

---

**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
JANUARY 28, 2008**

---

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, January 28, 2008, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the County Executive R.J. "Hank" Thompson. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

Mike Akins	Steve Graves	Trisha LeMarbre
Sandra Ridings Boyd	Ragan Hall	Joe Matthews
David Cummings	Bob Hendricks	Kirk Moser
Paul Decker	Billy S. Hobbs	Bob Pospisil
James A. England	Chris Hughes	David Satterfield
Shawn Fennell	Anthony Holt	Jo Skidmore
Paul D. Freels	Merrol N. Hyde	Jerry F. Stone
Paul Goode	David Kimbrough	Jim Vaughn

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman R.J. "Hank" Thompson 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 Retired Bishop William Morris, Interim Pastor at the Bethpage United Methodist Church.

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

---

Without objection, Chairman Thompson moved the resolution honoring the Hendersonville High School Chorus to the beginning of the agenda. The Chorus sang the "Star Spangled Banner", and then Commissioner Decker read the following resolution into the record:

**A RESOLUTION HONORING THE  
HENDERSONVILLE HIGH SCHOOL CHORUS**

**WHEREAS**, the Hendersonville High School Chorus, under the direction of Linda Towe, recently received recognition by the Middle Tennessee Vocal Association whose main objectives is to foster and promote the study and performance of the finest vocal choral music; and

**WHEREAS**, twenty-one chorus members named below, were chosen for one of the following groups, Freshman Honors Chorus, Mid-State Chorus, or Mid-State and All-State Chorus:

Matt Robinson, Wade Evans, David Saunders, Peyton Branch, Matt Cooksey, Kamen Sims, Chris Arquello, Josh Mirenda, Blake Garner, Carmen Justice, Taylor

Jensen, Jessica Harold, Tamara Riley, Maddie Kizer, Katie Bradley, Lindsey Steinhauer, Katie Stewart, Marissa Clark, Anna Vaughan, Lindsey Bates and Amie Karvonen; and

**WHEREAS**, the Hendersonville High School selected chorus members have practiced hard, strived for perfection and for their outstanding efforts have brought honor not only to themselves, but to their school and this County.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby congratulate Mrs. Linda Towe and the selected members of the Hendersonville High School Chorus; and

**BE IT FURTHER RESOLVED** that this resolution is to be spread on the minutes of this body and a copy of this resolution is to be provided to the Hendersonville High School Chorus.

---

Upon motion of Commissioner Decker, seconded by Commissioner Hyde, the Commission approved the Certificate of Recognition honoring the Hendersonville High School Chorus.

---

#### **APPROVAL OF AGENDA**

Commissioner Skidmore moved, seconded by Commissioner Matthews, to move the Report of Chair above Recognition of the Public. Commissioner Vaughn moved, seconded by Commissioner Fennell, to request the Emergency Services Committee agenda as the report before the Budget Committee Report and to adopt the agenda with the additions and changes. Commissioner Moser noted a correction on the Consent Agenda, Resolution 0801-10, with the appropriation figure appropriately reflected as \$228,694.00. 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 December 17, 2007, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Skidmore made the motion, seconded by Commissioner Goode. Commissioner Moser abstained.

---

#### **REPORT OF THE CHAIR**

Commissioner Pospisil read the following resolution into the record:

#### **A RESOLUTION HONORING MR. JOE WILLIAMS**

**WHEREAS**, Mr. Joe Williams has served as the Fire Chief of the White House Community Volunteer Fire Department for the past twenty years during which time the service has grown to a well respected organization that answers 700-800 calls per year; and

**WHEREAS**, during his tenure, Mr. Williams has given freely of his time, put his life on the line and dedicated himself to caring for the lives and property of others; and

**WHEREAS**, Mr. Williams has demonstrated civic-mindedness and his commitment to serve the citizens of Sumner County has been instrumental in bringing progress and advancement to this county and by the giving of his time and talents, has contributed distinctive guidance and direction to the citizens and leadership of Sumner County.



