
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
AUGUST 15, 2016**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, August 15, 2016, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Scott Langford. Also present were the County Executive Anthony Holt and County Law Director Leah Dennen and the following Commissioners to wit:

Mike Akins	Michael Guthrie	Kevin Pomeroy
Jerry F. Becker	Ben Harris	Baker Ring
Paul Decker	Larry Hinton	Leslie Schell
Alan Driver	Merrol N. Hyde	Bill Taylor
Jerry W. Foster	Caroline S. Krueger	Chris Taylor
Billy Geminden	Trisha LeMarbre	Moe Taylor
Paul Goode	Scott Langford	Jim Vaughn
Steve Graves		

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Langford noted that with twenty-two 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 JoAnn Kemp and Commissioner Bob Pospisil were not present for the meeting.

The Invocation was led by John McClendon, GodWhy Church in Hendersonville.

The Pledge of Allegiance was led by the Deputy County Clerk Maria Savage.

APPROVAL OF AGENDA

Commissioner Akins moved, and was duly seconded by Commissioner Ring, to adopt the agenda. The Commission approved the agenda by unanimous voice vote of the body.

APPROVAL OF MINUTES

The minutes for the meeting of this body held on July 18, 2016, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Graves made the motion, seconded by Commissioner Geminden.

RECOGNITION OF THE PUBLIC

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

REPORT OF THE CHAIR

Chairman Langford yielded the floor to County Executive Anthony Holt who stated that Portland Mayor Ken Wilber could not be present this month for recognition.

Executive Holt introduced the following resolution:

A RESOLUTION HONORING MR. FRED N. CROWE

WHEREAS, Mr. Fred N. Crowe, who was born in 1915, will celebrate his one hundred and first birthday in November and credits his longevity to eating right, speaking right, exercising and being a vegetarian; and

WHEREAS, Mr. Crowe was born in Modesto, California, served many years with the Seventh Day Adventist Church as a clergy as well as the Chief Financial Officer, and his greatest advice to the younger generations is to honor and take care of their parents; and

WHEREAS, Mr. Crowe was blessed with three children, three grandchildren and five great-grandchildren and lived his life defined by the hard work, devotion, and commitment he has given to his family, community and church, and today, his kindness of heart and positive attitude continue to inspire all who know him.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of August, 2016, that this body is proud to congratulate Mr. Fred N. Crowe on reaching this incredible milestone and wishes him happiness and joy; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body so as to make it a permanent part of the records of this body and the Clerk is hereby directed to furnish a copy of this resolution to Mr. Fred N. Crowe.

Upon motion of Commissioner LeMarbre, seconded by Chairman Langford, the Commission voted unanimously to approve the resolution honoring Mr. Crowe.

Chairman Langford noted that the Veterans Service Officer's report was provided for information only.

Chairman Langford yielded the floor to Commissioner LeMarbre who nominated Commissioner Langford to serve as Commission Chairman for the 2016-2017 year. Hearing no other nominations, Commissioner Goode motioned to cease nominations, and was duly seconded. The motion carried by unanimous voice vote.

Commissioner Goode moved the nomination of Commissioner LeMarbre to serve as Commission Chairman Pro Tem. Hearing no other nominations, Chairman Langford declared nominations ceased. The motion carried by unanimous voice vote.

Commission Committees 2016-2017

Commissioner LeMarbre brought forth the following slate of 2016-2017 Commission Committee members as follows:

Budget Committee

Jerry Foster
Billy Geminden
Paul Goode
Kevin Pomeroy
Bill Taylor
Jim Vaughn
Chris Taylor

General Ops Committee

Jerry Becker
Larry Hinton
JoAnne Kemp
Caroline Krueger
Baker Ring
Leslie Schell
Moe Taylor

Beer Board

Mike Akins
Steve Graves
Caroline Krueger
Bob Pospisil
Moe Taylor

Committee on Committees

Paul Goode
JoAnne Kemp
Caroline Krueger
Trisha LeMarbre
Baker Ring

Highway Committee

Mike Akins
Steve Graves
Larry Hinton
Merrol Hyde
Bill Taylor

Financial Management

Jerry Becker
Caroline Krueger
Ben Harris
Chris Taylor
Dr. Phillips, Judy Hardin
Anthony Holt

Education Committee

Paul Decker
Billy Geminden
Paul Goode
Mike Guthrie
Trisha LeMarbre
Baker Ring
Leslie Schell

Emergency Services Committee

Paul Decker
Alan Driver
Jerry Foster
Mike Guthrie
Ben Harris
Chris Taylor
Jim Vaughn

Commissioner LeMarbre reported that each commissioner received his or her first choice of committee assignments.

