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

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

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde 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. Commissioners Jo Skidmore and Michael Guthrie were not present for the meeting.

The Invocation was led by Chase Johnson, Defeated Creek Missionary Baptist Church.

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

APPROVAL OF AGENDA

Commissioner Akins moved, and was duly seconded by Commissioner Frank Freels, to adopt the agenda. Commissioner Goode moved to take Resolution 1012-08 from the Consent Agenda and place it as Item 4 under the Budget Committee report.

Commissioner Matthews requested the removal of Resolution 1012-09 from the Consent Agenda and place it under the Emergency Services 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 November 15, 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 Harris.

The minutes for the meeting of this body held on November 22, 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 Graves.

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.

REPORT OF THE CHAIR

County Executive Anthony Holt introduced the following resolution:

A RESOLUTION HONORING KATIE LEGGE

WHEREAS, Miss Katie Legge, a rising senior at Portland High School captured the Championship of the 86th Annual Tennessean/Metro Parks Schooldays Golf Tournament by a 2-and-1 victory; and

WHEREAS, Miss Legge is an outstanding golfer who has demonstrated the outcome of hard work and dedication; and

WHEREAS, Miss Katie Legge is a positive role model for all persons, both young and old and through her efforts is an inspiration to those around her and has brought honor upon herself, her school and county; and

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010, that this body does hereby congratulate and commend Miss Katie Legge for her outstanding achievement; and

BE IT FURTHER RESOLVED that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to Miss Katie Legge.

Upon motion of Commissioner Utey, seconded by Commissioner Geminden, the Commission voted to honor Ms. Legge with a Certificate of Recognition.

Commissioner Matthews introduced the following resolution:

A RESOLUTION HONORING MICHAEL TAGERT

WHEREAS, Mr. Michael Tagert of the Gallatin Volunteer Fire Department was at the right place and right time on October 16, 2010 at Fall Creek Falls State Park when a 35-pound boulder hit 2 year old Caleb Brown in the back of the head; and

WHEREAS, Michael Tagert, just shy of a month, completing his emergency medical technical degree, heroically stepped in to assist this injured infant and by his efforts saved the life of this child; and

WHEREAS, Michael Tagert has dedicated his life to help others in need of emergency care, and by his continuing education will be available to help persons with medical needs; and

WHEREAS, by his outstanding efforts Michael Tagert has touched the lives of countless citizens and thanks to his dedication, our county and community is a better place to live.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010, that this body does hereby congratulate and commend Mr. Michael Tagert for this honor and commend him not only for his quick actions to save this one life but his outstanding service that he has given and continues to give, as well as his dedication and commitment to this community; and

BE IT FURTHER RESOLVED that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to Mr. Michael Tagert.

Upon motion of Commissioner Matthews, seconded by Commissioner Pospisil, the Commission voted to honor Mr. Tagert with a Certificate of Recognition.

Commissioner Vaughn introduced the following resolution:

**A RESOLUTION HONORING
DAWN TOMLIN**

WHEREAS, in our County, we have many people who work tirelessly to aid those in need and one such person who works to help those who cannot advocate for themselves is animal advocate Dawn Tomlin; and

WHEREAS, Dawn Tomlin has been recognized for organizing and operating the Sumner Spay Neuter Alliance's free spay neuter transport service; and

WHEREAS, Dawn Tomlin has organized the transport of over 500 cats and dogs from Sumner County to low-cost spay neuter clinics either in Lebanon or Franklin, Kentucky and through her efforts touched the lives of countless animals and people; and

WHEREAS, Dawn currently serves as Vice President of the Sumner Spay Neuter Alliance, has been a past volunteer for other nonprofit animal shelters, and she was selected as the August, 2010 "Hero of the Month" for the Sumner County Animals.com website for her contributions.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby express its appreciation and gratitude for many years of service and dedication of Dawn Tomlin and this body urges all the citizens of Sumner County to acknowledge the contributions and accomplishments made by Dawn Tomlin to Sumner County and thousands of homeless animals; and

BE IT FURTHER RESOLVED that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to Dawn Tomlin.

Upon motion of Commissioner Vaughn, seconded by Commissioner Matthews, the Commission voted to honor Ms. Dawn Tomlin with a Certificate of Recognition.

