
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
JULY 16, 2012**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, July 16, 2012, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 5:30 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	Jo Skidmore
Frank E. Freels	David Kimbrough	Jerry F. Stone
Billy Geminden	Trisha LeMarbre	Paige Brown Strong
Paul Goode	Joe C. Matthews	Moe Taylor
Steve Graves	Kirk Moser	Jim Vaughn
Michael Guthrie	Bob Pospisil	Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-four 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.

The Invocation was led by Jonathon England, Bush's Chapel Church of Christ.

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

APPROVAL OF AGENDA

Commissioner Akins moved, and was duly seconded by Commissioner Geminden, to adopt the agenda with the additions. Commissioner Moser requested to switch the order of Resolution 1207-06 to place it ahead of 1207-04 on the agenda under the Budget Committee report. The Commission approved the agenda as amended by unanimous voice vote of the body.

Chairman Hyde recognized Terry Lynn Weaver of the Tennessee State House of Representatives, 40th District, who spoke in regard to the guest speaker, Arthur B. Laffer, founder and chairman of Laffer Associates. County Executive Anthony Holt introduced Dr. Laffer, as chief economist in the Office of Management and Budget under U. S. Treasury Secretary George Shultz, as well as holding other distinguished positions in the federal administration. Dr. Laffer spoke about the benefits of living and operating a business without a state income tax in Tennessee. Dr. Laffer stated that all federal taxes should be eliminated and a 12 percent flat tax put in its place on value added for businesses and unadjusted gross income for individuals. Other policies he supported were regulatory reform, balanced budgets, sound money and free trade.

APPROVAL OF MINUTES

The minutes for the meeting of this body held on June 18, 2012, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Taylor 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 else wishing to speak, recognition of the public was closed.

REPORT OF THE CHAIR

Commissioner Decker read the following resolution into the record and moved for approval. Commissioner LeMarbre seconded the motion.

A RESOLUTION HONORING MS. ESTER WRIGHT

WHEREAS, after a remarkable thirty-six year career with the Sumner County School System, Ms. Ester Wright, the Adult Education supervisor has chosen to retire; and

WHEREAS, during her tenure, Ms. Wright's dedication to the noble profession of education, has positively influenced the lives of countless persons and because of her efforts numerous generations will be able to make positive contributions to our county and beyond; and

WHEREAS, Ms. Wright should be recognized for her diligent service and dedication to 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 July, 2012, that this body expresses its appreciation and gratitude for the many years of service and dedication of Ms. Wright and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Ms. Wright to Sumner County; and

BE IT FURTHER RESOLVED that this resolution is to be read and entered 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 Ms. Ester Wright.

Chairman Hyde declared the resolution honoring Ms. Wright approved by the body.

Commissioner Hughes read the following resolution into the record and moved for approval. Commissioner Baker seconded the motion.

**A RESOLUTION HONORING
MRS. YVONNE MALONE**

WHEREAS, Mrs. Yvonne Malone, who held various positions in the Sumner County School System, most recently serving as the Technical Clerk for the Adult Education Program, has elected to retire after an outstanding twenty-nine year career; and

WHEREAS, Mrs. Malone during her many years with the Sumner County School System, worked diligently to aid both student and faculty in the numerous tasks presented to her and for her efforts numerous lives were changed for the better; and

WHEREAS, Mrs. Malone should be recognized for her diligent service and dedication to the citizens 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 July, 2012, that this body expresses its appreciation and gratitude for the many years of service and dedication of Mrs. Malone and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Mrs. Malone to Sumner County; and

BE IT FURTHER RESOLVED that this resolution is to be read and entered 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 Mrs. Yvonne Malone.

Chairman Hyde declared the resolution honoring Ms. Malone approved by the body.

