
SWEARING IN OF SECOND DISTRICT COMMISSIONER

General Sessions Judge Jim Hunter swore in Shawn Utley as Sumner County Commissioner in the Second District.

**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
NOVEMBER 17, 2008**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, November 17, 2008, 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	Steve Graves	Joe C. Matthews
Saundra Ridings Boyd	Bob Hendricks	Kirk Moser
David Cummings	Billy S. Hobbs	Bob Pospisil
Paul Decker	Chris Hughes	Jo Skidmore
James A. England	Merrol N. Hyde	Jerry F. Stone
Shawn Fennell	David Kimbrough	Shawn Utley
Paul D. Freels	Trisha LeMarbre	Jim Vaughn
Paul Goode		

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman Hyde noted that with twenty-two members seated, a simple majority would be by twelve votes; and that matters requiring a two-thirds vote would be by sixteen votes during this session. Commissioner Satterfield was absent due to illness.

The Invocation was led by Pastor James Edison, Sumner County Upper Cumberland Presbyterian Church.

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

APPROVAL OF AGENDA

Without objection, Chairman Hyde removed Item 4 under the Committee on Committees Report; he added the appointments to the General Operations Committee and the Highway Commission.

Commissioner Hobbs moved, and seconded by Commissioner Skidmore, 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 18, 2008, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Skidmore 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.

Jimmy Johnston of 131 Saundersville Road in Hendersonville and Hendersonville Mayor Scott Foster encouraged the body to pass Resolution 0811-04, a second reading on the purchase of the Fleetwood property. Upon motion of Commissioner Vaughn and seconded by Commissioner Goode, the Commission approved a suspension of the rules to extend Mr. Johnston's time.

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

SWEARING IN OF COUNTY EXECUTIVE ANTHONY HOLT

General Sessions Judge Jim Hunter swore in Anthony Holt as Sumner County Executive. Executive Holt relinquished his County Commission seat. Chairman Hyde stated that a notice will be sent to each commissioner regarding the vacancy in the Fourth Commissioner District.

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

A RESOLUTION HONORING MR. RAGAN HALL

WHEREAS, Mr. Ragan Hall, served from August, 2002 to July, 2008 as County Commissioner from the Second District; and

WHEREAS, Mr. Hall stepped in to assist then County Executive Hank Thompson and upon his untimely death took the helm as leader of our county from July until November, 2008; and

WHEREAS, during his tenure, Mr. Hall served on and led countless commissions and committees, as well as serving as Vice-Chairman of the County Commission; and as County Executive worked diligently in all areas including the renovation of the Animal Control Facility, repair of the Emergency Services Facility as well as undertaking countless other money saving tasks, while working untold hours to aid our county; and

WHEREAS, Mr. Hall, with his loving wife Dee, have three children and one grandchild; and reside in Portland, Tennessee where they are active members of their church as well as the community; and

WHEREAS, Mr. Hall, by giving of his time and talents as both a County Commissioner and County Executive, has contributed distinctive guidance and direction to the citizens and leadership of Sumner County; and

WHEREAS, Mr. Hall demonstrates civic-mindedness and by his commitment to serve the citizens of Sumner County has been instrumental in bringing progress and advancement to this county.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body does hereby recognize and commend Mr. Ragan Hall for his dedication and service to the citizens and government of Sumner County; 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. Ragan Hall.

The Commission approved the certificate of recognition by voice vote of the body. Chairman Hyde presented a plaque to Mr. Hall to honor his service.

REPORT OF THE CHAIR

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

A RESOLUTION HONORING MS. TAYLOR HILTON

WHEREAS, Ms. Taylor Hilton, who is presently a senior at Merrol Hyde Magnet School, took the title as State Champion in Poetry Interpretation at the Tennessee High School Speech and Drama Leagues during her junior year; and

WHEREAS, as a senior, coached by Theatre Teacher, Courtney Blankenship Spears, Ms. Hilton claim the rank of Honor at the National Forensic League; and

WHEREAS, Ms. Hilton is a positive role model for all persons, both young and old and through her efforts is an inspiration to those around her.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17st day of November, 2008, that this body does hereby congratulate and commend Ms. Taylor Hilton for her outstanding achievements; 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 Ms. Taylor Hilton.

