
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
FEBRUARY 25, 2008**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, February 25, 2008, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the County Executive R.J. "Hank" Thompson. 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	Jim Vaughn
Paul Goode	David Kimbrough	

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman R.J. "Hank" Thompson 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 Jerry Stone was not present for the meeting.

The Invocation was led by Pastor Donald Key, New Vision Ministries – Westmoreland. The commission held a moment a silence for the victims of the tornado.

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

APPROVAL OF AGENDA

Commissioner Hobbs moved, seconded by Commissioner Skidmore, to adopt the agenda with the changes. Commissioner England requested that Resolution 0802-20 be moved from New Business to after the Budget Committee Report. 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 January 28, 2008, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Graves made the motion, seconded by Commissioner Satterfield.

RECOGNITION OF THE PUBLIC

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

Sharon Walker of 101 Fox Glen in Gallatin and President of the Sumner County Education Association encouraged the Commission to eliminate any further delay in approving new school construction projects.

Michael Hurdle of 127 Pin Oak Drive in Hendersonville spoke in favor of the proceeding with the new school construction projects.

Mike Fussell of 128 Island Drive in Hendersonville stated his support of construction management.

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

REPORT OF THE CHAIR

Chairman Thompson read the following resolutions into the record:

A RESOLUTION HONORING THE SUMNER COUNTY CAREER CENTER

WHEREAS, the Sumner County Career Center was recently awarded with "Career Center of the Year" by WorkForce Essentials; and

WHEREAS, the Sumner County Career Center received this honor for maintaining consistent accomplishment of all performance standards and goals; maintaining positive client and partner relationships and having a staff who has achieved or exceeded planned service-level goals and uses innovation in developing new projects while gaining outside revenue; and

WHEREAS, the Sumner County Career Center should be commended not only for aiding in the growth and development of our community but to this county.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby congratulate the Sumner County Career Center for its outstanding achievements; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to the Sumner County Career Center.

A RESOLUTION HONORING MS. PEGGY GRIFFIN

WHEREAS, Ms. Peggy Griffin, a driver's education instructor for Sumner and Wilson County students, was recently honored with the 2007 Instructor of the Year award by WorkForce Essentials; and

WHEREAS, Ms. Griffin was named as the training instructor who has the best overall classroom effectiveness, shown improvements in teaching methods, maintains a positive attitude in support of WorkForce Essentials' mission, vision and values, and received positive reviews from students, co-workers, and supervisors; and

WHEREAS, it is appropriate that Ms. Griffin be recognized for the contribution she has made to Sumner County in teaching and guiding while positively affecting the lives of students through her tireless commitment.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby congratulate Ms. Peggy Griffin for her dedication and service to the citizens and government of Sumner County; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to Ms. Peggy Griffin.

Upon motion of Commissioner Matthews, seconded by Commissioner LeMarbre, the Commission voted to approve the Certificates of Resolution.

Commissioner Hall read the following resolution into the record:

**A RESOLUTION HONORING
THE TENNESSEE REHABILITATION CENTER AT GALLATIN**

WHEREAS, the Tennessee Rehabilitation Center at Gallatin, which provides work development and job instruction to people with disabilities in Sumner County, was recently named the "Center of the Year" by the State Department of Human Services; and

WHEREAS, the center has been meeting and exceeding its goals of placing clients in competitive employment for the past several years through four specialized programs of vocational evaluation, employee development, placement and rehabilitation counseling and guidance; and

WHEREAS, Mike Mayo, Larry Piper, Donna Hall, Carol Parker, Bill Dent, Linda Suddarth, Brenda Oliver, Jerry Rich, and Norlena York, having put forth hard work and dedication, have not only brought honor to themselves but to this county in aiding in the growth and development of our community.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby congratulate the Tennessee Rehabilitation Center at Gallatin; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to the Tennessee Rehabilitation Center at Gallatin.

