
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
MARCH 16, 2009**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, March 16, 2009, 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	Paul Goode	Joe C. Matthews
Saundra Ridings Boyd	Steve Graves	Bob Pospisil
David Cummings	Bob Hendricks	David Satterfield
Paul Decker	Billy S. Hobbs	Jo Skidmore
James A. England	Chris Hughes	Jerry F. Stone
Shawn Fennell	Merrol N. Hyde	Jim Vaughn
Paul D. Freels	David Kimbrough	Shawn Utley
Frank E. Freels	Trisha LeMarbre	

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman Hyde noted that with twenty-three members seated, a simple majority would be by thirteen votes; and that matters requiring a two-thirds vote would be by sixteen votes during this session. Commissioner Moser was not present for the meeting.

The Invocation was led by Pastor Terrell Somerville of the Freedom Church in Gallatin.

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

APPROVAL OF AGENDA

Chairman Hyde reported the following additions to the agenda:

Portland Lockers under Education Committee report
Station Camp Speed Limit under Highway Commission report
Constable Bond for Todd Ray under Legislative Committee report
Airport Authority report under Report of Chairman

Commissioner England requested the addition of Knox Doss Name Change be placed under the Education Committee report. Commissioner Vaughn objected to the addition. The ruling of the Chair was to add the matter with a two-thirds vote of the body.

The electronic vote was recorded in the following manner:

0903-11

ADD KNOX DOSS NAME CHANGE

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	N	Matthews	N	Boyd	Y
England	Y	Hendricks	Y	Vaughn	N

LeMarbre	Y	Decker	Y	Hyde	A
Hughes	N	Kimbrough	N	Goode	N
Skidmore	Y	P. Freels	N	Stone	Y
Hobbs	Y	Pospisil	N		

ADD Yes: 14 No: 8 Abs: 1 07:05 PM

Chairman Hyde declared the matter did not receive the necessary two-thirds vote to add to the agenda.

Commissioner Vaughn moved, seconded by Commissioner Goode, 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 February 23, 2009, and March 5, 2009, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Graves made the motion, seconded by Commissioner Akins. Commissioner Vaughn abstained from the vote on the March 5, 2009, minutes.

RECOGNITION OF THE PUBLIC

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

The following persons spoke in favor of Resolution 0903-10 regarding the speed limit on Lower Station Camp Road:

David Hardin of 1056 Pittman Drive in Gallatin
Tim Morgan of 1057 Pittman Drive in Gallatin
Bruce Day of 144 Fairways Drive in Hendersonville

The following Board of Education members spoke in favor of 0903-11 regarding an appropriation for Portland Middle School lockers:

Danny Hale of 761 Plantation Blvd in Gallatin
Mike Fussell of 128 Island Drive in Hendersonville

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

REPORT OF THE CHAIR

Commissioner Vaughn introduced the following resolution into the record:

A RESOLUTION HONORING EMS (EMERGENCY MEDICAL SERVICES) EMPLOYEES

WHEREAS, a paralyzing ice storm struck Kentucky and within hours numerous persons from all over the area were dispatched to aid in the dangerous rescue efforts and the Sumner County EMS Strike Team composed of Sam Clark, Patrick Foster, L.J. Millington, Jason Montgomery, Vincent Riley, Tim Williams, Neal Wilson, and Dale Allen deployed to the area and worked diligently to assist; and

WHEREAS, each person should be commended and recognized for his diligence and valuable service to the operations in Kentucky and in aiding those in need; and

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body hereby expresses its appreciation to these employees of Sumner County Emergency Medical Services for committing their time, and skill and so eagerly accepting assignments.

BE IT FURTHER RESOLVED that this resolution 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 Sam Clark, Patrick Foster, L.J. Millington, Jason Montgomery, Vincent Riley, Tim Williams, Neal Wilson and Dale Allen.