COMMITTEE ON COMMITTEES ELECTION 2012-2013

Chairman Hyde recognized Commissioner Stone who nominated Commissioners Stone, LeMarbre, Geminden, Taylor and Skidmore to serve on the 2012-13 Committee on Committees. Commissioner Pospisil seconded the motion. Commissioner Ring nominated Commissioner Satterfield to serve on the committee. Commissioner Kimbrough seconded the motion. The motion was duly seconded. Hearing no other nominations, Chairman Hyde declared the nominations ceased. Clerk Kemp stated that the nominees are listed in order of nomination and the commissioners were instructed to vote for up to five individuals. The Clerk called the roll as follows:

Commissioner	GEMINDEN	SKIDMORE	LEMARBRE	TAYLOR	STONE	SATTERFIELD
AKINS	X	X		X	X	X
TAYLOR	X	X	X	X	X	
GEMINDEN	X	X	X	X	X	
UTLEY	X	X	X	X	X	
GRAVES	X	X	X	X	X	
SATTERFIELD	X	X	X		X	X
F. FREELS	X	X	X	X	X	

MATTHEWS	X	X	X	X	X	
HARRIS	X	X	X		X	X
RING	X	X	X	X		X
BROWN STRONG		X	X	X	X	X
VAUGHN	X	X	X	X	X	
LEMARBRE	X	X	X		X	X
MOSER	X	X	X	X	X	
DECKER	X	X	X	X	X	
HYDE	X	X	X	X	X	
HUGHES			X			X
KIMBROUGH						X
GOODE		X	X			X
SKIDMORE	X	X	X	X	X	
P. FREELS		X	X	X	X	
STONE	X	X	X	X	X	
GUTHRIE	X	X	X	X	X	
POSPISIL	X	X	X	X	X	
TOTALS	19	22	22	18	20	9

Chairman Hyde declared Commissioners Stone, Skidmore, Taylor, Geminden and LeMarbre elected to serve as members of the Committee on Committees for 2012-2013.

Commissioner Goode announced the fourth annual Compass luncheon on Tuesday July 31. Compass is a community outreach organization. He said Cal Turner, Jr. of Dollar General Corporation will be the speaker.

CONSENT AGENDA

Commissioner Skidmore moved, seconded by Commissioner Harris, to approve the items on the Consent Agenda.

1207-07 A RESOLUTION APPROVING CONTINUATION BUDGETS EFFECTIVE JULY 1, 2012 UNTIL FINAL APPROVAL OF THE FISCAL YEAR 2012-2013 BUDGETS

BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in regular session on this the 16th day of July 2012, that this body hereby approves the continuation budgets (County General Fund, General Debt Service Fund, Drug Control Fund, Courthouse & Jail Maintenance Fund, & Highway Fund), identical to the Fiscal Year 2011-2012 Budgets; and

BE IT FURTHER RESOLVED that these continuation budgets shall be effective July 1, 2012 and continuing until such time as this body shall approve the Fiscal Year 2012-2013 Budgets; and

BE IT FURTHER RESOLVED that during this continuation budget phase, that capital items may not be purchased, unless the purchase is absolutely necessary in order to facilitate the efficient operation of the office or department (in which case the official may undertake such purchase and thereby must document the need, cost, etc and the cost(s) of the purchase(s) must not result in total expenditures in excess of one-twelfth (1/12) of the annual budget appropriations in any month for that department); and

BE IT FURTHER RESOLVED that any resolutions in conflict or contrary to this resolution shall be overturned and replaced by the terms and conditions of this resolution.

BE IT FURTHER RESOLVED that any budgeted item in the capital projects fund for 2011-2012, which were started, but not completed will continue on through 2012-2013 budget; and

BE IT FURTHER RESOLVED that the school bus purchase in the amount of \$1,230,460.00 to the Board of Education shall also be authorized.

Commissioner Skidmore moved, seconded by Commissioner Harris, to approve the items on the Consent Agenda.