BURNS, LINDA A  
 CAMPBELL, CATHEY  
 CATRON, DEBRA R  
 CORNWELL, MILDRED EARLINE  
 DAVENPORT, DANNY MICHAEL  
 DEVAULT, LINDA BELLE  
 DILLARD, GLORIA JUNE  
 DUNN, SONJA KAE  
 ENDSLEY, CHRISTE RUSSELL  
 FERGUSON, KARON TEASLEY  
 FREEDLE, JOSEPH BRACKIN  
 GANT, WANDA JEWEL  
 HALE, TERESA STAMPS  
 HAWKINS, CELESTINA  
 HOLLAND, KENYA JONES  
 JUSTICE, JO ANNE  
 KING, EVELYN  
 LONG, DOUGLAS JAMES  
 MARTINEZ, ELIA CAVAZOS  
 MATTHEWS, LENA KATE  
 MORRISON, SHEILA SAYLORS

MUELLER, RANDI LEE  
 MUMFORD, ROLAND FERNANDO  
 NEAL, VICKI HALL  
 NEELY, NANCY PURYEAR  
 OWENS, KAREN S  
 PELADEAU, SHARLENE MARGARET  
 RAMBO, JOYCE ANN  
 REYNOLDS, SANDRA M  
 RIGGINS, TARA LEIGH  
 RODGERS, ALAN WILSON  
 SIMONS, NADINE THERESA  
 SLAYTON, ANN SHAW  
 TIMMONS, TINA MARIE  
 TIPTON, SANDRA STURGIS  
 TRULL, VICKIE SUTTON  
 WARNER, LENA HINES  
 WATERS, PATRICIA ANN  
 WEST, PATRICIA DORIS  
 WEST, JUDY TURNER  
 WILSON, DANETTE LAN

Commissioner Matthews stated that he had a direct conflict and would not be voting. Upon motion of Commissioner Skidmore, seconded by Commissioner Vaughn, voting was recorded in the following manner:

Akins	Y	Fennell	Y	Hall	Y
Graves	Y	Satterfield	Y	Holt	Y
Matthews	A	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	Cummings	Y

**0801-NOT                      Yes: 21                      No: 0                      Abs: 2                      07:20 PM**

Commissioner Cummings requested his vote be cast as yes, as reflected above. Chairman Thompson declared the election of Notaries Public by the body.

### REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Cummings, seconded by Commissioner Pospisil, 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.

**COMMITTEE ON COMMITTEES**

Commissioner LeMarbre announced the County Executive’s recommended replacement of Leon Strong on the Sumner County Planning Commission to be Dan Downs. She so moved and was seconded by Commissioner Holt. The motion was approved unanimously.

Commissioner LeMarbre announced the expiring terms on the Agricultural Extension Service Committee: David Cummings and Anthony Holt, Commissioners; Mike Bradley, Farmer; and Vivian Reece, Farm Woman. Extension Director Clint Parker requested the re-appointment of David Cummings and Vivian Reece; and the appointment of Shawn Fennell and Charlie Carr, a farmer. All agreed to serve. Commissioner LeMarbre so moved, seconded by Commissioner Holt, and the motion passed unanimously by voice vote of the body.

Commissioner LeMarbre announced the expiring term of James A. England on the County Records Commission. Upon motion of Commissioner LeMarbre, seconded by Commissioner Matthews, the Commission voted unanimously to approve the re-appointment of Mr. England to serve another term.

Commissioner LeMarbre reported there were no appointments for the February meeting at this time.

---

**HIGHWAY COMMISSION**

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

**0801-01 A RESOLUTION APPROVING THE ATTACHED AS THE OFFICIAL ROAD LIST OF SUMNER COUNTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this 28<sup>th</sup> day of January, 2008 that this body upon recommendation of the Road Superintendent hereby adopts and approves Exhibit A hereto as the official Road List of Sumner County.

**BE IT FURTHER RESOLVED** that the County Clerk is directed to enter the attached official Road List upon the books maintained for such purposes.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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

**0801-01 Yes: 24 No: 0 Abs: 0 07:24 PM**

Chairman Thompson declared Resolution 0801-01 approved by the body.