Upon motion of Commissioner Hall, seconded by Commissioner Matthews, the Commission voted to approve the Certificate of Recognition for the Tennessee Rehabilitation Center at Gallatin.

Commissioner Vaughn read the following resolution into the record:

**RESOLUTION HONORING
MR. TERRY HUTCHERSON**

WHEREAS, Mr. Terry Hutcherson began his service in law enforcement as a deputy with the Sumner County Sheriff's Department before becoming a patrolman for the City of Goodlettsville in 1979, where he served for almost thirty (30) years as a Sergeant and Captain before being promoted to the Chief of Police in 1991; and

WHEREAS, Mr. Hutcherson is a member of the Tennessee and International Associations of Chiefs of Police and throughout his tenure has given freely of his time, put his life on the line, and dedicated himself to caring for the lives of others; and

WHEREAS, Mr. Hutcherson has demonstrated civic-mindedness and his commitment to serve the citizens of Sumner County has been instrumental in bringing progress and advancement to this county and by the giving of his time and talents, has contributed distinctive guidance and direction to the citizens and leadership of Sumner County.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby honor and commend Mr. Terry Hutcherson for his dedication and service to the City of Goodlettsville and the citizens and government of Sumner County; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to Mr. Terry Hutcherson.

Upon motion of Commissioner Vaughn, seconded by Commissioner Holt, the Commission voted to approve the Certificate of Recognition.

Commissioner Decker read the following resolutions into the record:

**RESOLUTION HONORING THE
HENDERSONVILLE HIGH SCHOOL COMMANDOS BOWLING TEAM**

WHEREAS, the Hendersonville High School Commandos Bowling Team, led by Coach Keith Freemon, recently placed as Runner-Up in the Division I Tennessee Secondary School Athletic Association's Bowling Championship; and

WHEREAS, the Commandos are the only Division I team to make every State Tournament since the inception of bowling as a sport in 2002, while also holding the records of Most Championships, Most Consecutive State Championships and Most Bowlers with 300 Games in the State Tournament; and

WHEREAS, the Commandos have practiced hard, strived for perfection, and for their outstanding efforts have brought honor not only to themselves, but to their school and this County.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby congratulate Coach Keith Freemon

and the Hendersonville High School Commandos Bowling Team for their outstanding season; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to the Hendersonville High School Commandos Bowling Team.

**A RESOLUTION HONORING THE
HENDERSONVILLE HIGH SCHOOL
LADY COMMANDOS BOWLING TEAM**

WHEREAS, the Hendersonville High School Lady Commandos Bowling Team, led by Coach Keith Freemon and Assistant Coaches J.D. Coarsey and Greg Howard, recently captured their first ever Tennessee Secondary School Athletic Association's Division I State Title, with a 14-13 win over Hardin County which was the closest final match in T.S.S.A.A. Division I finals history with a pin count of 3,272-3,264; and

WHEREAS, the Lady Commandos not only captured a state title but also set a new state record for high series in a match, bowling 3,391, shattering the previous record of 3,334, as well as setting a new tournament series high with a 9,996, beating the previous set total of 9,791; and

WHEREAS, the Lady Commandos have practiced hard, strived for perfection and for their outstanding efforts have brought honor not only to themselves, but to their school and this County.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby congratulate Coach Keith Freemon, Assistant Coaches J.D. Coarsey and Greg Howard, and the Hendersonville High School Lady Commandos Bowling Team; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to the Hendersonville High School Lady Commandos Bowling Team.

Upon motion of Commissioner Decker, seconded by Commissioner Hyde, the Commission voted to approve the certificates of recognition.