The Commission approved the certificate of recognition by voice vote of the body.

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

A RESOLUTION HONORING MR. ELI CREASY

WHEREAS, Mr. Eli Creasy attends Oakmont Elementary and is in the fifth grade; and

WHEREAS, Eli Creasy was a winner in the Tennessee School Bus Safety Poster Contest. He placed second in the third, fourth and fifth grade division.

WHEREAS, Eli Creasy represents the future leadership of our country, is a positive role model for all persons, and by his accomplishments has brought honor upon himself, his school and this county.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body does hereby congratulate and commend Mr. Eli Creasy for his 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 Mr. Eli Creasy.

The Commission approved the certificate of recognition by voice vote of the body.

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

A RESOLUTION HONORING SUMNER COUNTY CIVIL AIR PATROL

WHEREAS, Civil Air Patrol was established on December 1, 1941, to supplement the United States Military during World War II, in 1948 CAP was designated as the U. S. Air Force's official auxiliary with three missions – emergency services, cadet programs and aerospace education; and

WHEREAS, since CAP's beginning, the organization has set itself apart during the country's most tumultuous times: Locating and sinking enemy submarines during World War II, assisting rescuers and state agencies immediately following the September 11, 2001, terrorist attacks, and heavily supporting hurricane relief efforts, most notably during the 2005 hurricane season; and

WHEREAS, CAP volunteers provided peacetime relief in 1957 when floods swamped Kentucky, West Virginia and Virginia; in 1972 during disastrous floods in six states following Hurricane Agnes; in 1973 when the Mississippi River and its tributaries flooded; following the explosion of Mount St. Helens in 1980, after the California earthquakes of 1989 and 1994, and during many other disaster relief emergencies throughout CAP's long and illustrious history; and

WHEREAS, CAP further provides vital homeland security missions that help ensure the protection of the nation's capital and the nation as a whole by assisting Air Force pilots with target-intercept training; and

WHEREAS, CAP provides exceptional educational and growth opportunities for youth through its more than 22,000-member strong Cadet Program, which annually provides access to top national summer flight academies and to 30 national programs emphasizing leadership and careers in aviation, as well as flight training in powered and glider aircraft; and

WHEREAS, CAP's Aerospace Education Program annually touches more than 900 educators, more than 20,000 cadets and thousands of other youth in classrooms across America by teaching children multidisciplinary aviation

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

**0811-02 A RESOLUTION TO ADD ARTICLE XVI TO THE SUMNER
COUNTY ZONING RESOLUTION AS IT RELATES TO SUMNER COUNTY
AIRPORT OVERLAY ZONE**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body does hereby adopt Article XVI to the Sumner County Zoning Resolution as it relates to Sumner County Airport Overlay Zone as shown on attached documents.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	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	Stone	Y	Hobbs	Y
Pospisil	Y				

0811-02 Yes: 22 No: 0 Abs: 0 07:42 PM

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Skidmore, 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:

**0811-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.

BLANKINSHIP, JANEANNE GLENN
COMBS, MARK ALAN
FRANKLIN, SHANTARA JANE
HARVILLE, JR., JAMES RICHARD
HAYZLETT, ANITA JO
HERZBERG, TRACY JO
HOLLEY, SANDRA KAY
LADD, GLENDA DIANE
LOFTIS, LEAH ANN
MCCOLLUM, ANDREA FRANZIA
MURRELL, CLEOTA MARIE
O'SAILE, AMY NICHOLE

OFFITT SR, GEORGE RANDOLPH
OVERMAN, PEGGY DARLENE
PEDIGO, BETTYE LOU
PONCE, MICHAEL DAVID
RAGSDALE, PATTI LYNN
SCHEETZ, BONNIE L
SMILEY, LYDIA LEA
SUTHERLAND, DEVON JEFFREY
TAYLOR, JAMES MARVIN
TODD, TERA NATALIE
KELLEY, TED L.
MOOR, LEANNE

Upon motion of Commissioner Akins, seconded by Commissioner Graves, voting was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Utle	Y	Graves	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	Stone	A	Hobbs	Y
Pospisil	Y				

0811-NOTARY Yes: 21 No: 0 Abs: 1 07:43 PM

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

COMMITTEE ON COMMITTEES

Commissioner LeMarbre noted that the Committee on Committees deferred Items 2-7.