---

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

**0801-02 A RESOLUTION ACCEPTING THE FOLLOWING ROADS AS A CLASS 1**

**COUNTY ROADS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby accepts the following roads as Class 1 County Roads (attached herewith).

- Weiss Road, being .20 miles in length beginning at a dead end off of Clearview Road and ending at a dead end and having fifty feet (50') right-of-way and twenty-two feet (22') road bed width; and
- Roland Court, being .10 miles in length beginning at a dead end off of Weiss Road and ending at a dead end and having fifty feet (50') right-of-way and twenty-two feet (22') road bed width; and
- Angus Court, being .10 miles in length beginning at a dead end off of Weiss Road and ending at a dead end and having fifty feet (50') right-of-way and twenty-two feet (22') road bed width; and
- Phillip Drive, being .23 miles in length beginning at the existing Phillip Drive at mile marker .27 and ending at a cul-de-sac and having fifty feet (50') right-of-way and twenty-two feet (22') road bed width; and

**BE IT FURTHER RESOLVED** that said roads be added to the official Road List.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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	Stone	Y
Hobbs	Y	Pospisil	Y		

**0801-02      Yes: 23      No: 0      Abs: 0      07:25 PM**

Chairman Thompson declared Resolution 0801-02 approved by the body.

**EDUCATION COMMITTEE**

Commissioner Decker reported on the conditions at the Nannie Berry Elementary School, regarding the cleanup of an overflow toilet. He reported that Resolution 0801-10, approved unanimously by the Education Committee, was under the Budget Committee report.

**PUBLIC WORKS COMMITTEE**

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

**0801-03      A RESOLUTION ESTABLISHING A POLICY TO ADDRESS  
BONDING REQUIREMENTS FOR STORM WATER  
DRAINAGE REGULATIONS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body establishes the following policy to address bonding requirements for Sumner County Storm Water Drainage Regulations (“Regulations”) as set forth in the Sumner County Storm Water Ordinance for any public or private utility firm which contracts to provide utilities.

It is the policy of this County that:

- (1) all public or private utilities performing work which is affected or covered by the Regulations must post a bond or letter of credit, prior to work being performed, to insure the proper handling of the requirements of Sumner County Storm Water Drainage Ordinance; and
- (2) the County Engineer shall determine the minimum and maximum amount of the bond required to be posted by such utility, prior to any work by the utility, with the minimum being \$ -0- and the maximum being \$100,000.00. Any bond the County Engineer believes should be in excess of the maximum should be presented to the full Public Works Committee for determination; and
- (3) in the event the Regulations are not followed, the bond or letter of credit can be called by the County Engineer in order to have the necessary requirements met; and
- (4) failure to properly post the bond could result in local as well as state and federal fines and citations; and
- (5) the county also reserves the right to place a stop work order on the project; and
- (6) this policy applies to all work covered by the Regulations.

Commissioner Graves declared a direct conflict of interest and stated that he would not be voting. The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Satterfield	Y	Holt	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		

**0801-03          Yes: 23          No: 0          Abs: 0          07:28 PM**

Chairman Thompson declared Resolution 0801-03 approved by the body.

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

**0801-04          A RESOLUTION CREATING A STORM WATER APPEALS COMMITTEE PURSUANT TO THE DIRECTIVES OF THE SUMNER COUNTY STORM WATER MANAGEMENT ORDINANCE AND NAMING THE PUBLIC WORKS COMMITTEE TO PERFORM THE NECESSARY DUTIES AND SETTING THE DIRECTIVE FOR APPEALS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby creates a Storm Water Appeals Committee pursuant to the directives of the Sumner County Storm Water Management Ordinance; and

**BE IT FURTHER RESOLVED** that this body does hereby appoint the members of the Public Works Committee to serve as the members of the Storm Water Appeals Committee and perform any and all necessary duties of that committee; and

**BE IT FURTHER RESOLVED** that appeals from the Storm Water Appeals Committee shall be to the Board of Zoning Appeals.

---

Commissioner Graves declared a direct conflict of interest and stated that he would not be voting. The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Satterfield	Y	Holt	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		

**0801-04            Yes: 23            No: 0            Abs: 0            07:29 PM**

Chairman Thompson declared Resolution 0801-04 approved by the body.