1207-08 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE REGISTER OF DEEDS OFFICE AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of July, 2012, that this body hereby declares various items from the Register of Deeds Office as surplus as shown on the attachment; and

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

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	Skidmore	Y	P. Freels	Y
Guthrie	Y	Pospisil	Y	Stone	Y

1207-CONSENT Yes: 24 No: 0 Abs: 0 06:49 PM

Chairman Hyde declared the items on the Consent Agenda approved unanimously on the first and final reading.

REPORT FROM COUNTY OFFICIALS

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

CORRESPONDENCE

Clerk Kemp noted two pieces of correspondence. Stephen C. Brown, Executive Director of the Hendersonville Samaritan Association, thanked the commissioners for their contribution to his organization in memory of the late Connie Barker.

On behalf of the 2012 TGA Women's Amateur Championship at Foxland Harbor Golf & Country Club in Gallatin, Joanne Walker thanked the staff of the Emergency Services Department for their presence at the event.

Chairman Hyde introduced the following resolution:

1207-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 to be elected July 16, 2012

SHERRY A ADAMS	BRYAN LOWHORN
JONATHAN ARBUCKLE	JADE R MABERRY
PATRICIA A BISHOP	BRIAN D MANNING
JOANNA H BLACKWELL	CINDY MARSHALL
PAULETTE BURNEY	HALEY B MERIDIETH
JEFFREY W CAMPBELL	DALE ALAN MINGLEDORFF
PAMELA L COTHRON	JANE A MURRAY
ROGER COX	EMMA JANE PITT
SHERREE HALL CROWDER	GLORIA POOLE
KYLE DORRIS	DEBI RILEY
AMY ELROD	VICKI J ROACH
MELISSA FUDGE	ALEJANDRA RODRIGUEZ
ELLEN GAFFIELD	MAURICIO SANCHEZ
SANDRA GARRETT	JAMES MICHAEL SAVAGE
MELISSA GREENWOOD	PHILLIP G SIMPSON
SHARON D HICKEY	MELISSA STENZEL
DEBBIE HOBODY	TAMMY K SUDDARTH
JENNIFER I HOLDREN	JASKA TORNQUIST
BRANDON JACOBS	DALE LYNN UNDERWOOD

RHONDA D JENT
TERESA KEEN
DAVID KIMBROUGH
WANDA ELAINE KIRBY
KATHY J LIKENS

CAROL WALLACE
JOYCE F WILLIAMS
KEVIN TRACY WILLIAMS
LINDA S ZANGER

PERSONAL SURETY
JIMMIE BALLARD
HENRY BALLARD

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

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Stone	A
F. Freels	Y	Harris	Y	Ring	Y
Vaughn	Y	LeMarbre	Y	Hyde	Y
Moser	Y	Decker	Y	Matthews	Y
Hughes	Y	Goode	A		
Skidmore	Y	P. Freels	Y		
Guthrie	Y	Pospisil	Y		

1207-NOT Yes: 19 No: 0 Abs: 02 05:34 PM

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

COMMITTEE ON COMMITTEES

Commissioner Stone noted that Airport Authority appointments have been deferred until further notice.

Commissioner Stone brought forth the expiring term of Larry Hinton on the Library Board. Upon motion of Commissioner Stone, seconded by Commissioner LeMarbre, the Commission voted by unanimous voice vote to re-appoint Larry Hinton to serve a three-year term.

Chairman Stone introduced the restructuring of committees with the approval of the 2012 Finance Act. He said the policy committee would be composed of four individuals who serve by virtue of office. The members are the County Executive, County Finance Director, School Finance Director and Director of Schools.

The 2012 Finance Committee will be composed of four members elected by commissioners, Superintendent of Highways, Director of Schools and the County Executive. Commissioner Stone nominated Commissioners Frank Freels, Pospisil, Moser and Graves. Upon motion of Commissioner Stone, seconded by Commissioner Taylor, the Commission voted by unanimous voice vote to elect the four commissioners to serve on the 2012 Finance Committee.