Commissioner LeMarbre moved, seconded by Commissioner Guthrie, to approve the the 2016-2017 committee structure. The motion carried, with Commissioner Krueger voting no. The Commission recessed briefly to elect chairmen of committees.

Upon reconvening the Commission, Chairman Langford announced the following chairmanships:

Education Committee

Paul Decker, Chairman
Paul Goode, Vice-Chairman

Emergency Services Committee

Jim Vaughn, Chairman
Chris Taylor, Vice-Chairman

Highway Committee

Steve Graves, Chairman
Merrol Hyde, Vice-Chairman

Budget Committee

Kevin Pomeroy, Chairman
Jerry Foster, Vice-Chairman

Beer Committee

Mike Akins, Chairman
Steve Graves, Vice-Chairman

General Operations Committee

Leslie Schell, Chairman
Caroline Krueger, Vice-Chairman

Committee on Committees

Trisha LeMarbre, Chairman
Baker Ring, Vice-Chairman

Legislative Committee

Paul Goode, Chairman
To be announced, Vice-Chairman

Financial Management

To be announced

CONSENT AGENDA

Chairman Langford introduced the items on the Consent Agenda:

**1608-02 A RESOLUTION ADJUSTING THE ORIGINAL BUDGET OF THE
DRUG CONTROL-LOCAL FUND FROM \$93,376.00 TO \$124,376.00 WITH
ADDITIONAL APPROPRIATION FROM DRUG CONTROL-LOCAL FUND
BALANCE**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this 15th day of August, 2016, that this body hereby adjusts original budget of the Drug Control-Local Fund from \$93,376.00 to \$124,376.00 with additional appropriation from Drug Control-Local Fund Balance, as shown on the attachment herewith.

**1608-03 A RESOLUTION APPROPRIATING \$51,729.00 FROM 2015 BOND
FUND FOR ADDITIONAL AND FISCAL YEAR 2016 CARRYOVER
ARCHITECT FEES FOR HAWKINS MIDDLE SCHOOL**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this 15th day of August, 2016, that this body does hereby appropriate \$51,729.00 from 2015 Bond Fund for additional and fiscal year 2016 carryover architect fees to Hawkins Middle School, as shown on the attachment herewith.

1608-04 A RESOLUTION APPROPRIATING \$36,000.00 FROM COUNTY GENERAL UNASSIGNED FUND BALANCE FOR SALARIES TO BE PAID DUE TO SHERIFF'S OFFICE ACADEMY COMPLETION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this 15th day of August, 2016, that this body does hereby appropriate \$36,000.00 from County General Unassigned Fund Balance for salaries to be paid due to sheriff's office academy completion, as shown on the attachment herewith.

1608-05 A RESOLUTION APPROPRIATING \$22,500.00 FROM 2015 BOND FUND FOR ARCHITECT FEES FOR HOWARD ELEMENTARY SCHOOL

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this 15th day of August, 2016, that this body does hereby appropriate \$22,500.00 from 2015 bond fund for architect fees for Howard Elementary School, as shown on the attachment herewith.

1608-06 A RESOLUTION DOCKETING SUMNER COUNTY BOARD OF EDUCATION FEDERAL PROJECT SCHOOL FUND BUDGET AMENDMENTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of August, 2016, that this body hereby docket in its records the Sumner County Board of Education Federal Project School Fund Budget Amendments, as shown on the attachments herewith.

1608-07 A RESOLUTION APPROVING THE FISCAL YEAR 2015-2016 SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND BUDGET AMENDMENTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of August, 2016, that this body hereby approves the 2015-2016 Sumner County Board of Education General Purpose School Fund budget amendments, as shown on the attachments herewith.