Commissioner Moser read the following resolution into the record:

**A RESOLUTION IN MEMORY OF
MR. DEVEREAUX D. CANNON, JR.**

WHEREAS, Devereaux D. Cannon, Jr., was an exemplary public servant and consummate professional, a lawyer who was greatly respected by his peers, a Fourth Degree member of the Knights of Columbus, a member of the St. John Vianny Catholic Church, an author who wrote several well respected books on flags and the designer of the Sumner County flag; and

WHEREAS, Lieutenant Colonel Devereaux Cannon bravely served his country, state and county in various military pursuits and demonstrated his commitment to patriotic service by working to preserve the illustrious history of this nation through his active participation in the Sons of Confederate Veterans,

the Sons of the American Revolution, and the Military Order of the Stars and Bars, as well as numerous other historic associations; and

WHEREAS, Mr. Cannon, a man deeply devoted to his family, is survived by his wife Nora, daughter, Nancy Katherine Cannon, and son, Second Lieutenant Devereaux D. Cannon III, and two grandchildren.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby honor the memory of Mr. Devereaux D. Cannon, Jr. for his many years of service and dedication and this body urges all the citizens of Sumner County to acknowledge the time and efforts contributed by Mr. Devereaux D. Cannon, Jr. to Sumner County; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to the family of Mr. Devereaux D. Cannon, Jr.

Upon motion of Commissioner Moser, seconded by Commissioner Hyde, the Commission approved the certificate honoring Mr. Cannon.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Skidmore, seconded by Commissioner England, 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 Thompson introduced the following resolution:

0802-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.**

ADAMS, JANET L
BANKS, SHIRLEY CARTWRIGHT
BORDERS, MARY L
BOTTS, STEPHEN FRANKILIN
CAMPBELL, REBECCA
CATHEY, DIANNE M
COOPER, BETH HALL
CRIPPS, MOLLY REBECCA
DANTON, CATHERINE L
DAVIS, MARK ALAN
FINN, ASHLEY ANN
FRANCE, CLAUDIA ANGELINE
GAETANO, CHRISTINE MARIE
GALE, KATHERINE
GOOCH, SHAWN CLIFF
GOODE, LISA MICHELE
HALL, JOYCE ELAINE
HARDAWAY, MARY ANNE
HAROLD, STACY EVETTE
HARRIS, BEVERLY D
HODGES, LISA GALE
HUFFMAN II, JAMES DERINGTON
HUNTER, ROSEMARY SCRUGGS
HURT, CYNTHIA SUSANNE
KELLY, PHILIP
LAME, JANET
LEJSEK, THOMAS EDWARD
LEVATINO, DONNIE MARIE

MILLER, TRACY A
MOORE, MELLISA LYNN
MURRAY, AMY CAROLYN
PERRIGO, CONNIE RUTH
REECE, SONDRANEE
SHANKLIN, LINDA JEAN
SHANKS, BARBARA JEAN
SMITH, JANET L
SMITH, CARRIE LANNETTE
SPENCER, TALENA MICHELLE
STILL, AMANDA ELAINE
TUCKER, ANNE FLEET
VANDEGEJUCHTE, ELIZABETH ANN
YORK, KIMBERLEY RENE
YOUNG, CHERYL DIANE
PERSONAL SURETY
ADCOCK, ROBBIN
HALL, CHARLES E

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

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

0802NOT Yes: 21 No: 0 Abs: 1 07:33 PM

Chairman Thompson declared the election of notaries public by the body.

COMMITTEE ON COMMITTEES

Commissioner LeMarbre announced deferral of appointments to the Sumner County Regional Airport Authority by the Committee on Committees. Upon motion of Commissioner LeMarbre, seconded by Commissioner Matthews, the Commission voted to defer the matter.

Commissioner LeMarbre announced the following appointments for next month: 1) Appointments to the Board of Tourism to fill the expiring Terms of John Pennington and Sandy

Stucky; 2) Appointment to the Sumner County Planning Commission to fill the unexpired term of Ragan Hall who resigned his position.