Chairman Stone noted the following appointments for next month:

- The standing committees for 2012-13
- Civil Service Board expiring term of William Moudy, term expires August, 2012

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

Commissioner Decker stated that a motion failed in the Education Committee to increase the property tax rate 10 cents for the Schools General Purpose Fund. Education Committee changed its meeting time changed from 6:00 p.m. to 5:30 p.m.

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 SERVICES COMMITTEE

Commissioner Utley stated that the Public Services Committee would be considering waterline bids at its next meeting.

LEGISLATIVE COMMITTEE

Commissioner Pospisil introduced the following resolution and moved for approval. The second was made by Commissioner Moser.

1207-01 A RESOLUTION AUTHORIZING THE TRUSTEE TO CREATE AND OPERATE A PROGRAM TO ALLOW LOW INCOME ELDERLY TAX PAYERS TO RECEIVE CREDIT AT THE TIME TAXES ARE PAID

WHEREAS, this body, along with the State of Tennessee created and adopted a program which provides tax relief for the low income elderly property owners of Sumner County; and

WHEREAS, in the past, those eligible for this program were forced to pay the entire tax amount due and then wait several months for the processing and mailing of a refund; and

WHEREAS, this process is not only timely and costly, but can cause confusion.

THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of July, 2012, that this body does hereby authorize the Sumner County Trustee to develop and implement a policy and procedure to allow low income elderly tax payers who receive a state and local tax refund to be credited with the amount at the time of tax payment instead of having to pay the full tax sum due and wait for a refund; and

BE IT FURTHER RESOLVED that this program shall begin as soon as is practical based upon the program the Trustee can create and properly operate.

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	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y	Pospisil	Y

1207-01 Yes: 24 No: 0 Abs: 0 06:55 PM

Chairman Hyde declared the resolution approved by the body.

Commissioner Pospisil introduced the following resolution and moved for approval. The second was made by Commissioner Stone.

**1207- 02 RESOLUTION BY SUMNER COUNTY, TENNESSEE
TO ALLOW THE
SUMNER COUNTY TRUSTEE
TO ROUND PROPERTY TAXES, INTERESTS AND PENALTIES**

WHEREAS, Tennessee Code annotated, Section 67-5-102(a)(1) authorizes counties to levy an ad valorem tax upon all property subject to such tax; and

WHEREAS, Tennessee Code annotated, Section 67-5-102(2) directs that the amount of such tax shall be fixed by the county legislative body of each county; and

WHEREAS, the rounding of ad valorem property tax amounts to the nearest dollar would simplify and expedite the payment and collection of property taxes in the county; and

WHEREAS, the rounding of property taxes, interests and penalties will not significantly impact the revenues of Sumner County, Tennessee; and

WHEREAS, the rounding of property taxes, interests and penalties will be a convenience to county taxpayers; and

WHEREAS, the Sumner County Legislative Body desires to authorize the office of the Sumner County Trustee to round property taxes, interests and penalties to the nearest dollar.

NOW THEREFORE BE IT RESOLVED, the Sumner County Commission Board of County Commissioners meeting in regular session on the 16th day of July, 2012 that the office of the Sumner County Trustee is hereby authorized to round individual ad valorem property tax amounts and delinquent interests and penalties to the nearest dollar. Such rounding shall be applied uniformly to all property tax bills in the county for real and personal property, whether such property is locally assessed or centrally assessed and shall be accomplished by rounding amounts in \$0.01 to \$0.49 down to the nearest dollar and amounts ending in \$0.50 to \$0.99 up to nearest dollar. Such rounding shall apply to both the tax amount and any interest and penalty added to delinquent taxes.

THIS RESOLUTION SHALL be effective for the 2012 tax year and subsequent tax years, the public welfare requiring it.

The electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	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	Guthrie	Y
Pospisil	Y				

1207-02 Yes: 22 No: 0 Abs: 0 06:56 PM

Chairman Hyde declared the resolution approved by the body.