Commissioner Goode introduced the following resolution:

**A RESOLUTION HONORING
THE MERROL HYDE MAGNET SCHOOL ROBOTICS TEAM**

WHEREAS, the Merrol Hyde Magnet School Robotics Team competed in and won the East Coast Regional Competition; and

WHEREAS, the team lead by faculty advisory Mike Marsh and Tom Strother, have worked tirelessly to prepare and compete in the innovative competition; and

WHEREAS, the Merrol Hyde Magnet School Robotics Team are to be commended on their diligent efforts, hard work and accomplishments which have brought honor not only to themselves but to their school and this county; and

WHEREAS, the countless skills these students have learned and the advancements made could one day be used to aid others in many ways and for their pioneering efforts they should be commended and congratulated.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010, that this body does hereby congratulate the Merrol Hyde Magnet School Robotics Team for their outstanding achievement; 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 Merrol Hyde Magnet School Robotics Team.

Upon motion of Commissioner Goode, seconded by Commissioner LeMarbre, the Commission voted to honor the team with a Certificate of Recognition.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Pospisil, seconded by Commissioner Taylor, 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:

1012-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.

LIST OF NOTARIES PUBLIC

JULIE A ADAMS	SARAH CALLIS
HELEN JONES	BRANDON RADOSH
MARY ALLMAN	KAREN S CLARK
BEVERLY A JONES	AMY L RAY
JANICE D ANDREWS	JENNIFER COLLIGAN
JESSICA KIMBRO	SHARON J STOREY
AMY C. ARNOLD	TRUDY G CRAFTON
JEFFREY C. KOVALSKI	ELIZABETH PAIGE BROWN STRONG
JULIE BERRYMAN	ROSIE JANE DOWNS
DIANNE LAW	ROBIN L. TAYLOR
DEBRA L BILBREY	DARLENE ELMORE
JENNIFER MCEWEN	CHARLES H WILKINSON
MISTY BOWLING	RANDALL EDWARD HELD
CAROLYN D PARKER	L WIX
MISTY L BRIGHAM	DIANE HINSON
REBECCA J PERRY	CHARLES WOODALL
MELINDA A BUTLER	WALEED W IBRAHIM
HEATHER PETROCCI	KIMBERLY J WRIGHT

Commissioner Brown Strong declared an indirect conflict and did not vote on the matter. Upon motion of Commissioner Moser, seconded by Commissioner Pospisil, voting 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	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
P. Freels	Y	Stone	A	Pospisil	Y

1012-NOTARY Yes: 20 No: 0 Abs: 1 07:25 PM

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

COMMITTEE ON COMMITTEES

Commissioner Stone stated that the Committee on Committees recommended the appointments of John Berwind and Dr. Bill Taylor to serve on the Sumner County Airport Authority. Upon motion of Commissioner Stone, seconded by Commissioner Goode, the Commission voted to approve John Berwind and Bill Taylor to serve on the Authority.

Commissioner Stone announced the County Executive's recommendation of commissioners Chris Hughes and David Satterfield to serve on the Sumner County Planning Commission. Commissioner Satterfield declined the nomination. Commissioner Stone moved, seconded by Commissioner LeMarbre, to approve. The Commission voted to appoint Commissioner Hughes to the Planning Commission.

Commissioner Stone stated that the Committee on Committees recommended the re-appointment of Terry Fisher on the Health and Safety Board. Commissioner Stone moved, seconded by Commissioner Taylor, to approve the re-appointment of Mr. Fisher to the Health and Safety Board. The motion carried.

Commissioner Stone brought forth the County Executive's recommendations of Paul D. Freels, Bob Pospisil and Ben Harris to serve on the Emergency 911 Board. Upon motion of Commissioner Stone, seconded by Commissioner Frank Freels, the Commission voted to approve the recommendations of Commissioners Paul Freels, Harris and Pospisil to serve on the Board.

Upon motion of Commissioner Goode, seconded by Commissioner Matthews, the Commission voted to appoint the following to the Financial Management Committee: Commissioners Hyde, Kimbrough, Frank Freels and Goode.

The following appointments for next month were announced as follows:

- County Public Records Commission
 - Sumner County Regional Planning Commission
 - Agricultural Extension Service
-

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

Commissioner Decker stated that action by the Education Committee would be reported under the Budget and Consent agendas.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

Commissioner Vaughn introduced the following resolution and moved for approval. Commissioner Matthews seconded by the motion.

