEREAS, the parcel appears to be a non-buildable lot; and

WHEREAS, the city of Millersville wishes to obtain ownership of parcel to benefit the subdivision and community; and

WHEREAS, donation of the parcel to the city of Millersville would be in the best interest of the city and county.

THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby agrees to Quit Claim the parcel to the city of Millersville and authorize the County Executive to sign such deed on behalf of the county; and

BE IT FURTHER RESOLVED that any county taxes are hereby waived and the city takes the parcel subject to any remaining taxes, liens and fees.

1011-09 A RESOLUTION APPROVING PROPERTY TRANSFERS AS AUTHORIZED BY THE DELINQUENT TAX COMMITTEE AND SET FORTH PURSUANT TO THE TERMS OF THE ATTACHED SCHEDULE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby approves property transfers as authorized by the Delinquent Tax Committee and set forth pursuant to the terms of the attached schedule.

1011-10 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE HENDERSONVILLE LIBRARY AS SURPLUS AND AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body does hereby declare the items from the Hendersonville Library 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.

1011-11 A RESOLUTION DECLARING VARIOUS OFFICE ITEMS AS SURPLUS AND AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES FOR THE WESTMORELAND PUBLIC LIBRARY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body does hereby declare various office items from the Westmoreland Public Library as surplus as shown on the attachments herewith; and

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

1011-12 A RESOLUTION TO REQUIRE ALL FUTURE ETHICS LAWS APPLY TO BOTH STATE AND LOCAL GOVERNMENTS

WHEREAS, the Tennessee General Assembly has the authority through its legislative process to adopt legislation; and

WHEREAS, the Tennessee General Assembly has previously adopted ethical laws and regulations that apply to local governments while exempting itself from the laws; and

WHEREAS, the Sumner County Board of Commissioners finds it would be in the interest of its citizens to express its support for the adoption of legislation requiring any future ethical laws that may be adopted by the Tennessee General Assembly apply to both state and local governmental entities.

NOW, THEREFORE, BE IT RESOLVED by action of the Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, Sumner County expresses its support for the adoption of state legislation

requiring any future ethical laws adopted by the Tennessee General Assembly apply to both state and local governmental entities;

BE IT FURTHER RESOLVED, that upon approval of this resolution and its signing, the Board of Commissioners directs the County Clerk's Office to mail a copy of this resolution to Sumner County's State Representatives and State Senators.

1011-13 A RESOLUTION ACCEPTING THE POLICIES OF THE TRUSTEE'S OFFICE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby accepts the policies of the Trustee's Office as attached herewith.

1011-15 A RESOLUTION ALLOCATING UP TO \$568,400.00 FROM THE PREVIOUSLY APPROPRIATED 2010 BOND FUNDS FOR BEECH HIGH SCHOOL ANNEX HVAC UPGRADE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby allocates up to \$568,400.00 from the previously appropriated 2010 Bond Funds for Beech High School Annex HVAC Upgrade as shown on the attached schedule.

1011-16 A RESOLUTION APPROVING THE FISCAL YEAR 2010-2011 SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND BUDGET AMENDMENTS AND APPROPRIATING AND/OR TRANSFERRING SUCH FUNDS AS REQUIRED

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body hereby approves the 2010-2011 Sumner County Board of Education General Purpose School Fund Budget Amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedules which are hereby incorporated as a part of this resolution.

1011-17 A RESOLUTION APPROVING THE FISCAL YEAR 2010-2011 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 15th day of November, 2010 that this body hereby approves the 2010-2011 Sumner County Board Federal Projects Budget Amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedule which is hereby incorporated as a part of this resolution.

**1011-18 A RESOLUTION APPROPRIATING UP TO \$7,733.39
FROM THE CHANCERY RESERVE TO CHANCERY DATA PROCESSING
EQUIPMENT EXPENSE LINE TO PURCHASE COMPUTERS AND PRINTER
PER AOC AND LOCAL GOVERNMENT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby appropriates up to \$7,733.39 from the Chancery Reserve to Chancery Data Processing Equipment expense line to purchase computers and printer per AOC and Local Government as shown on attached schedule.

**1011-19 A RESOLUTION APPROPRIATING \$5,000.00 AS PASS-THROUGH
GRANT FUNDS TO OFFICE OF SHERIFF FOR PURCHASE OF
RADAR EQUIPMENT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010, that this body hereby appropriates \$5,000.00 as pass-through grant funds to office of Sheriff for purchase of radar equipment as shown on attached schedule.

**1011-20 A RESOLUTION APPROPRIATING UP TO \$51,000.00 IN PASS-
THROUGH GRANT FUNDS TO THE REGISTRAR OF VOTERS OFFICE FOR
THE PURCHASE OF VOTING MACHINES**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of November, 2010 that this body hereby appropriates up to \$51,000.00 in pass-through grant funds to the Registrar of Voters for the purchase of voting machines.

PROPERTY TAX REFUNDS

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

Hendersonville Nominee LP; \$7,634.58;
Mobil Mini Inc., \$2,610.63;
Shoemake, James E. et ux Faye, \$70.22

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

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 9:20 p.m. after a motion by Commissioner Goode, seconded by Commissioner Frank Freels.

BILL KEMP, CLERK
Prepared by Maria A. Savage
Approved on _____

MERROL HYDE, CHAIRMAN