Commissioner Pospisil introduced the following resolution and moved for approval. The second was made by Commissioner Vaughn.

1207-03 A RESOLUTION DECLINING TO RAISE THE LOCAL OPTION SALES TAX PURSUANT TO THE PORTLAND ORDINANCE REQUEST

WHEREAS, the city of Portland has passed an ordinance seeking to raise the sales and use tax in the city of Portland from 2.25% to 2.75% and have requested a referendum to approve the ordinance; and

WHEREAS, by state statute, if a city passes an ordinance to increase local option sales tax above the county rate, the city ordinance must be suspended for forty days in order to allow the county legislative body to consider a similar increase which if passed would suspend the city ordinance; and

WHEREAS, this body, having been properly notified of the actions of the city of Portland must act first to express its desire to consider this increase for Sumner County.

THEREFORE BE IT RESOLVED, by the Sumner County Commissioners meeting in regular session on this the 16th day of July, 2012 that this body declines to seek a county wide increase of the local option sales and use tax; and

BE IT FURTHER RESOLVED, that the Law Director is to provide a copy of this resolution to the city of Portland and any other appropriate authorities.

The electronic vote 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	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	N	Hyde	Y
Hughes	Y	Kimbrough	N	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	Y
Guthrie	Y	Pospisil	Y		

1207-03 Yes: 21 No: 2 Abs: 0 06:57 PM

Chairman Hyde declared the resolution approved by the body.

BUDGET COMMITTEE

Commissioner Moser introduced the following resolution and moved for approval. The second was made by Commissioner Vaughn.

**1207-06 A RESOLUTION FIXING THE TAX LEVY
IN SUMNER COUNTY, TENNESSEE FOR THE FISCAL YEAR
BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of July 2012, that the property tax rate for Sumner County, Tennessee for the fiscal year beginning July 1, 2012 and ending June 30, 2013 shall be \$2.0208 on each \$100 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies; and

Fund	Tax Rate	Percentage
General	\$ 0.4513	22.333%
General Debt Service	0.1566	7.749%
Highway/Public Works	0.0168	0.831%
General Capital Projects	0.1830	9.056%
General Purpose School	1.2131	60.031%
Total	<u>\$ 2.0208</u>	<u>100.000%</u>

BE IT FURTHER RESOLVED that the County Trustee shall reflect the property tax rate upon receipts used in collecting property taxes; and

BE IT FURTHER RESOLVED that all resolutions of the County Board of Commissioners of Sumner County, Tennessee which are in conflict with this resolution are hereby repealed; and

BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage, and its provisions shall be in force from and after July 1, 2012, the public welfare requiring it.

Commissioner Moser noted that the allocation in the different funds had been changed from the previous year. He stated that two cents had been taken from the Debt Service Fund and applied to the County General Fund (one cent) and the School General Purpose Fund (one cent).

He said the Budget Committee sent the Board of Education budget back with a requested that the budget be brought within the tax allocation.

Commissioner Decker commended the Budget Committee for their work on the budget. He then moved to increase the property tax rate, allocating an additional 10 cents for schools and four cents for the County General Fund. The extra taxes would generate approximately \$4 million for schools.

After discussion, Commissioner Pospisil moved, seconded by Commissioner Frank Freels, to end debate on the tax rate.

The electronic vote was recorded in the following manner:

END TAX RATE DEBATE

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

QUESTION Yes: 6 No: 17 Abs: 0 07:33 PM

Chairman Hyde declared the motion to end debate failed to pass.

Commissioner Goode moved, seconded by Commissioner Ring, to defer the vote on the tax rate for one month in order to hear from the school system.

The electronic vote was recorded in the following manner:

DEFER TAX RATE

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

DEFER Yes: 9 No: 15 Abs: 0 07:43 PM

Chairman Hyde declared the motion to defer the tax rate failed to pass.

