
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 20, 2010**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, September 20, 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	Michael Guthrie	Kirk Moser
Paul Decker	Ben Harris	Baker Ring
Paul D. Freels	Chris Hughes	David Satterfield
Frank E. Freels	Merrol N. Hyde	Jerry F. Stone
Billy Geminden	David Kimbrough	Paige Brown Strong
Paul Goode	Trisha LeMarbre	Moe Taylor
Steve Graves	Joe C. Matthews	Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-one 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. Commissioners Bob Pospisil, Jo Skidmore and Jim Vaughn were not present.

The Invocation was led by Commissioner Baker Ring.

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

APPROVAL OF AGENDA

Commissioner Stone moved to add as Item C under the Report of Chair a presentation from the Shackle Island L & L Club. Commissioner Goode requested the removal of Resolution 1009-01 to give the Board of Education a chance to review the matter. Commissioner Graves moved, seconded by Commissioner Akins, 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 August 16th, 2010, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Frank Freels made the motion, seconded by Commissioner Matthews.

Commissioner Moser moved to amend, seconded by Commissioner Stone, the minutes of August 26, 2010, to include a revised County General Budget (in file) and a Memorandum (in file) from David Lawing, County Finance Director, regarding a clarification of how the revised budget was calculated for the one-time bonuses of \$500.00 to County employees. The motion carried. The minutes for the meeting of this body held on August 26th, 2010, and recorded in the office of the Clerk, Bill Kemp, were approved as amended by voice vote after Commissioner Moser made the motion, seconded by Commissioner Goode.

The minutes for the meeting of this body held on September 2, 2010, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Akins made the motion, seconded by Commissioner Taylor.

RECOGNITION OF THE PUBLIC

Chairman Hyde 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.

Chairman Hyde declared the public hearing for comprehensive planning open for anyone wishing to speak on the adoption of the comprehensive plan. Hearing none, he declared the public hearing closed.

REPORT OF THE CHAIR

Chairman Hyde, without objection, declared the Certificate of Recognition honoring Bernie Berlin deferred until next month.

Chairman Hyde recognized Commissioner Stone who, with the Shackle Island L & L Club, honored County Executive Anthony Holt for his service to the County.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Goode, seconded by Commissioner Graves, 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:

1009-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

JAMES POPE	S KIRKENDALL
BETH FROST	TAMMY BAILEY
PATTI B GARNER	AMY G LEAVER
D TODD SHOLAR	KEVIN BROWN
ASHLEY GAZA	DAVID A. LESTER
JUSTIN T SHORES	SONJA JEAN BURTON
LOCKYE J GLADSON	WENDY MARION
JAMES L SMITH	THERESE CASLER
SHARI A GRAVES	TANYA MENNINGER
KIMBERLY R. SNAVELY	RACHELLE CAUDILL
PHYLLIS E GRAVES	JOANN MICHAEL
BRIAN F STANLEY	LINDA H CLIFTON
JACK HAGER	ADEANA L MILBANK
GEORGE R STOREY	NANCY JO COLE
MARCELLA HAGER	TRUDY L MILLIKEN
CAROL SUCHOVSKY	JAYNE G COLEMAN
APRIL E HALL	MARCIA M NELSON
ANGELA C. TROTTER	BELINDA COOMBS
CHRISTINA HARRINGTON	SERENA NELSON
CECILIA DIANE WALKER	PHILLIP COPELAND
VICKI L HARRIS	TRISHA L OGLETREE
MELISSA L WARD	PAUL S CORLEY
APRIL HAYES	AMY PARKER
BRENDA F WILSON	TRACY P EIDSON
BARBARA HODGES	NANCY DORIS PARKER
GINA R HOUK	CAITLIN V FACCIOLLI
	JUDITH C ANGKAW

Upon motion of Commissioner Moser, seconded by Commissioner LeMarbre, voting was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	F. Freels	Y
Matthews	Y	Harris	Y	Ring	Y
Brown Strong	Y	LeMarbre	Y	Moser	Y
Decker	Y	Hyde	Y	Hughes	Y

Kimbrough	Y	Goode	Y	P. Freels	Y
Stone	A	Guthrie	Y		

1009-NOTARY Yes: 19 No: 0 Abs: 1 07:09 PM

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

Chairman Hyde recognized Clerk Kemp who read correspondence from the families of Paul Freels and the late Bob Barker and Dink Newman, who extended their gratitude to the Commission for its expression of sympathy and concern.

COMMITTEE ON COMMITTEES

Chairman Hyde stated that several appointments have not been noticed a month in advance due to co-terminus appointments of those who were not re-elected to the Commission. Upon motion of Commissioner LeMarbre, seconded by Commissioner Goode, the Commission voted to suspend the rules to allow consideration of all items noticed or otherwise.