Upon motion of Commissioner Vaughn, seconded by Commissioner Fennell, the Commission voted to approve the resolution upon voice vote of the body.

Commissioner Decker introduced the following resolution into the record:

**A RESOLUTION HONORING
ATHLETIC TRAINERS OF SUMNER COUNTY**

WHEREAS, certified athletic trainers have a long history of providing quality health care for athletes and those engaged in physical activity based on specific tasks, knowledge and skills acquired through their nationally regulated educational processes; and

WHEREAS, certified athletic trainers provide prevention of injuries, recognition, evaluation and aggressive treatment, rehabilitation, health care administration, education and guidance; and

WHEREAS, the National Athletic Trainers' Association represents and supports 30,000 members of the athletic training profession employed in the settings as vendors Professional Sports, Colleges and Universities, High Schools, Clinics and Hospitals, Corporate and Industrial Settings, and the Military Branches; and

WHEREAS, certified athletic trainers have provided quality health care to student-athletes in Sumner County Schools for 20 years; and

WHEREAS, the following outstanding individuals, Kim Bossaller, Beech High School; Andy Yarbrough, Gallatin High School; Paul Good, Hendersonville High School; Mark Creasey, Portland High School; Matt Trent, Station Camp High School; Verena Cuzzota, Westmoreland High School; Shaun Glasgow, White House High School; Johnnie Anderson, Hendersonville High School and Merrol Hyde Magnet School serve our athletes and diligently provide care to all our students; and

WHEREAS, these healthcare professionals work to provide quality health care for the 2000-plus interscholastic athletes and the countless recreational athletes of Sumner County.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body does hereby proclaim the month of March as National Athletic

Training Month and we urge all people of Sumner County to learn more about the importance and benefits of athletic training to athletes of all types; 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 Kim Bossaller, Andy Yarbrough, Paul Good, Mark Creasey, Matt Trent, Verena Cuzzota, Shaun Glasgow, and Johnnie Anderson.

Upon motion of Commissioner Decker, seconded by Commissioner LeMarbre, the Commission voted to approve the resolution upon voice vote of the body.

The certificate honoring Stephen Williams and the White House High School cheerleaders and coach was deferred without objection by Chairman Hyde.

Chairman Hyde stated that he was invited by the Sumner Regional Airport Authority Manager to visit the Airport and ask any questions regarding the operations.

REPORT FROM COUNTY OFFICIALS

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

0903-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.**

ALDRICH, JEANNE A	LANIUS, KRISTE SHANNON
ALKOKA, CONNIE MARIE	LILLARD, JOYCE
BARRETT, ANGELA CHAPMAN	LINDSEY, TERESA ANN
BASS, DEBORAH F	MASON, DANA P
BRIGGS, BEVERLY L.	MOORE, LAURA ANN
CARR, DOROTHY L	MOORE, MARY KATHERINE
CONNER, REBECCA SUSZANNE	MURO, ROSE
CONYER, WALTER EUGENE	RICHARDSON, LAVINIA J
DATTILO, SARA	SAMS, TANYA REGINA
DRIVER, CAROLYN METCALF	SANDERS, RODNEY ALAN
EDWARDS, MICHAEL WAYNE	SHEHANE, DARLENE
HARDIN, JENNIFER RENA	SMITH, JANA IVETTE
HENRY, JEFFERY RAY	STUBBS, WALTER
HODGES, PENNIE LYNN	TRAMMEL, AMY DOREEN
HORTON, DEBORAH K.	TURNER, ANDREW CORNELIUS
JOHNS, LINDA JOYCE	WARD, BARBARA JANE
KEITH, ANGELA JANE	WEBSTER, SANDRA K
KELLEY, THOMAS C	WHEELER, KIMBERLEY ANN
	WILSON, DEE ANNE
	PERSONAL SURETY
	TOMPKINS, RICHARD A
	WHITLEY, LAWRENCE RAY
	BROWN, SALLIE WADE