The electronic vote on Commissioner Decker's motion was recorded in the following manner:

.10 SCHOOLS AND .04 GENERAL

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

AMEND1 Yes: 6 No: 17 Abs: 1 07:44 PM

Chairman Hyde declared the motion to amend the tax rate failed to pass.

Commissioner Hughes moved, seconded by Commissioner Decker, to re-allocate the property tax to the schools system by five cents. The decrease would be from Capital Projects Fund.

The electronic vote was recorded in the following manner:

.05 FROM CAPITAL PROJECTS TO SCHOOLS

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

AMEND2 Yes: 7 No: 17 Abs: 0 07:48 PM

Chairman Hyde declared the motion to amend the tax rate failed to pass.

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

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

1207-06 Yes: 17 No: 7 Abs: 0 07:49 PM

Chairman Hyde declared the tax rate resolution passed by the necessary majority vote.

Commissioner Moser introduced the following resolution and moved to group and approve Resolution 1207-05 and 1207-04. The second was made by Commissioner Vaughn.

**1207-05 A RESOLUTION MAKING APPROPRIATIONS FOR THE
VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND
AGENCIES OF SUMNER COUNTY, TENNESSEE FOR THE FISCAL YEAR
BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013**

BE IT RESOLVED by the Board of County Commissioners of Sumner County, Tennessee, assembled in regular session on the 16th day of July 2012 that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Sumner County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the fiscal year beginning July 1, 2012 and ending June 30, 2013 according to the following schedule.

General Fund

General Government

County Commission	\$ 291,373
Board of Equalization	7,500
Other Boards and Committees	9,000
County Executive	278,744
County Attorney	391,110
Election Commission	780,988
Register of Deeds	724,285
Building (Construction & Development)	903,228
County Buildings	1,507,751
Archives	66,901

Finance

Finance Department	752,916
Property Assessor	689,138
Reappraisal Program	637,585
County Trustee	529,170
County Clerk	1,443,573
Data Processing	130,501
Other Finance	203,093

Administration of Justice

Circuit Court	1,627,846
General Sessions Judge I	289,798
Drug Court	206,716
Chancery Court	656,359
Juvenile Court	515,147
District Attorney General	3,600
Judicial Commissioners	326,262
Other Administration of Justice	220,757
Probation Services (CASP)	385,257

Public Safety	
Sheriff's Office	8,486,240
Sexual Offender Registry	19,000
Jail	8,201,871
Juvenile Services	558,815
Fire Prevention and Protection	2,000
Rural Fire Protections	168,000
Emergency Management Agency	434,158
Public Health & Welfare	
Local Health Center	1,426,318
Emergency Medical Services	8,232,322
Appropriation to State	197,655
General Welfare Assistance	1,000
Child Welfare Assistance	1,000
Social, Cultural, and Recreational	
Senior Citizens Assistance	286,500
Libraries	1,709,454
Other Social, Cultural, and Recreational	125,109
Agriculture and Natural Resources	
Agricultural Extension Service	410,601
Soil Conservation	52,693
Other General Government	
Tourism	350,000
Industrial Development	40,000
Veteran's Services	59,347
Other County Expenses	1,323,273
Contributions to Other Agencies	252,171
Employee Benefits	160,500
Miscellaneous	129,968
Capital Projects	
Public Health & Welfare	470,000
Social, Cultural, and Recreational	85,436
<i>Total General Fund</i>	<u>\$ 46,762,029</u>

Courthouse and Jail Maintenance

General Government	\$ 624,870
<i>Total Courthouse and Jail Maintenance Fund</i>	<u><u>\$ 624,870</u></u>

Drug Control Fund

Drug Enforcement	\$ 140,000
<i>Total Drug Control Fund</i>	<u><u>\$ 140,000</u></u>

General Debt Service Fund

General Government - Principal	\$ 123,363
Education - Principal	8,216,637
General Government - Interest	127,258
Education - Interest	5,129,629
General Government - Other	475,000
Education - Other	4,500
<i>Total General Debt Service Fund</i>	<u><u>\$ 14,076,387</u></u>