Commissioner Stone noted that the appointment to serve on the Solid Waste Board and the appointments to the Airport Authority were deferred until next month.

Commissioner Stone brought forth the Committee's nomination to approve the re-appointment of Richard Smith to serve on the Sheriff's Civil Service Board. He so moved and was seconded by Commissioner Goode. The motion carried unanimously.

Commissioner Stone brought forth the Committee's nomination to re-appoint Commissioners Goode, Stone and Vaughn to serve on the Joint Economic and Development Board. The motion carried upon voice vote of the body after a motion by Commissioner Stone, seconded by Commissioner Matthews.

Commissioner Stone brought forth the Committee's nomination to re-appoint Commissioners LeMarbre and Hughes; to appoint Commissioner Goode to fill the unexpired term of Sandra Ridings Boyd; and to appoint Kim Bearden to fill the unexpired term of J. R. Ernst. The term of Chris Williams was deferred. Commissioner Hughes declined to serve another term. Upon motion of Commissioner Stone, seconded by Commissioner LeMarbre, the Commission voted unanimously by voice vote to approve the appointments.

Commissioner Stone brought forth the Committee's nomination to re-appoint Gail Eller, Ken Cox and Rhea Condra to the Library Board. Upon motion of Commissioner Stone, seconded by Commissioner Graves, the Commission voted to approve the reappointments.

Commissioner Stone announced the following terms that are set to expire with the Commission term:

Commissioner Stone announced the Committee's recommendation to re-appoint Commissioner Jo Skidmore and appointments of Commissioners Billy Geminden, Moe Taylor and Michael Guthrie to the Delinquent Tax Committee. Commissioner Stone moved, seconded by Commissioner LeMarbre, to approve. The motion carried by unanimous voice vote of the body.

Commissioner Stone brought forth the Committee's nomination to re-appoint Commissioners Merrol Hyde, Paul Decker and Paul Goode; and to appoint Commissioner Bob Pospisil to the Self-Insurance Board. Commissioner Stone moved, seconded by Commissioner LeMarbre, to approve. The motion carried by unanimous voice vote of the body.

Commissioner Stone brought forth the Committee's nomination to appoint Billy Geminden to the West Fork Drakes Creek Reservoir and Dam Authority. Commissioner Stone moved, seconded by Commissioner Matthews, to approve. The motion carried by unanimous voice vote of the body.

Commissioner Stone brought forth the Committee's nomination to re-appoint Jim Vaughn to serve on the Local Emergency Planning Commission. Commissioner Stone moved, seconded by Commissioner Matthews, to approve. The motion carried by unanimous voice vote of the body.

Commissioner Stone brought forth the Committee's nomination to approve Commissioner Frank E. Freels to fill the unexpired term of David Cummings on the Sumner County Resource Authority. Commissioner Satterfield moved, seconded by Commissioner Taylor, the nomination of Commissioner Billy Geminden to serve the unfilled term in order to better distribute the membership on the Authority throughout the County. Upon motion of Commissioner Goode, seconded by Commissioner Decker, the Commission voted to refer the matter to the Committee on Committees.

Commissioner Stone announced the County Executive re-appointments of Trustee Marty Nelson and Planning Commission member Jim Williams; re-appointments of Commissioners Hughes and Vaughn; and appointment of Commissioner Paige Brown Strong to the Ethics Committee. Upon motion of Commissioner Goode, seconded by Commissioner LeMarbre, the Commission voted to approve the recommendations on the Ethics Committee of the County Executive.

Commissioner Stone brought forth the Committee's nomination to approve the County Executive's recommendation of Robert Wade Lankford to serve another term on the Road Fee Appeal Committee. He so moved, seconded by Commissioner Goode, to approve Mr. Lankford to serve. The motion carried by unanimous voice vote of the body.

Commissioner Stone brought forth the Committee's nomination to approve Commissioners Steve Graves, Ben Harris and Joe Matthews to serve on the Agricultural Extension Service. He so moved and was duly seconded. The motion carried by unanimous voice vote of the body.

The following appointments for the next month were announced as follows:

Board of Zoning Appeals
Sumner County Regional Planning
Commission
Tourism Board – Chris Williams and Chris Hughes

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

**1009-02 A RESOLUTION ADOPTING THE SUMNER COUNTY
COMPREHENSIVE GROWTH PLAN**

WHEREAS, after many months of meetings and comment, this body has created an overall comprehensive growth plan (“the plan”) for Sumner County; and

WHEREAS, the plan is filed in the office of the Construction and Development and is hereby adopted as filed.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010, that this body hereby adopts the Sumner County Comprehensive Growth Plan.

The electronic vote was recorded in the following manner:

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

1009-02 Yes: 20 No: 1 Abs: 0 07:23 PM

Chairman Hyde declared the resolution approved by the body.