1012-09 A RESOLUTION APPROPRIATING \$106,130.77 TO THE BUDGET OF EMERGENCY MEDICAL SERVICES FROM THE COUNTY GENERAL FUND RESERVE FOR EXPANSION OF AMBULANCE SERVICES

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$106,130.77, from the County General Fund Reserve to the budget of Emergency Medical Services for salary and benefits (\$91,630.77) and equipment needs (\$14,500.00) as shown on the attached schedule in order to expand ambulance services in the Portland area and aid overall services countywide.

The electronic vote was recorded in the following manner:

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

1012-09 Yes: 22 No: 0 Abs: 0 07:34 PM

Chairman Hyde declared the Resolution 1012-09 approved by the body.

PUBLIC SERVICES COMMITTEE

There was no report from the Public Services Committee.

LEGISLATIVE COMMITTEE

Commissioner Pospisil introduced the following resolution:

1012-01 A RESOLUTION SETTING THE REGULAR MEETINGS OF THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS DURING THE 2011 CALENDAR YEAR

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body hereby sets its regular meetings at 7:00 p.m. (local time) at the Sumner County Administration Building, 355 North Belvedere Drive, Gallatin, Tennessee, on the following dates in 2010:

Monday, January 24, (4 th Monday)	Monday, July 18, (3 rd Monday)
Monday, February 28, (4 th Monday)	Monday, August 15, (3 rd Monday)
Monday, March 21, (3 rd Monday)	Monday, September 19, (3 rd Monday)
Monday, April 18, (3 rd Monday)	Monday, October 17, (3 rd Monday)
Monday, May 16, (3 rd Monday)	Monday, November 21, (3 rd Monday)
Monday, June 20, (3 rd Monday)	Monday, December 19, (3 rd Monday)

BE IT FURTHER RESOLVED that this body shall consider at such meetings all matters which may properly be considered at regular meetings of this body; and

BE IT FURTHER RESOLVED that the County Clerk is directed to have published the required notice of this resolution.

Upon motion of Commissioner Pospisil, seconded by Commissioner Vaughn, the Commission voted to approve 2011 Commission meeting dates.

Commissioner Pospisil introduced the following resolution and moved for approval. Commissioner Vaughn seconded the motion.

1012-02 A RESOLUTION APPOINTING THE JUDICIAL MAGISTRATES OF SUMNER COUNTY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010, that this body hereby appoints the following individuals as Judicial Magistrates; and

BE IT FURTHER RESOLVED that the Judicial Magistrates shall serve a one year term or until a successor is appointed.

Downey, William E.	Lilly, Rodman G.
Draper, Todd H.	Ridings, Blane A.
Gann, Robert J.	Ridings, Bobby W.
Gilbreath, William J.	Short, John C.
Johnson, Kevin J.	Smith, William W.
Porter, Erika S.	

The electronic vote was recorded in the following manner:

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

1012-02 Yes: 21 No: 0 Abs: 1 07:36 PM

Chairman Hyde declared the Resolution 1012-02 approved by the body.

RULES AND PROCEDURES

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

**1012-03 A RESOLUTION AMENDING THE STANDING RULES
AND PROCEDURES OF THE SUMNER COUNTY BOARD OF
COUNTY COMMISSIONERS
RULE III, SECTION D, 11 (F), (G), (H), & (I); 12; 13 AND
RULE IV, SECTION A**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular Session on this the 20th day of December, 2010 that this body does hereby amend the standing rules of this body by deleting **RULE III, SECTION D, 11 (f), (g), (h), & (i); 12; 13 and RULE IV, SECTION A** (pages 24, 25, 26, 27, 28, 29 & 30 of the adopted (peach colored) working copy) and replacing these pages with the new format attached herewith as New Pages 24, 25, 26, 27, 28, 29 & 30(blue copy).

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	Y
Ring	Y	Brown Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	P. Freels	Y	Stone	Y
Pospisil	Y				

1012-03 Yes: 20 No: 0 Abs: 2 07:37 PM

Chairman Hyde declared the Resolution 1012-03 approved by the body.

BUDGET COMMITTEE

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

1012-04 A RESOLUTION APPROPRIATING \$757,000.00 FROM THE 2010 BOND FUNDS FOR VARIOUS COUNTY PROJECTS AND DIRECTING THE COMMENCEMENT OF THE SAME

BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$757,000.00 from the 2010 Bond Funds for the matching funds for the following projects:

- (1) \$185,000.00 for matching funds for the Clark House Renovation for the Sumner County Greenway Project; and
- (2) \$300,000.00 for repair, replacement or renovation of the Beech High School gym bleachers, football field light poles, access road completion and athletic facility work; and
- (3) \$30,000.00 for Station Camp High School soccer field lights; and
- (4) \$242,000.00 for Merrol Hyde Magnet School Soccer and track facility.