Capital Projects Fund

General Administration Projects	\$ 200,000
Public Safety Projects	445,625
Public Health and Welfare Projects	217,795
Social, Cultural, and Recreational Projects	1,663,306
Other General Government Projects	551,698
Educational Capital Projects	2,060,202
<i>Total Capital Projects Fund</i>	<u><u>\$ 5,138,626</u></u>

Highway/Public Works Fund

Administration	\$ 190,763
Highway and Bridge Maintenance	3,012,812
Operation and Maintenance of Equipment	1,249,201
Quarry Operations	26,950
Litter Collections	79,106
Other Charges	251,485
Employee Benefits	904,313
Capital Outlay	502,500
<i>Total Highway/Public Works Fund</i>	<u><u>\$ 6,217,130</u></u>

BE IT FURTHER RESOLVED, by Resolution Number 0206-04, the Sumner County Board of County Commissioners, pursuant to Section 13, subsection (e) (1) of Private Acts 2002, Chapter Number 113, that if the need shall arise, the Budget Committee may, with the approval of any official, head of any department or division which may be affected, may transfer any amount within any major appropriation category. Also, the approval of the County Board of Commissioners must be obtained as required by law for transfers between major appropriation categories within the same fund.

Aforesaid authorization shall clearly state the reasons for the transfer, but this provision shall in no case whatsoever be construed as authorizing transfers from one fund to another but shall apply solely to transfers within a certain fund.

BE IT FURTHER RESOLVED that any appropriations made by this resolution, which cover the same purpose for which a specific appropriation is

made by statute, are made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the fiscal year ending June 30, 2012. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

BE IT FURTHER RESOLVED that the detailed "Sumner County Government Annual Budget for the Fiscal Year Ended June 30, 2013" is adopted by reference for line-item detail.

BE IT FURTHER RESOLVED that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the fiscal year in which the expenditure is to be made, to meet such additional appropriations.

BE IT FURTHER RESOLVED that there is hereby appropriated for State approved projects such amount or amounts as may from time-to-time be approved by contract with the State of Tennessee Department of Transportation.

BE IT FURTHER REOLVED that the County Executive and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the fiscal year 2012-2013 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall only be used to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Executive and countersigned by the County Clerk and shall mature and be paid in full without renewal no later than June 30, 2013.

BE IT FURTHER RESOLVED that the delinquent county property taxes for the year 2011 and prior years and the interest and penalty thereon collected during the year ending June 30, 2013 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2011. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

BE IT FURTHER RESOLVED that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and be of no further effect at the end of the fiscal year at June 30, 2013.

BE IT FURTHER RESOLVED that any resolution or part of a resolution which has been passed by the Board of County Commissioners that is in conflict with any provision in this resolution is hereby repealed.

BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2012. This resolution shall be spread upon the minutes of the Board of County Commissioners.

PASSED THIS 16th DAY OF JULY 2012

County Executive

County Clerk

1207-04 A RESOLUTION MAKING APPROPRIATIONS TO NON-PROFIT CHARITABLE ORGANIZATIONS OF SUMNER COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013

WHEREAS, Section 5-9-109, of the Tennessee Code Annotated, authorizes the County Legislative Body to make appropriations to non-profit charitable organizations; and

WHEREAS, the Sumner County Legislative Body recognizes that the various non-profit charitable organizations located in Sumner County are in need of funds to carry on their non-profit charitable work; and

WHEREAS, it is the expressed interest of the County Commission of Sumner County in providing these funds to non-profit charitable organizations to be fully in compliance with the Rules of the Comptroller of the Treasury, with Section 5-9-109 of the Tennessee Code Annotated, and with any and all other laws and prior resolutions of this body which may apply to county appropriations to non-profit organizations;

THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on the 16th day of July 2012 that the following be appropriated.