HIGHWAY COMMISSION

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

**0802-01 A RESOLUTION ADOPTING TEMPORARY ROAD SIGNAGE
REQUIREMENTS FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT
PRIOR TO ACCEPTANCE OF ROADS BY THE COUNTY**

WHEREAS, new construction of both residential and commercial facilities are being undertaken throughout this county; and

WHEREAS, with new construction sites, roadways or future road sites which have not yet been accepted nor completed are used to access the sites, on a daily basis; and

WHEREAS, public health and safety requires that roads, even temporary or non-public roadways, need to be marked so that appropriate emergency and safety personnel, vehicles, and others can quickly locate the building sites in event of an emergency or other need.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby adopt the following regulations for temporary road signage requirements prior to road acceptance.

ROAD SIGNAGE PRIOR TO ACCEPTANCE

- (1) Prior to obtaining a building permit for residential or commercial developments either multiple or single units, which shall be located on a road ("unfinished road") that has not yet been accepted by the county, road signage must be erected which shall clearly designate the unfinished road.
- (2) Such signage, which can be temporary, must be placed throughout the development or lot in order that emergency services and others can find locations in the area of construction.
- (3) Such signs do not need to be permanent or necessarily in coordination with overall decorations, however, these temporary signs must be maintained throughout the construction process.
- (4) When a building permit is sought, certification that the signage is in place must be made to the building commissioner.
- (5) In the event that such signs are destroyed or not in place, the building commissioner shall notify the appropriate persons to replace said signage.
- (6) Repeated citations for missing signs or serious safety issues could result in denial of any future permits or approvals until replacements are made.

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
Hobbs	Y	Pospisil	Y		

0802-01 Yes: 23 No: 0 Abs: 0 07:36 PM

Chairman Thompson declared Resolution 0802-01 approved by the body.

EDUCATION COMMITTEE

Commissioner Decker reported that the bids for school construction projects were sent back to the Board of Education to consider a provision for a construction manager. He said the Board chose not to approve construction management and authorized the signing of school constructions contracts. The resolution approved by the Facilities Committee regarding construction management was distributed to commissioners.

EMERGENCY SERVICES COMMITTEE

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

**0802-02 A RESOLUTION ENCOURAGING THE CITY OF GALLATIN TO
INCLUDE SPACE FOR AN AMBULANCE BAY AND CREW QUARTERS
IN THE NEW STATION CAMP FIRE STATION**

WHEREAS, the Station Camp Creek area is one of the fastest growing regions of our county; and

WHEREAS, the City of Gallatin to better serve its citizens is planning to construct a new fire station in the Station Camp Creek area; and

WHEREAS, emergency medical care is always an important addition to overall emergency services.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby request and encourage the City of Gallatin, as it makes plans for the construction of a new fire station in the Station Camp Creek area, that there be included in that facility, space for an ambulance bay and crew quarters.

BE IT FURTHER RESOLVED that if the City of Gallatin builds the appropriate facilities, the county will provide an ambulance to the location.

Commissioner Holt moved, seconded by Commissioner Fennell, to amend the resolution to say that if the City of Gallatin builds this additional bay, then the County will provide an additional ambulance at that location.

Commissioner Fennell moved, seconded by Commissioner Holt, to suspend the rules to allow Acting Director of Emergency Services Keith Douglas to speak to the Commission. The motion carried by voice vote of the body. He stated that the recurring cost, primarily personnel, is \$250,000.00 with an upfront cost of \$120,000.00 for an ambulance and supplies.

Commissioner Vaughn moved to place an ambulance at the Station Camp location within the next five years. The motion died for lack of a second.

The electronic vote was recorded in the following manner:

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

0802-02.1 Yes: 13 No: 10 Abs: 0 07:53 PM

Chairman Thompson declared the amendment approved by the body. The amended is reflected in the above-stated resolution.

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
Hobbs	Y	Pospisil	Y		

0802-02 Yes: 23 No: 0 Abs: 0 07:53 PM

Chairman Thompson declared Resolution 0802-02 as amended approved by the body.