Commissioner Hughes moved to amend the Resolution 1012-04, seconded by Commissioner Matthews, to approve Item 1 and defer Items 2,3, and 4. He further moved to request a meeting of the Chairmen of Budget, Education and General Operations Committees, along with the Commission Chairman, County Finance Director and County Executive, to review the 2010 Bond Issue projects.

AMEND TO APPROVE ONLY ITEM ONE \$185,000.00

The electronic vote was recorded in the following manner:

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

1012-04.1 Yes: 16 No: 6 Abs: 0 07:47 PM

Chairman Hyde declared the amendment approved by the body.

The electronic vote was recorded in the following manner:

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

1012-04 Yes: 21 No: 0 Abs: 0 07:48 PM

Chairman Hyde declared the Resolution 1012-04 as amended approved by the body. The resulting resolution was prepared as follows:

1012-04 A RESOLUTION APPROPRIATING \$185,000.00 FROM THE 2010 BOND FUNDS FOR THE CLARK HOUSE RENOVATION AND CONVENING A MEETING FOR REVIEW OF THE 2010 BOND FUNDS FOR CONSIDERATION OF THE REMAINING PROPOSED PROJECTS

BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$185,000.00 from the 2010 Bond Funds for the matching funds for the Clark House Renovation for the Sumner County Greenway Project; and

BE IT FURTHER RESOLVED that the County Executive and Law Director shall coordinate a meeting of the County Commission Chairman, County Executive, Budget Committee Chairman, Education Committee Chairman, and General Operations Committee Chairman, as well as the Finance Director to meet and discuss the funds remaining in the 2010 Bond Fund and the capitol projects listed below for consideration:

- 1) \$300,000.00 for repair, replacement or renovation of the Beech High School gym bleachers, football field light poles, access road completion and athletic facility work; and
- 2) \$30,000.00 for Station Camp High School soccer field lights; and
- 3) \$242,000.00 for Merrol Hyde Magnet School Soccer and track facility.

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

1012-05 A RESOLUTION APPROPRIATING \$9,433.73 TO THE BOARD OF EDUCATION FOR PORTLAND EAST MIDDLE SCHOOL RENOVATIONS FROM THE PREVIOUSLY ALLOCATED 2010 BOND FUNDS

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$9,433.73 to the Board of Education for Portland East Middle School Renovations from the previously allocated 2010 Bond Funds.

The electronic vote was recorded in the following manner:

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

1012-05 Yes: 22 No: 0 Abs: 0 07:49 PM

Chairman Hyde declared the Resolution 1012-05 approved by the body.

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

1012-06 A RESOLUTION APPROPRIATING \$90,309.66 TO THE BOARD OF EDUCATION FOR VARIOUS PROJECTS FROM THE PREVIOUSLY ALLOCATED 2010 BOND FUNDS IF AVAILABLE

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$90,309.66 to the Board of Education for various projects from the previously allocated 2010 Bond Funds as shown below:

- (1) \$50,000 for HVAC units at Portland East Middle School; and
- (2) \$10,109.66 for additional consulting work; and
- (3) \$2,800.00 for construction administration at Gene Brown Elementary School; and
- (4) \$27,400.00 for drainage work at Merrol Hyde Magnet School

BE IT FURTHER RESOLVED that, in the event the previously appropriated allocations will not cover the cost of these projects, the Board of Education shall use their Capital Projects Reserve Fund from the General Purpose School Fund to complete the work set forth above.

Chairman Hyde recognized County Finance Director David Lawing who stated that there was enough allocated in the 2010 Bond to cover these expenses.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	Y

F. Freels	Y	Matthews	Y	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	P. Freels	Y	Stone	Y
Pospisil	Y				

1012-06 Yes: 22 No: 0 Abs: 0 07:51 PM

Chairman Hyde declared the Resolution 1012-06 approved by the body.