Highland Fire Department 1	14,000
Highland Fire Department 2	14,000
Number One Fire Department	14,000
Oak Grove/Mitchellville Fire Department 1	14,000
Oak Grove/Mitchellville Fire Department 2	14,000
Shackle Island Fire Department	14,000
Southeast Fire Department-Castalian Springs	14,000
Southeast Fire Department-Bethpage	14,000
Westmoreland Volunteer Fire Department	14,000
White House Volunteer Fire Department	14,000

Ashley's Place	5,000
Crisis Pregnancy Center	2,500
HomeSafe	2,500
Mid-Cumberland HRA	17,671
Regional Transportation Authority	14,500
TN Rehabilitation Center	141,175
Salvus Center	5,000
TN Small Business Development Center	5,000
Total Non-Profit Appropriations	<u>\$ 799,846</u>

BE IT FURTHER RESOLVED that the appropriations are made subject to the following conditions:

- 1) The non-profit charitable organizations to which funds are appropriated shall file, with the County Clerk and the disbursing official, a copy of an annual report of its business affairs and transactions and the proposed use of the County's funds in accordance with rules promulgated by the Comptroller of the Treasury. Such annual report shall be prepared and certified by the Chief Financial Officer of such non-profit organization in accordance with Section 5-9-109(c) of the Tennessee Code Annotated.
- 2) Said funds must only be used by the named non-profit charitable organization in furtherance of their non-profit charitable purposes benefiting the general welfare of the residents of the County.
- 3) All amounts paid to the tourism board are limited to the lesser of the budgeted amount or the hotel/motel tax collections less the applicable Trustee's commission.

This Resolution shall become effective upon passage, the public welfare requiring it.

Commissioner Kimbrough moved, seconded by Commissioner Ring, to refer the County General Fund budget to the Budget Committee to get the County General expenses in line with revenues, in light of the funds taken from County General Reserve Fund to balance it.

The electronic vote was recorded in the following manner:

REFER BUDGET

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

REFER Yes: 8 No: 16 Abs: 0 07:55 PM

Chairman Hyde declared the motion to refer the budget failed to pass.

Commissioner Guthrie declared an indirect conflict of interest but stated that he would vote his conscience.

Commissioner Goode moved, seconded by Commissioner Kimbrough, to increase funding for the Hendersonville Senior Citizens Center by \$1,000.00.

The electronic vote was recorded in the following manner:

INCREASE HENDERSONVILLE SR. CENTER \$1,000

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

AMEND3 Yes: 6 No: 15 Abs: 1 07:59 PM

Chairman Hyde declared the motion to amend the budget failed to pass.

Commissioner Matthews moved, seconded by Commissioner Moser, to sever the Sheriff's Office budget but the rest of the budget. The motion carried by unanimous voice vote of the body.

Commissioner Moser declared an indirect conflict of interest as a board member of the Shackle Island Fire Department and stated that he would vote his conscience.

The electronic vote on the motion to approve the budget and non-profit resolution was recorded in the following manner:

APPROVE BUDGET AND NON-PROFIT LESS SHERIFF

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

1207-05 Yes: 18 No: 6 Abs: 0 08:06 PM

Chairman Hyde declared the motion to approve the budgets passed.

Commissioner Taylor moved, seconded by Commissioner Graves, to approve the Sheriff's Office budget.

The electronic vote was recorded in the following manner:

APPROVE SHERIFF BUDGET

Akins	Y	Taylor	Y	Geminden	Y
Utle	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	A	Harris	Y
Ring	Y	Brown Strong	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y

Hyde	Y	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y	Pospisil	Y

SHERIFF Yes: 20 No: 3 Abs: 1 08:07 PM

Chairman Hyde declared the motion to approve the Sheriff's budget passed by the necessary vote.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 8:00 p.m. upon motion by Commissioner Frank Freels, seconded by Commissioner LeMarbre.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____