PUBLIC WORKS COMMITTEE

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

0802-03 A RESOLUTION ALLOCATING UP TO \$500,000.00 TO GUARANTEE TWENTY-FIVE PERCENT (25%) MATCHING FUNDS FOR THE WESTMORELAND WATER LOAN AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE APPROPRIATE DOCUMENTS TO COMPLETE GRANT RECEIPT

WHEREAS, as this body has sought various grants and financial avenues to assist with financing of the construction of waterlines to underserved areas in our county; and

WHEREAS, the City of Westmoreland has received an opportunity to obtain a twenty-five percent (25%) matching grant for such waterlines if the county will contribute the necessary funds and guarantee the proceeds for grant and loan approval.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby appropriate up to \$500,000.00 to the waterline project for matching funds thereby allowing a grant of twenty-five percent (25%) to be obtained for Westmoreland waterlines; and

BE IT FURTHER RESOLVED that the County Executive is authorized to execute any documents necessary to facilitate the grant completion and fund receipt.

Commissioner Graves declared a conflict of interest and stated he would not be voting.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Hall	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
Goode	Y	Skidmore	Y	Freels	Y
Hobbs	Y	Pospisil	Y		

0802-03 Yes: 20 No: 0 Abs: 0 07:56 PM

Chairman Thompson declared Resolution 0802-03 approved by the body on the first and final reading.

GENERAL OPERATIONS COMMITTEE

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

0802-04 A RESOLUTION ACCEPTING THE LOW BID FROM EXTREME LAWN SERVICE OF \$14,340.00 FOR THE ANNUAL CONTRACT FOR LAWN MAINTENANCE AT THE COUNTY ADMINISTRATION BUILDING WITH THE THREE YEAR OPTION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby accepts the low bid from Extreme Lawn Service for \$14,340.00 for the annual contract for lawn maintenance at the County Administration Building; and

BE IT FURTHER RESOLVED that this body authorizes the three year contract option.

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
Hobbs	Y	Pospisil	Y		

0802-04 Yes: 23 No: 0 Abs: 0 07:58 PM

Chairman Thompson declared Resolution 0802-04 approved by the body.

LEGISLATIVE COMMITTEE

Commissioner Hyde introduced the following resolution and moved for approval.
Commissioner Satterfield seconded the motion.

**0802-05 A RESOLUTION SEPARATING THE DUTIES AND FUNCTIONS OF
THE SUMNER COUNTY PLANNING & ZONING DEPARTMENT
FROM THOSE OF THE SUMNER COUNTY CODES DEPARTMENT**

WHEREAS, in the early 1970s, when our county began to first experience large scale commercial and residential growth, a position known as a building commissioner was funded to oversee these matters; and

WHEREAS, in the mid-1990's as the growth of our county began to explode, a planning commissioner and resulting department was created to work in conjunction with the building commissioner and to address not only the code issues which arose from present construction, but to make long term plans to address future growth and facility location; and

WHEREAS, over the past three decades, as our county has undergone unprecedented growth, issues of zoning, land use planning, construction oversight and codes inspection have become more and more complicated; and

WHEREAS, the Codes Department is responsible for the building codes, as well as the laws, rules and regulations of construction safety, while the Planning Department exists to address land use and planning, and

WHEREAS, it is in the best interest of the county that these departments operate separately in order to properly address the continued needs of the county.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby direct that the Planning and Zoning Department shall be separated from the Codes Department pursuant to the following directives:

- (1) The Planning and Zoning Department (hereinafter referred to as "Planning") and the Codes Department (hereinafter referred to as "Codes") shall separate, begin to operate, and/or function as different departments effective March 1, 2008; and
- (2) As of the effective date, Codes shall perform all codes related matters for the county and Planning shall perform all planning and zoning operations; and
- (3) The budget funds, employees, office space, vehicles, supplies and any other item(s) shall be placed with the Department presently using such. In the event of difference of opinion over any matter, the County Executive and General Operations Committee shall be designated to determine the proper division or resolution; and
- (4) All appeals and committees required by code or resolution shall be overseen by the appropriate Department. Thereby, as of March 1st, the Codes Department shall be responsible for the Board of Construction Appeals and Adjustments and the Planning Department shall be responsible for the Board of Zoning Appeals as well as the Planning Commission and all its activities; and
- (5) Each Department shall be responsible for seeking, directing and overseeing their separate budget.

