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**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
JULY 18, 2011**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, July 18, 2011, 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	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 Pastor J. A. Williams, Sr. of the Jesus is Lord Overcomers Church.

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

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**APPROVAL OF AGENDA**

Commissioner Pospisil moved, and seconded by Commissioner Skidmore, to adopt the agendas, with the following addition: A resolution declaring surplus property from the Animal Control Facility added under the General Operations Committee report. The Commission approved the agenda as amended by unanimous voice vote of the body.

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**APPROVAL OF MINUTES**

The minutes for the meeting of this body held on June 20, 2011, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Mathews made the motion, seconded by Commissioner LeMarbre. Commissioners Taylor, Pospisil and Stone abstained from the vote.

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## REPORT OF THE CHAIR

### COMMITTEE ON COMMITTEES ELECTION

Commissioner Stone nominated Commissioner Geminden, LeMarbre, Taylor, Skidmore and Stone to serve on the Committee on Committees, referred to as Slate 1.

Commissioner Decker nominated Commissioners LeMarbre, Skidmore, Guthrie, Ring and Matthews, referred to as Slate 2.

Clerk Kemp explained that for voting purposes, Slate 1 would be the green button and Slate 2, the white button.

The electronic vote was recorded in the following manner:

<b>SLATE 1 – GREEN</b>		<b>SLATE 2 – WHITE</b>		<b>BALLOT ONE</b>	
Akins	A	Taylor	Y	Geminden	Y
Utle	Y	Graves	Y	Satterfield	A
F. Freels	Y	Matthews	A	Ring	A
Brown Strong	A	Vaughn	Y	LeMarbre	A
Moser	Y	Decker	A	Hyde	Y
Hughes	A	Kimbrough	A	Goode	A
Skidmore	Y	P. Freels	Y	Stone	Y
Guthrie	A	Pospisil	Y		

**BALLOT1            Yes: 12            No: 0            Abs: 11            07:07 PM**

Chairman Hyde declared the vote did not garner the necessary majority to elect a Committee on Committees.

Commissioner Satterfield moved, seconded by Commissioner Ring, to take a revote. The motion carried unanimously. Upon request from commissioners, Clerk Kemp changed Slate 2 to the red button.

The electronic vote was recorded in the following manner:

<b>SLATE 1 – GREEN</b>		<b>SLATE 2 – RED</b>		<b>BALLOT TWO</b>	
Akins	N	Taylor	Y	Geminden	Y
Utle	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	N	Harris	N
Ring	N	Brown Strong	N	Vaughn	Y
LeMarbre	N	Moser	Y	Decker	N
Hyde	Y	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	N	Pospisil	Y

**BALLOT2            Yes: 12            No: 12            Abs: 0            07:09 PM**

Chairman Hyde declared the vote did not achieve the necessary majority for an election.

Commissioner Goode moved, seconded by Commissioner Satterfield, to take a revote. The motion carried unanimously.

The electronic vote was recorded in the following manner:

<b>SLATE 1 – GREEN</b>		<b>SLATE 2 – RED</b>		<b>BALLOT THREE</b>	
Akins	N	Taylor	Y	Geminden	Y
Utley	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	N	Harris	Y
Ring	N	Brown Strong	N	Vaughn	Y
LeMarbre	N	Moser	Y	Decker	N
Hyde	Y	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	N	Pospisil	Y

**BALLOT3            Yes: 13            No: 11            Abs: 0            07:10 PM**

Chairman Hyde declared the vote achieved the necessary majority for an election of Slate 1, consisting of Commissioners Stone, Geminden, Skidmore, LeMarbre and Taylor.

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Chairman Hyde noted the Veteran Services Report in the Commission packet.

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### **CONSENT AGENDA**

Commissioner Frank E. Freels moved, seconded by Commissioner Pospisil, to approve the Consent Agenda items.