Commissioner LeMarbre reported that the Committee on Committees voted to re-instate David Pigna's appointment to the Sumner County Airport Authority and so moved. Commissioner Pospisil seconded the motion, which was approved unanimously by voice vote of the body.

Commissioner LeMarbre reported that the Committee on Committees approved the appoint Shawn Utle of the Second Commission District to vacancies on the Highway Commission and the General Operations Committee. She moved, seconded by Commissioner Matthews, to approve. The motion carried by unanimous voice vote of the body.

Commissioner LeMarbre reported committee action to re-appoint John Pennington and appoint Jimmy Johnston to the Tourism Board and so moved, seconded by Commissioner Goode. The motion carried by unanimous voice vote of the body.

Commissioner LeMarbre announced the following appointments for next month:

- 1) Emergency 911 Board;
 - 2) Agricultural Ext. Service Committee
 - 3) Vacancies Created by Anthony Holt, County Executive
 - 4) Vacancy created on the Public Works Committee by resignation of Paul Decker
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HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no report from the Education Committee.

EMERGENCY SERVICES COMMITTEE

Commissioner Vaughn yielded the floor to Commissioner Fennell who reported that at a recent fundraiser Mr. Hall and Sheriff Bob Barker were honored for their efforts to improve the animal control facility.

PUBLIC WORKS COMMITTEE

Commissioner Goode reported that Castalian Bethpage Utility District has broken ground on installation of water lines. Commissioner Graves reported that Smiley Trout Road is complete.

GENERAL OPERATIONS COMMITTEE

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

0811-03 A RESOLUTION ACCEPTING THE FIVE HISTORICAL PICTURES IN THE COUNTY EXECUTIVES OFFICE AS A LOAN TO THE SUMNER COUNTY ARCHIVES FROM THE R. J. "HANK" THOMPSON FAMILY

BE IT FURTHER RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008 that this body does hereby accept, on loan from the family of R. J. "Hank" Thompson, the five historical pictures presently located in the office of the County Executive for use in the new R. J. "Hank" Thompson Archives; and

BE IT FURTHER RESOLVED that in the event the R. J. "Hank" Thompson family wishes to discontinue the loan, written notice should be provided to the County Executive and the pictures shall be returned as soon as possible to the family.

Chairman Hyde declared the Commission approved Resolution 0811-03 by voice vote of the body.

LEGISLATIVE COMMITTEE

There was no report from the Legislative Committee.

BUDGET COMMITTEE

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

**0811-04 A RESOLUTION APPROPRIATING UP TO 4.8 MILLION DOLLARS
 TO THE BOARD OF EDUCATION FOR THE PURCHASE OF THE
 FLEETWOOD BUILDING WITH FUNDING FOR THE PURCHASE TO BE
 LOANED FROM THE COUNTY GENERAL FUND WITH REPAYMENT TO THE
 FUND TO BE MADE WITH INTEREST FROM THE PHASE II BUILDING
 PROGRAM BOND ISSUE**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body hereby appropriates 4.8 million dollars to the Board of Education for the purchase of the Fleetwood Building at 1500 Airport Road, Gallatin, Tennessee; and

BE IT FURTHER RESOLVED that this purchase shall be funded from a loan from the County General Fund to be repaid with interest from Phase II of the building program bond issue; and

BE IT FURTHER RESOLVED that any and all interest income lost during the loan period as well as the entire loaned sum shall be repaid to the County General Fund account as soon as funds are received from any bond issue made to begin the Phase II building program; and

BE IT FURTHER RESOLVED that the purchase price of up to 4.8 million dollars, shall include \$800,000 for renovation, repair and upgrade of the facility.