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	LeMarbre	Y
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	Y	Freels	Y	Hobbs	Y
Pospisil	Y				

0802-05 Yes: 22 No: 0 Abs: 0 07:59 PM

Chairman Thompson declared Resolution 0802-05 approved by the body.

Director of the Emergency Management Agency Ken Widener reported on the February 5 tornado that took the lives of eight Sumner Countians. He praised the response from all emergency service agencies.

The Commission recessed for 10 minutes and reconvened at 8:23 p.m.

BUDGET COMMITTEE

Commissioner Moser introduced the resolution and moved for approval; Commissioner 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 operations 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 FURTHER RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body does hereby raised 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.

The electronic vote was recorded in the following manner:

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

0802-06 Yes: 17 No: 5 Abs: 0 08:33 PM

Chairman Thompson declared Resolution 0802-06 approved by the body on the first reading.

NEW BUSINESS

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

**0802-20 A 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 25th day of February, 2008 that this body does hereby rescind the previous action as stated in Resolution 0712-05 as pertaining to the Board of Education

Commissioner Decker moved, seconded by Commissioner LeMarbre, to refer the resolution to the Education Committee for further study.

The electronic vote was recorded in the following manner:

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

REFER Yes: 14 No: 7 Abs: 2 09:42 PM

Chairman Thompson declared the motion to refer approved by the body.

CONSENT AGENDA

Commissioner Decker moved approval of the Consent Agenda; Commissioner LeMarbre seconded the motion.

0802-07 A RESOLUTION APPROVING THE FISCAL YEAR 2007-2008 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 25th day of February, 2008 that this body hereby approves the 2007-2008 Sumner County Board of Education General Purpose School Fund budget amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedule which is hereby incorporated as a part of this resolution.

0802-08 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 25th day of February, 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 schedule which is hereby incorporated as a part of this resolution.

0802-09 A RESOLUTION APPROPRIATING \$9,100.00 AS PASS-THROUGH FUNDS FROM THE SEXUAL OFFENDER REGISTRY RESERVE ACCOUNT TO THE ADMINISTRATION OF SEXUAL OFFENDER REGISTRY ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$9,100.00 as pass-through funds from the Sexual Offender Registry Reserve Account (101-34157) to the Administration of Sexual Offender Registry Account (101-54160-599) as shown on the attachment herewith.

0802-10 A RESOLUTION APPROPRIATING \$36,000.00 AS PASS-THROUGH FUNDS FROM THE LAW ENFORCEMENT TRAINING GRANT ACCOUNT TO THE SALARY DEPUTIES ACCOUNT OF THE OFFICE OF THE SHERIFF

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$36,000.00 as pass-through funds from the Law Enforcement Training Grant Account (101-46210) to the Salary Deputies Account (101-54110-106) of the Office of the Sheriff as shown on the attachment herewith.

0802-11 A RESOLUTION APPROPRIATING \$10,000.00 FROM THE COUNTY DRUG RESERVE ACCOUNT TO THE LAW ENFORCEMENT SUPPLIES ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$10,000.00 from the County Drug Reserve Account (122-39000) to the Law Enforcement Supplies Account (122-54150-431) for the purchase of pistols and holsters as shown on the attachment herewith.

0802-12 A RESOLUTION APPROPRIATING \$17,400.00 FROM THE COUNTY GENERAL FUND RESERVE ACCOUNT TO VARIOUS COUNTY COMMISSION ACCOUNTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$17,400.00 from the County General Fund Reserve Account (101-39000) to the various County Commission accounts, as shown on the attachment herewith, from settlements on two separate delinquent tax issues.