#### **1107-04 A RESOLUTION AUTHORIZING AN EXEMPTION FROM THE HIRING FREEZE IN ORDER FOR THE HEALTH DEPARTMENT TO HIRE A FULL TIME AND PART TIME EMPLOYEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners, meeting in regular session on this the 18<sup>th</sup> day of July 2011, that this body hereby authorizes an exemption from the hiring freeze in order to allow the Sumner County Health Department to change from contracted cleaning services to hiring of a full time and part time maintenance employee.

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#### **1107-05 A RESOLUTION TO AUTHORIZE THE APPLICATION AND ACCEPTANCE OF THE JAG (JUSTICE ASSISTANCE GRANT) AND THE BULLET PROOF VEST GRANT FOR THE OFFICE OF THE SHERIFF**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 18<sup>th</sup> day of July, 2011, that this body authorizes the office of the Sheriff to apply and accept the following grants as shown on the attachment herewith:

- Bullet Proof Vest Grant - up to \$3,000.00
  - JAG (Justice Assistance Grant) – up to \$12,677.00
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#### **1107-06 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE TRUSTEE'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 18<sup>th</sup> day of July, 2011 that this body does hereby declare various items from the Trustee's Office as surplus as shown on the attachment herewith; and

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

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**1107-07 A RESOLUTION TO WAIVE PAYMENT OF ADEQUATE FACILITIES TAX FOR TAX PAYERS FOR RECONSTRUCTION OF HOMES OF PROPERTY DEVASTATED BY THE MAY 2010 FLOODS AFTER THE ORIGINAL PROPERTY IS DEEMED NOT BUILDABLE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 18<sup>th</sup> day of July, 2011, that this body does hereby waives repayment of the adequate facilities tax by a citizen seeking to rebuild a home in a new location after the May 2010 floods where the original property has been deemed not buildable.

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**1107-08 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 18<sup>th</sup> day of July, 2011, that this body hereby approves the bond of the Sumner County Official listed below:

Constable for District 9 - Mark Nodini

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Chairman Hyde declared the Consent Agenda items approved by the body upon unanimous voice vote.

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**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.

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**REPORT FROM COUNTY OFFICIALS**

The 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.

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## COMMITTEE ON COMMITTEES

Commissioner Stone announced deferral of the Airport Authority appointments. He announced that the 2011-12 Committee structure would be voted upon next month.

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### HIGHWAY COMMISSION

There was no report from the Highway Commission.

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### EDUCATION COMMITTEE

Commissioner Decker yielded the floor to Commission Goode who reported on the Compass luncheon to be held August 25.

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### NOTARIES PUBLIC ELECTION

C MICHELE ALLEN	LUANNE M KEMPER
SUZIE BLANKENSHIP	LYNN KENNEDY
KIMBERLY S BOYD	LINDA M KNOWLES
JUDY GREEN BRENNAN	T L LITTLE
DEBORAH S BURNETT	ELIZABETH H LONGMIRE
JOSEPH S. BURRIS	K J LOSH
JOLEE COLLINS	JAN MACKEY
CARL E COOPER	HANNAH G MARTIN
MATT DECKARD	BARBARA BOONE MCGINNIS
ALLISON W EGAN	KEVIN R O'HARA
KELLY FAULTON	MICHELE E OWENS
LESLEY M FISHER	JASON A PITT
JAMIE N. FRANKS	KATHY SHAWN RICHARDS
BARRY FRYE	BECKY E ROY
JAMIE L GRUBBS	BRENDA SHETTERS
THOMAS HARTSINCK	LYDIA THOMPSON
MAGAN E HUMPHRIES-DIXON	JENNIFER J THOMPSON
ED L INMAN	JANNA VON KESSEL
JENNIFER L JOHNSON	ANDREA E WINSTEAD
CHRISTINA M KEITH	

Chairman Hyde introduced the following resolution:

1107-NOT

#### A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARIES 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.**

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Upon motion of Commissioner Graves, seconded by Commissioner Matthews, voting 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	Skidmore	Y	P. Freels	Y
Stone	A	Guthrie	Y	Pospisil	Y

**1107-NOTARY            Yes: 22            No: 0            Abs: 2            07:16 PM**

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

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#### **GENERAL OPERATIONS COMMITTEE**

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

**1107-09 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE OLD ANIMAL CONTROL FACILITY 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 18<sup>th</sup> day of July, 2011 that this body does hereby declare various items from the Old Animal Control Facility as surplus as shown on the attachment herewith; and

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

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Chairman Hyde declared the resolution approved by the body upon unanimous vote.