First Reading, October 20, 2008 passed
Second Reading, _____

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Matthews	N
Boyd	Y	England	Y	Hendricks	Y
Vaughn	Y	LeMarbre0	Y	Moser	Y
Decker	Y	Hyde	N	Hughes	N
Kimbrough	Y	Goode	N	Skidmore	Y
Freels	N	Stone	Y	Hobbs	Y
Pospisil	Y				

0811-04 Yes: 17 No: 5 Abs: 0 08:02 PM

Chairman Hyde declared the resolution approved on the second reading.

CONSENT AGENDA

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

**0811-05 A RESOLUTION APPROPRIATING \$4,091.65 IN PASS-THROUGH FUNDS
FROM THE GIS ENTERPRISE ACCOUNT TO THE ASSESSOR OF
PROPERTY DEPARTMENT – GIS PROJECT ACCOUNT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body hereby appropriates \$4,091.65 in pass-through funds from the GIS Enterprise Account to the Assessor of Property – GIS Project Account as shown on the attachment herewith.

**0811-06 A RESOLUTION APPROPRIATING \$1,270.05
FROM THE PORTLAND LIBRARY FUND RESERVE ACCOUNT
TO THE GRANT FUND ACCOUNT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body hereby appropriates \$1,270.05 from the Portland Library Fund Reserve Account to the Grant Expense Account as shown on the attached schedule.

**0811-07 A RESOLUTION APPROPRIATING \$297,680.00 AS PASS-THROUGH
FUNDS FROM THE HOSPITAL PROPERTY FUND ACCOUNT TO THE
VARIOUS LIBRARY ACCOUNTS**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008 that this body hereby appropriates \$297,680.00 as pass-through funds from the Hospital Property Fund Account to various library accounts as shown on the attachment herewith.

**0811-08 A RESOLUTION APPROPRIATING \$281.59 AS PASS-THROUGH FUNDS
FROM THE COUNTY GENERAL FUND TO
THE HENDERSONVILLE LIBRARY – SALE OF EQUIPMENT ACCOUNT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body hereby appropriates \$281.59 as pass-through funds from the County General Fund Sale of Equipment Account to the Hendersonville Library – other costs account as shown on the attached schedule.

0811-09 A RESOLUTION APPROPRIATING \$40,001.00 AS PASS-THRU FUNDS TO THE SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND FOR ADULT EDUCATION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body does hereby appropriate \$40,001.00 as pass-thru funds to the Sumner County Board of Education General Purpose School Fund for Adult Education as shown on the attached schedules.

0811-10 A RESOLUTION TRANSFERRING \$9,000.00 FROM CONTRACT SERVICES TO SALARY OTHER LEGAL PERSONNEL

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008 that this body hereby transfers \$9,000.00 from the Contract Services Account (101-51400-399) to the Salary Other Legal Personnel Account (101-51400-189) as shown on the attachment herewith.

0811-11 A RESOLUTION DECLARING DOG BOXES OF THE ANIMAL CONTROL DEPARTMENT AS SURPLUS PROPERTY AND AUTHORIZING THE SALE AND/OR DISPOSAL OF SAME

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 17th day of November, 2008, that this body hereby declares the certain boxes, as shown on the attached document, of the Animal Control Department as surplus property and authorizing the sale and/or disposal of same pursuant to existing rules, regulations and policies.

PROPERTY TAX REFUNDS

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

Hackney, Terry L etux Marcie Joan Hackney -- \$140.22
Park Village Gallatin PLP --\$1,741.00
Nelson, Paul W. etux Kimberly Paige --\$867.54
Trinity Evangelical Lutheran Church -- \$228.00

The electronic vote was recorded in the following manner:

Akins	Y	Utley	Y	Graves	Y
Matthews	Y	Boyd	Y	England	Y
Hendricks	Y	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Skidmore	Y
Freels	Y	Stone	Y	Hobbs	Y
Pospisil	Y				

0811-CONSENT Yes: 19 No: 0 Abs: 0 08:03 PM

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 8:03 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Moser

Approved on _____