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

1012-08 A RESOLUTION APPROPRIATING \$100,000.00 FROM THE COUNTY GENERAL FUND RESERVE TO BE PAID IN TWO ANNUAL INSTALLMENTS OF \$50,000.00 TO THE CITY OF WESTMORELAND FOR RENOVATIONS TO THE EXPO CENTER

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate a \$100,000.00 charitable contribution from the county general reserve fund to the city of Westmoreland, to be paid in two installments of \$50,000.00, for expo center renovations; and

BE IT FURTHER RESOLVED that is the expo center property is sold before December 2020 to a for-profit entity, any contributions made by the county shall be repaid to the county from the sale proceeds; and

BE IT FURTHER RESOLVED that prior to any contributions being paid, the city of Westmoreland and the Industrial Development Board shall adopt an ordinance or resolution accepting the reversionary terms of this resolution; and

After discussion, Commissioner Goode moved, seconded by Commissioner Kimbrough, to defer the resolution for one month.

The electronic vote was recorded in the following manner:

DEFER 1012-08

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

DEFER Yes: 9 No: 13 Abs: 0 07:57 PM

Chairman Hyde declared the motion to defer failed to be approved by the body.

Commissioner Satterfield moved, seconded by Commissioner Vaughn, to suspend the rules and allow Mike Carter, Mayor-Elect of Westmoreland, to speak on the matter. The motion carried. Mr. Carter stated that a business plan for the facility and an audit were in the final stages of preparation.

Commissioner Ring moved, seconded by Commissioner Graves, to amend the resolution to appropriated \$50,000.00 of the \$100,000.00 and withhold the additional \$50,000.00 until the business plan and audited statements are provided to the Commission.

The electronic vote was recorded in the following manner:

AMEND TO HOLD SECOND PAYMENT UNTIL FINANCIALS PROVIDED

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

AMEND Yes: 17 No: 5 Abs: 0 08:22 PM

Chairman Hyde declared the motion approved by the body.

Commissioner Vaughn moved, seconded by Commissioner Pospisil, to amend the resolution to give the City of Westmoreland \$10,000.00 to allow time for the city to come back with the business plan.

The electronic vote was recorded in the following manner:

AMEND TO PAY ONLY \$10,000.00 UNTIL FINANCIALS PROVIDED

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

AMEND2 Yes: 11 No: 10 Abs: 0 08:29 PM

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

Commissioner Kimbrough moved, seconded by Commissioner Goode, to refer the resolution to the Budget Committee.

The electronic vote was recorded in the following manner:

REFER 1012-08

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

REFER Yes: 6 No: 16 Abs: 0 08:31 PM

Chairman Hyde declared the motion failed to pass.

The electronic vote was recorded on the resolution as amended in the following manner:

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

1012-08 Yes: 18 No: 4 Abs: 0 08:32 PM

Chairman Hyde declared the Resolution 1012-08 as amended approved by the body. The resulting resolution was prepared as follows:

1012-08 A RESOLUTION APPROPRIATING \$100,000.00 FROM THE COUNTY GENERAL FUND RESERVE TO BE PAID IN TWO ANNUAL INSTALLMENTS OF \$50,000.00 TO THE CITY OF WESTMORELAND FOR RENOVATIONS TO THE EXPO CENTER

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate a \$100,000.00 charitable contribution from the county general reserve fund to the city of Westmoreland, to be paid in two installments of \$50,000.00, for expo center renovations; and

BE IT FURTHER RESOLVED that is the expo center property is sold before December 2020 to a for-profit entity, any contributions made by the county shall be repaid to the county from the sale proceeds; and

BE IT FURTHER RESOLVED that prior to any contributions being paid, the city of Westmoreland and the Industrial Development Board shall adopt an ordinance or resolution accepting the reversionary terms of this resolution; and

BE IT FURTHER RESOLVED that the second annual installment shall not be paid until a business plan and audited financial statement shall be provided by the City of Westmoreland and the Westmoreland Industrial Development Board to the Sumner County Finance Department.

CONSENT AGENDA

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

1012-07 A RESOLUTION RESTATING THE POLICY THAT SUMNER COUNTY, TENNESSEE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, COLOR, RELIGION, NATIONAL ORIGIN, AGE, DISABILITY OR VETERAN STATUS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010, that this body hereby restates its policy that Sumner County, Tennessee, does not discriminate on the basis of race, sex, color, religion, national origin, age, disability or veteran status.

**1012-10 A RESOLUTION APPROPRIATING \$172,114.00 FROM THE
COUNTY GENERAL FUND RESERVE TO THE BUDGET OF THE
REGISTRAR OF VOTERS FOR THE SPECIAL ELECTIONS
FOR OUR STATE SENATOR**

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$172,114.00, from the County General Fund Reserve to the various accounts of the budget of the Registrar of Voters for the special elections for our state senator as shown on the attached schedule.