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

APPROVE NOTARY APPLICATIONS

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	A
Hobbs	Y	Pospisil	Y		

0903-NOTARY Yes: 22 No: 0 Abs: 1 07:31 PM

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

COMMITTEE ON COMMITTEES

Commissioner LeMarbre announced the appointments for next month:

1. Sumner County Resource Authority – David Cummings
2. Sheriff's Civil Service Board – Terry Mimms

HIGHWAY COMMISSION

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

**0903-10 A RESOLUTION LOWERING THE SPEED LIMIT ON LOWER
STATION CAMP CREEK ROAD TO 10 MPH**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this 16th day of March, 2009, that this body approves the lowering of the speed limit on lower Station Camp Creek Road to 10 mph in order to promote a safer road for the public.

The electronic vote was recorded in the following manner:

APPROVE 0903-10

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	A
F. Freels	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	N	Kimbrough	Y	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

0903-10 Yes: 21 No: 1 Abs: 1 07:38 PM

EDUCATION COMMITTEE

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

0903-11 A RESOLUTION APPROPRIATING \$42,667.73 TO THE BOARD OF EDUCATION FROM OCTOBER 2007 BOND PROCEEDS FOR LOCKERS FOR THE PORTLAND MIDDLE SCHOOL RENOVATION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009 that this body hereby appropriates \$42,667.73 to the Board of Education from October 2007 bond proceeds for lockers for the Portland Middle School renovation.

Commissioner Hobbs moved, seconded by Commissioner Hendricks, to refer the matter to the Board of Education for it to be considered in total context of the renovation bid.

The electronic vote was recorded in the following manner:

REFER PMS LOCKERS

Akins	Y	Fennell	N	Cummings	N
Utley	N	Graves	N	Satterfield	Y
F. Freels	N	Matthews	N	Boyd	Y
England	Y	Hendricks	Y	Vaughn	N
LeMarbre	N	Decker	N	Hyde	N
Hughes	N	Kimbrough	Y	Goode	N
Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

0903-11.1REFER Yes: 11 No: 12 Abs: 0 07:45 PM

Chairman Hyde declared the motion to refer failed to pass.

The electronic vote on the main motion was recorded in the following manner:

APPROVE 0903-11

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	Y	Boyd	N
England	N	Hendricks	N	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
P. Freels	N	Stone	N	Hobbs	N
Pospisil	Y				

0903-11 Yes: 15 No: 7 Abs: 0 08:02 PM

Chairman Hyde declared the resolution approved on the first reading.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

PUBLIC WORKS COMMITTEE

Commissioner Goode stated that on February 26, 2009, public officials broke ground on a water project in northern Sumner County.

LEGISLATIVE COMMITTEE

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

0903-01 A RESOLUTION ACCEPTING THE REVIEW OF THE JUDICIAL MAGISTRATE PROGRAM

WHEREAS, the 2008 annual review of the Sumner County Judicial Magistrate program was held on March 16, 2009, before this body.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009 that this body does hereby accept the review of the Judicial Magistrate program for the 2008 calendar year.

Chairman Hyde recognized Todd Draper who presented a report on the Judicial Magistrate Program.

The electronic vote was recorded in the following manner:

APPROVE 0903-01

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y

Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

0903-01 Yes: 23 No: 0 Abs: 0 08:09 PM

Chairman Hyde declared resolution 0903-01 approved by the body.

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

**0903-12 A RESOLUTION APPROVING THE BOND OF A
SUMNER COUNTY OFFICIAL**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body hereby approves the bond of the Sumner County Official listed below:

Constable- Todd Ray for \$8,000.00

The electronic vote was recorded in the following manner:

APPROVE 0903-12

Akins	Y	Fennell	Y	Cummings	Y
Utle	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

0903-12 Yes: 23 No: 0 Abs: 0 08:07 PM

Chairman Hyde declared passage of the resolution by the body.