1608-08 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE SUMNER COUNTY LAW DIRECTOR'S OFFICE AS SURPLUS PROPERTY 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 August, 2016,

that this body hereby declares various items from the Sumner County Law Director's Office as surplus, as shown on the attachment; and

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

1608-09 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE CLERK & MASTER OF SUMNER COUNTY CHANCERY COURT 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 August, 2016, that this body hereby declares various items from the Clerk & Master of Sumner County Chancery Court as surplus, as shown on the attachment; and

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

1608-10 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE SUMNER COUNTY SHERIFF'S OFFICE AS SURPLUS PROPERTY 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 August, 2016, that this body hereby declares various items from the Sumner County Sheriff's Office as surplus, as shown on the attachment; and

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

1608-11 A RESOLUTION TO REMIND ALL SUMNER COUNTY CITIZENS OF THE SUMNER COUNTY HOTEL/MOTEL TAX REQUIREMENTS AS SET FORTH IN CHAPTER 7 OF THE PRIVATE ACTS OF 1985 AS WELL AS OTHER RULES AND REGULATIONS FOR BUSINESS, SAFETY AND PROPERTY USE

WHEREAS, as our county grows and more visitors come to enjoy the countless tourist activities as well as the natural resources of our county, the need for varied and additional short term housing grows and many property owners have linked into the opportunities available through short term property rentals; and

WHEREAS, short term rental of homes and facilities can provide additional accommodation to visitors to our area as well afford an investment opportunity for owners; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals and safety is paramount for all parties.

NOW THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in regular session on this the 15th day of August, 2016, that this body does hereby remind all citizens of our county of the Sumner County Hotel/Motel Tax as set forth in Chapter 7 of the Private Acts of 1985 (attached herewith as exhibit A and referred to as "the Private Act") as well as all other rules and regulations for business, safety and property use; and

BE IT FURTHER RESOLVED that the Private Act requires the collection of sales tax and a Hotel/Motel Tax for all short-term rentals with payment of same to the County Clerk as set forth in the Private Act; and

BE IT FURTHER RESOLVED that the failure to collect, properly account for and remit the Hotel/Motel Tax as well as sales tax could result in county and state penalties; and

BE IT FURTHER RESOLVED that property owners participating in short-term rental of property should also obtain the appropriate business license; and

BE IT FURTHER RESOLVED that property owners participating in short-term rental of property should confirm that the property is zoned for such services and that there are no deed limitations, neighborhood association restrictions, city limits or any other overriding requirement which would control such activities; and

BE IT FURTHER RESOLVED that property owners participating in short-term rental of property should confirm that the property is covered by appropriate insurance and safety precautions and measures.

Tax Refund

Charles R. Curtis	\$92.00
-------------------	---------

Chairman Langford declared the items on the Consent Agenda approved upon unanimous voice vote of the body after a motion by Commissioner Akins, seconded by Commissioner Graves.

REPORT FROM COUNTY OFFICIALS

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

Chairman Langford introduced the following resolution:

1608-NOT

**A RESOLUTION TO APPROVE AND ACCEPT
APPLICATIONS FOR NOTARIES 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.

NOTORIES PUBLIC ELECTION

JENNIFER AKINS	RHONDA LADD
KELLY ANDERSON	KATHY LIKENS
CHRISTINA BAKER	JENIFER LIVINGSTON
STEPHANIE BOIANO	TRACY LOGAN
LINDSEY BOSWELL	JOYCE LONGE
GAIL M BOYD	TAMMY LOVEALL
JAMES W BURNS	MARY E MCFADDEN
TABITHA CHARLTON	FRANKLIN J MOORE
GRAYCELYN COKER	JAIME MUNCY
JODY K COLEMAN	TRAVIS W NEELEY
ZELICIA CUTRER	ASHLEY L PARSONS
GREG A DOOLEY	CRYSTAL D PURCELL
KYLE DORRIS	YOUSELINE E RESTO-CALVILLO
GINA DUMITRESCU	GWEN E SCHAEFER
MANDI EDGERTON	ANGELA SHUMATE
JOSEPH B FREEDLE	RACHEL A SIDWELL
FAY GANN	BRIAN L SMITH
CAROL E GARNER	LORI ANN THARP
DAWN HALEY	JENNIFER THOMAS
WENDA M HALLUM	HENRIETTA J THOMAS
DARYL R HOLT	NICOLE VOGELER
BONITA KING	DANA L WHITLOW
LYNN KOSTADINE	KATLIN N WILBURN
MELINDA KULCZAR	LINDA SUSAN ZOELLER