Upon motion of Commissioner Goode moved, seconded by Commissioner Matthews, the Commission voted to yield the floor to Commissioner Hughes who spoke on the recommendations of the Airport Ad Hoc Committee.

**1009-03 A RESOLUTION ADOPTING THE RECOMMENDATIONS OF
THE AIRPORT AUTHORITY AD HOC COMMITTEE**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010 that this body does hereby adopt the

recommendations of the Airport Authority Ad Hoc Committee as attached as Exhibit A; and

BE IT FURTHER RESOLVED that the recommendations, once adopted should be directed to the Rules Committee as well as the Airport Authority.

The electronic vote was recorded in the following manner:

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

1009-03 Yes: 20 No: 0 Abs: 1 07:27 PM

BUDGET COMMITTEE

Commissioner Moser yielded the floor to Commissioner Stone who introduced the following resolution and moved for approval.

1009-04 A RESOLUTION APPROPRIATING FUNDS TO THE LIBRARIES FOR BOOKS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010 that this body hereby appropriates funds from the Library General Reserve Funds to the libraries for books as shown on the attached schedule.

Chairman Hyde declared the resolution approved upon unanimous voice vote of the body.

Commissioner Stone moved, seconded by Commissioner Goode, to approve the Consent Agenda.

CONSENT AGENDA

1009-05 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE HENDERSONVILLE LIBRARY AS SURPLUS AND SALVAGE AND AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010 that this body does hereby declare the items from the Hendersonville Library as surplus and salvage 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.

**1009-06 A RESOLUTION DECLARING VARIOUS ITEMS AS
SURPLUS AND AUTHORIZING 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 20th day of September, 2010, that this body hereby declare various items as surplus property and authorizes the disposal of same pursuant to existing policies and procedures.

The Surplus items are from the following departments or locations:

- (1) Sumner County Emergency Medical Services
 - (2) Sumner County Courthouse
 - (3) Sumner County Circuit Court
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**1009-07 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
GALLATIN PUBLIC LIBRARY AS SURPLUS AND SALVAGE AND
AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO
EXISTING POLICIES AND PROCEDURES**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010 that this body does hereby declare the items from the Gallatin Public Library as surplus and salvage 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.

**1009-08 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
PORTLAND PUBLIC LIBRARY AS SURPLUS AND SALVAGE AND
AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO
EXISTING POLICIES AND PROCEDURES**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010 that this body does hereby declare the items from the Portland Public Library as surplus and salvage 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.

**1009-09 A RESOLUTION DECLARING FURNITURE AND FIXTURES
FROM PORTLAND PUBLIC LIBRARY AS SURPLUS AND SALVAGE
AND AUTHORIZING ANY PROCEEDS TO BE ALLOCATED TO
PORTLAND LIBRARY FOR PURCHASE OF NEW FURNITURE AND
EQUIPMENT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010 that this body does hereby declare furniture and fixtures from the old Portland Public Library as surplus and salvage and authorizes any proceeds to be allocated to Portland Library for purchase of new furniture and equipment; and

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

1009-10 A RESOLUTION AUTHORIZING THE DECLARATION AS SURPLUS OF ITEMS FROM THE RENOVATION OF THE COURTHOUSE AND COUNTY ADMINISTRATION BUILDING

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010, that this body hereby declares items from the renovation of the Courthouse and Administration Building as surplus and authorizes sale of such items through adopted policies and procedures; and

BE IT FURTHER RESOLVED that after these items are sold, a report shall be made monthly to General Operations Committee of items and proceeds.

1009-11 A RESOLUTION APPROPRIATING \$28,996.00 FROM 2010 BOND ISSUE FOR DRAINAGE WORK AT GENE BROWN ELEMENTARY SCHOOL

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010, that this body appropriates \$28,996.00 from 2010 Bond Fund to the Sumner County Board of Education for drainage repair work at Gene Brown Elementary School.

1009-12 A RESOLUTION APPROPRIATING \$20,529.49 IN PASS-THROUGH FUNDS FROM THE CONSTRUCTION AND DEVELOPMENT-RESERVE-PLANNING ABATEMENT ACCOUNT TO NUISANCE ABATEMENT ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of September, 2010, that this body appropriates \$20,529.49 in pass-through funds from the Construction and Development-Reserve-Planning Abatement Account to Nuisance Abatement Account as shown on the attached schedule.

PROPERTY TAX REFUNDS

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

- Paula Troutt-Forgive rollback taxes for property
donated to City of Gallatin \$ 178.75
- Gallatin Family Practice Center \$ 70.40
- Gap and Subs Entity \$26,857.06
- JHR Sumner Place Shopping Center \$ 3,769.20

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 7:29 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

prepared by Maria A. Savage
Approved on _____