BUDGET COMMITTEE

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

**0903-02 A RESOLUTION APPROPRIATING \$3,650.00 AS PASS-
THRU FUNDS TO VARIOUS LINES OF THE EMA BUDGET**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009 that this body hereby appropriates \$3,650.00 as pass-thru funds to various EMA budget lines as set forth below:

- \$2,000.00 from County General received from Helicopter Crash Search Reimbursement to Fuel Line;
 - \$1,650.00 from County General received from a rebate check to Capital Outlay Line
-

The electronic vote was recorded in the following manner:

APPROVE 0903-02

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

0903-02 Yes: 23 No: 0 Abs: 0 08:09 PM

Chairman Hyde declared passage of the resolution by the body.

CONSENT AGENDA

Commissioner Pospisil introduced the following resolution and moved for approval. Commissioner Vaughn seconded the motion. Chairman Hyde noted that Resolution 0903-05 had been pulled from the Consent Agenda.

0903-03 A RESOLUTION ACCEPTING THE BOND OF THE COUNTY EXECUTIVE FOR SUMNER COUNTY, TENNESSEE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body hereby accepts the \$50,000.00 bond for the County Executive, Anthony Holt.

0903-04 A RESOLUTION ACCEPTING THE BOND OF THE FINANCE DIRECTOR FOR SUMNER COUNTY, TENNESSEE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body hereby accepts the \$50,000.00 bond for the Finance Director, David Lawing.

0903-06 A RESOLUTION APPROPRIATING \$37,500.00 FROM THE HENDERSONVILLE LIBRARY CONTRIBUTIONS TO THE HENDERSONVILLE LIBRARY OTHER COSTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body hereby appropriates \$37,500.00 from the Hendersonville Library Contribution Fund to the Hendersonville Library Other Costs.

0903-07 A RESOLUTION ACCEPTING THE ANNUAL CONTRACT WITH U.S. ARMY CORP OF ENGINEERS FOR SECURITY CHECKS BY THE SHERIFF'S OFFICE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of March, 2009, that this body does hereby accept the annual contract between the Sumner County Sheriff's Office and the U.S. Army Corp of Engineers for security checks in the amount of \$13,600.40.

0903-08 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE SHERIFF'S OFFICE 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 16th day of March, 2009 that this body does hereby declare the items listed below as surplus:

KSC-24 Kenwood Rapid Charger	Dog Tag Scanner s/n 004987
KSC-8A Kenwood Compact Charger	Pyramid God Series Power Supply
CB Receiver s/n 23000213 45003269	Uniden Radio Charger s/n
Model R56212 Rechargeable Battery	2 KNB-12A Kenwood Batteries
TK350 Kenwood Radio s/n 70801544	KNB-11A Kenwood Battery
SAM530VPC Verizon Vehicle Charger	SCC-L308-A Dell Computer
HP 610 Digital Copier s/n MY447G115Y	
Brother Intellifax s/n U60302A4K264136	
1 KSC-25 & 1 W08-1023 Kenwood Rapid Chargers	
W08-0523 Kenwood AC Adapter s/n 892A34479721	

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

0903-09 A RESOLUTION DECLARING VARIOUS ITEMS AS SURPLUS AND AUTHORIZING DISPOSAL 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 16th day of March, 2009 that this body does hereby declare the items as surplus as shown on the attachments; and

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

PROPERTY TAX REFUNDS

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

Ruth Lillian Carter-- \$1,085.07
CASA Vieja Mexican Grill-- \$292.11
David W. Coleman etux Cherri--\$273.60
Maples Homeowners Association Inc.-- \$1,953.16
Derrick Ray etux Debbie, \$842.46
Matt Tyler etux Kimberly, 1,045.38

The electronic vote was recorded in the following manner:

APPROVE CONSENT AGENDA

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

0903-CONSENT Yes: 23 No: 0 Abs: 0 08:10 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 8:11 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Moser

Approved on _____