Upon motion of Commissioner Pomeroy, seconded by Commissioner Chris Taylor, voting was recorded in the following manner:

Akins	Y	M. Taylor	Y	Geminden	Y
Hinton	Y	Driver	Y	Graves	Y
Foster	Y	Schell	Y	Harris	Y
Ring	Y	Vaughn	Y	Langford	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Becker	Y	C. Taylor	Y	Goode	Y
Krueger	Y	B. Taylor	Y		

Guthrie	Y	Pomeroy	Y		
1608-NOTARIES		Yes: 22	No: 0	Abs: 0	07:15 PM

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

COMMITTEE ON COMMITTEES

Commissioner LeMarbre brought forth the Civil Service appointment to fill the two-year expiring term of William Moudy. Upon motion of Comm. LeMarbre, seconded by Comm. Goode, the Commission approved Mr. Moudy's appointment.

Commissioner LeMarbre announced the following appointments for next month:

- Library Board expiring terms of Ken Cox, Mary Anne Mudd and Amy Eller
-

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no report from the Education Committee.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

LEGISLATIVE COMMITTEE

Commissioner Chris Taylor introduced the following resolution and moved for approval; Commissioner Pomeroy seconded the motion.

**1608-01 A RESOLUTION, ALLOWING NEW VEHICLE INSPECTION
EXCEPTIONS FOR SUMNER COUNTY AFTER A REVISION TO THE STATE
IMPLEMENTATION PLAN (SIP) AND ASSOCIATED RULEMAKING AND
APPROVAL BY THE FEDERAL ENVIRONMENTAL PROTECTION
AGENCY (EPA)**

WHEREAS, Public Chapter 1028 amends *Tenn. Code Annotated* Section 55-4-130 to allow a county to exempt motor vehicles three model years or less old from the Vehicle Inspection and Maintenance Program (hereinafter referred to as the "IM program"); and

WHEREAS, in order for the exemption to be effective, Sumner County, because it has an IM program, must authorize the exemption by an affirmative vote of the governing body no later than December 31, 2016, and the presiding officer of the governing body must submit a copy of the resolution to the

Technical Secretary of the Air Pollution Control Board no later than January 31, 2017; and

WHEREAS this designation applies only to cars three years or newer and only if the Air Pollution Control Board determines that the county is in compliance with national ambient air standards.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of August, 2016, that this body, with an IM program, does hereby vote to exempt certain motor vehicles from IM programs; and

BE IT FURTHER RESOLVED that this body does hereby authorize the exemption by an affirmative vote of the governing body and directs the presiding officer of the governing body to submit a copy of the resolution to the Technical Secretary of the Air Pollution Control Board no later than January 31, 2017; and a copy of the resolution should be sent to the following address:

Michelle Walker Owenby
Technical Secretary
Air Pollution Control Division
312 Rosa L. Parks Ave., 15th Floor
Nashville, TN 37243; and

BE IT FURTHER RESOLVED that this Resolution shall apply countywide; and

BE IT FURTHER RESOLVED pursuant to Public Chapter 1028 (which amends T.C.A. 55-4-103) that the resolution authorizing exemption will not take effect until:

(1) The Air Pollution Control Board has undertaken a revision to the State Implementation Plan (SIP) and associated rulemaking and the revision has been approved by the federal Environmental Protection Agency (EPA); and

(2) After the expiration or revision of any contract in effect with the contractor conducting the motor vehicle emission.

BE IT FURTHER RESOLVED that the County Commission, by this resolution authorizes the exemption on or before December 31, 2016, and the Chairman of the County Commission shall furnish a certified copy of the approved resolution to the technical secretary of the air pollution control board on or before January 31, 2017.

Chairman Langford declared the resolution approved by the body by unanimous voice vote.

FINANCIAL MANAGEMENT COMMITTEE

There was no report from the Financial Management Committee.

BUDGET COMMITTEE

There was no report from the Budget Committee

ADJOURNMENT

Chairman Langford declared the Commission meeting adjourned at 7:40 p.m. upon motion of Commissioner Pomeroy, seconded by Commissioner Harris.

BILL KEMP, CLERK

SCOTT LANGFORD, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____