0802-13 A RESOLUTION APPROPRIATING \$43,245.00 AS PASS-THROUGH FUNDS FROM THE OTHER STATE REVENUE ACCOUNT OF THE COURTS DEPARTMENT TO THE OTHER SUPPLIES-JUDGES ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$43,245.00 as pass-through funds from the Other State Revenue Account (101-46990) to the Other Supplies-Judges Account (101-58400-499), as shown on the attachment herewith, from grants received for audio and visual needs and courthouse security.

0802-14 A RESOLUTION APPROPRIATING \$3,000.00 AS PASS-THROUGH FUNDS FROM THE ELMER HINTON MEMORIAL LIBRARY FUND RESERVE ACCOUNT TO THE GRANT ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$3,000.00 as pass-through funds from the Elmer Hinton Memorial Library Fund Reserve Account (101-35113) to the Grant Account (56500-799-103) as shown on the attachment herewith.

0802-15 A RESOLUTION APPROPRIATING \$12,161.99 AS PASS-THROUGH FUNDS FROM THE DRUG COURT OTHER PUBLIC SAFETY ACCOUNT TO VARIOUS ACCOUNTS WITHIN THE OFFICE OF THE DRUG COURT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$12,161.99 as pass-through funds from the Drug Court Other Public Safety Account to various accounts of the Drug Court, as shown on the attachment herewith, from state grants received for Drug Court program costs.

0802-16 A RESOLUTION APPROPRIATING \$15,789.00 AS PASS-THROUGH FUNDS FROM THE STATE HEALTH DEPARTMENT ACCOUNT TO THE OTHER COSTS ACCOUNT OF THE HEALTH DEPARTMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$15,789.00 as pass-through funds from the State Health Account (101-46310) to the Other Costs Account (101-55110-599) of the Health Department for funds received from a state tobacco grant as shown on the attachment herewith.

0802-17 A RESOLUTION APPROPRIATING \$197,109.23 AS PASS-THROUGH FUNDS FROM THE HOMELAND SECURITY GRANT TO THE EMERGENCY MANAGEMENT AGENCY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body hereby appropriates \$197,109.23 as pass-through funds from the Homeland Security Grant to Emergency Management Agency as shown on the attachment herewith.

0802-18 A RESOLUTION ENCOURAGING THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO NAME THE PORTION OF HIGHWAY 31E FROM THE CITY LIMITS OF GALLATIN TO MT. VERNON ROAD IN HONOR OF JOHNNY HAYES AND APPROPRIATING FUNDS FOR SIGNAGE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of February, 2008 that this body encourages the State of Tennessee Department of Transportation ("TDOT") to name the portion of Highway 31E from the city limits of Gallatin to Mt. Vernon Road in honor of Johnny Hayes; and

BE IT FURTHER RESOLVED that up to \$500.00 is appropriated from the County General Fund Reserve Account (101-39000) to the Commission Costs Account (101-51100-599) for costs of the same; and

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

0802-19 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE OFFICE OF THE SHERIFF 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 25th day of February, 2008 that this body does hereby declare the items from the Office of the Sheriff 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.

PROPERTY TAX REFUNDS

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

Neagle, David, etux Patsy; \$115.20 Property Tax Collections

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
Skidmore	Y	Freels	Y	Hobbs	Y

MINUTE BOOK SEVENTEEN
FEBRUARY 25, 2008

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CONSENT **Yes: 22** **No: 0** **Abs: 0** **09:43 PM**

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

ADJOURNMENT

Chairman Thompson declared the Commission meeting adjourned at 9:45 p.m.

BILL KEMP, CLERK

R.J. "HANK" THOMPSON, CHAIRMAN

Prepared by Maria A. Moser

Approved on _____