**1012-11 A RESOLUTION APPROPRIATING \$32,000.00 IN
PASS-THROUGH FUNDS
TO THE REGISTER OF DEEDS FROM DATA PROCESSING FEES FOR
COMPUTER EQUIPMENT**

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$32,000.00 in pass-through funds from Fees collected to the Data Processing Equipment Account as shown on the attached schedule.

**1012-12 A RESOLUTION APPROPRIATING \$34,354.65 IN PASS-THROUGH
FUNDS TO THE OFFICE OF THE SHERIFF VARIOUS ACCOUNTS FOR
INMATE MEDICAL CARE AND GRANT PROJECTS**

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$34,354.65 in pass-through funds from Funds collected to various accounts as shown on the attached schedule for inmate medical care and previously approved projects.

**1012-13 A RESOLUTION APPROPRIATING, \$5,582.00 IN PASS THROUGH
FUNDS TO THE COUNTY GENERAL FUND
FROM SALE OF DURHAM BOOKS**

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate, \$5,582.00 in pass through funds to the County General Fund from sale of Durham books.

**1012-14 A RESOLUTION APPROPRIATING \$6,000.00 FROM COURT HOUSE
AND JAIL MAINTENANCE TO DATA PROCESSING
FOR COUNTY WEBSITE EXPENSES**

BE IT RESOLVED from the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of December, 2010 that this body does hereby appropriate \$6,000.00 from Courthouse and Jail Maintenance Account to Data Processing Account for County Website Expenses as shown on the attached schedule.

**1012-15 A RESOLUTION APPROVING THE FISCAL YEAR 2010-2011
SUMNERCOUNTY 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 20th day of December, 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 schedule which is hereby incorporated as a part of this resolution.

The electronic vote was recorded in the following manner:

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

1012-CONSENT Yes: 22 No: 0 Abs: 0 08:33 PM

Chairman Hyde declared the Consent Agenda items approved by the body.

EXECUTIVE SESSION

Chairman Hyde declared the Commission in executive session at 8:45 p.m. The Commission reconvened and Commissioner Freels moved, seconded by Commissioner Graves, to adopt the following resolution:

**1012-16 A RESOLUTION RESCINDING THE SUMNER COUNTY ROAD FEE,
DESIGNATING WINDING UP OF COLLECTED FEES**

BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in regular session on this the 20th day of December, 2010, that this body does hereby rescind the Sumner County Road Fee and the policies and procedures adopted by this body on December 17, 2007 pursuant to Resolution 0712-09 and on March 17, 2008 pursuant to Resolution 0803-02 (together the "Resolutions") for the collection and administration thereof and the Road Fee created pursuant to the Resolutions shall no longer be collected; and

BE IT FURTHER RESOLVED that Sumner County shall use reasonable efforts to refund the Road Fees that it has collected pursuant to the Resolutions to those persons and entities which paid such Fees pursuant to the following procedures:

Sumner County shall publish a notice three (3) times in a newspaper of general circulation (whether in the legal notices section or some other section) indicating that refunds of the Road Fee will be made to those person and entities which present proper proof that they paid the Fee. Any persons or entities claiming a refund of such Fee will have the burden to prove that they paid it. Upon submission of such proof (e.g., a cancelled check), Sumner County shall promptly refund to them (without interest) such Road Fee(s) which they paid. A

refund will be made only to the person or entity which actually paid the Fee, and such claims and refunds are not assignable.

If a person or entity does not file a claim seeking a refund of a Road Fee previously paid, or does not present proper proof (if required) supporting such payment, within four (4) months of the publication of the last newspaper notice, then such Fee shall be placed in the Sumner County general fund for use for future road projects.

Since the Road Fee will hereafter no longer be collected, any offsets or credits which have previously been granted to persons or entities against Road Fees that may be owed are hereby cancelled, and no refunds shall be issued on account thereof, since no future (or past) Road Fees will be owed.

BE IT FURTHER RESOLVED that the Law Director and County Executive are authorized to endorse any necessary documents to conclude this matter; and

BE IT FURTHER RESOLVED that this Resolution shall become effective upon passage, the public welfare requiring it; and

BE IT FURTHER RESOLVED that any previous resolutions of this body, in conflict with this resolution, are hereby repealed.

The electronic vote was recorded in the following manner:

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

1012-16 Yes: 19 No: 1 Abs: 1 08:40 PM

Chairman Hyde declared the motion approved by the body.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 9:00 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____