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#### **EMERGENCY SERVICES COMMITTEE**

There was no report from the Emergency Services Committee.

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#### **PUBLIC SERVICES COMMITTEE**

Commissioner Goode reported that the Committee voted to halt action on membership vacancies on the Sumner County Airport Authority until the legal process is complete.

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### LEGISLATIVE COMMITTEE

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

#### **1107-01 A RESOLUTION AMENDING RESOLUTION 0408-05 TO REMOVE THE POSITION OF THE COUNTY COMMISSION CHAIRMAN AS MEMBER OF TOURISM BOARD**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 18<sup>th</sup> day of July, 2011, that this body does hereby amend resolution 0408-05 to remove the position of County Commission Chairman as a member of the Tourism Board and replace the position with another member of the County Commission.

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Commissioner LeMarbre moved, seconded by Commissioner Vaughn, to amend the resolution to change the Board of Tourism member from the commission chairman to a commissioner.

The electronic vote was recorded in the following manner:

#### **AMEND 1107-01 TO REPLACE CHAIR WITH COMMISSIONER**

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

**1107-01A            Yes: 24            No: 0            Abs: 0            07:20 PM**

Chairman Hyde declared passage of the amendment. The amendment was incorporated into above-stated resolution.

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

#### **RESOLUTION 1107-01 AS AMENDED**

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

**1107-01            Yes: 24            No: 0            Abs: 0            07:20 PM**

Chairman Hyde declared passage of the main motion as amended.

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

**1107-02 A RESOLUTION ADOPTING THE HOME PROGRAM POLICIES AND PROCEDURES FOR SUMNER COUNTY, TENNESSEE**

**WHEREAS**, Sumner County wishes to participate in and accept the Tennessee Housing Development Agency Home Grant for the opportunity to have a home rehabilitation funding up to the amount of \$500,000 for citizens of our county; and

**WHEREAS**, the Home Program will make financial and/or technical assistance for the rehabilitation of owner-occupied homes in Sumner County; and

**WHEREAS**, it is the desire of this body to adopt the Home Program Policies and Procedures to insure applicant eligibility criteria in order to meet the qualifications for the rehabilitation grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 18<sup>th</sup> day of July, 2011, that the attached Home Program Policies and Procedures for Sumner County, Tennessee are hereby adopted.

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The electronic vote was recorded in the following manner:

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

**1107-02            Yes: 23            No: 0            Abs: 0            07:21 PM**

Chairman Hyde declared passage of the motion.

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

**1107-03 A RESOLUTION DIRECTING THE OFFICE OF THE LAW DIRECTOR TO FILE A MOTION IN THE HALO PROPERTY LITIGATION TO ADDRESS OPEN RECORD CONSIDERATONS AS IT RELATES TO SUMNER COUNTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 18<sup>th</sup> day of July, 2011, that this body does hereby direct the Office of the Law Director to file a motion in the Halo Property Litigation to address open record considerations as it relates to Sumner County.

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Upon discussion, the electronic vote was recorded in the following manner:

Akins	Y	Taylor	Y	Geminden	Y
Utle	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	Y	Harris	Y



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

**1107-03          Yes: 18          No: 5          Abs: 1          07:26 PM**

Chairman Hyde declared passage of the resolution.

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### **BUDGET COMMITTEE**

Commissioner Moser noted that the Budget Committee continues to meet in special session regarding the budget.

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### **RULES AND PROCEDURES COMMITTEE**

There was no report from the Rules and Procedures Committee.

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### **ADJOURNMENT**

Chairman Hyde declared the Commission meeting adjourned at 7:30 p.m.

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BILL KEMP, CLERK

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MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on \_\_\_\_\_

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