---

Commissioner Goode reported that the County did not receive grants applied for to provide water to the people without a clean source. He stated that the matter would be discussed at the next Public Works Committee meeting.

---

Commissioner Decker moved, seconded by Commissioner Moser, to suspend the rules and allow those present in the audience to speak on the matter discussed under the Education Committee report, regarding conditions at Nannie Berry Elementary School. The motion carried by voice vote of the body.

Ruthie Holtz of 104 Saratoga Boulevard in Hendersonville said she was the parent Representative assigned to work with Mitigation Services, Inc. and thanked those who helped facilitate the improvements at the Nannie Berry Elementary School.

Sharon Walker of 1012 Fox Glen in Gallatin and President of the Sumner County Education Association said she was appalled at the behavior of certain officials at a recent Education Committee meeting. She said that the County is below average in expenditures for the school system.

Dr. Kathleen Kimble of 1135 Stirlingshire Drive and Principal at Nannie Berry Elementary School gave a chronology of events regard the overflowed toilet. She stated that she was disappointed in the politics that had entered into the situation.

Mike Fussell of 128 Island Drive in Hendersonville and Board of Education Member, applauded those who took an interest in protecting the schools from unhealthy environments. He urged using policy to establish protocols in dealing with hazardous circumstances.

Commissioner Hughes moved, and duly seconded, to suspend the rules and allow Wade Miller, President of Mitigation Services, Inc., to speak. He stated the issue was process and procedure and he said their intention was to help with that. Commissioner England requested Mr. Miller to send the letter that precipitated the discussion to Benny Bills, Superintendent of Schools. Mr. Miller further stated that no exhaust ventilation existed in portions of Nannie Berry and that was addressed.

Commissioner Hughes apologized for a show of anger during the Education Committee. He said he got involved out of concern about issues at the school and said that the problems there are now solved.

**GENERAL OPERATIONS COMMITTEE**

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

**0801-16 A RESOLUTION OVER-RIDING THE DENIAL OF PLAT BY THE GALLATIN PLANNING COMMISSION FOR THE ARCHIVES FACILITY AND AUTHORIZE CONSTRUCTION TO BEGIN FEBRUARY 15, 2008**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby override the denial of plat by the Gallatin Planning Commission for the archives facility and authorize construction to begin February 15, 2008.

Commissioner Boyd moved, seconded by Commissioner Holt, to amend the resolution to include sidewalks around the new Archives and Storage Building, as recommended by the City of Gallatin.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	A	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	N	Kimbrough	Y
Goode	Y	Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

**0801-16A            Yes: 21            No: 1            Abs: 1            08:07 PM**

Chairman Thompson declared the amendment approved by the body.

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

Akins	A	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	A
Holt	Y	Matthews	Y	Boyd	Y
England	A	Hendricks	A	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Freels	Y	Stone	Y
Hobbs	A	Pospisil	Y		

**0801-16            Yes: 18            No: 0            Abs: 5            08:08 PM**

Chairman Thompson declared Resolution 0801-16 approved by the body as amended. The resulting resolution was prepared as follows:

**0801-16 A RESOLUTION OVER-RIDING THE DENIAL OF PLAT BY THE GALLATIN PLANNING COMMISSION FOR THE ARCHIVES FACILITY AND AUTHORIZING CONSTRUCTION TO BEGIN FEBRUARY 15, 2008 WITH SIDEWALK RECOMMENDATIONS TO BE INCLUDED**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby over-ride the denial of plat by the Gallatin Planning Commission for the archives facility and authorize construction to begin February 15, 2008; and

**BE IT FURTHER RESOLVED** that the sidewalk recommended by the city be included in the completed facility plans.

---

**LEGISLATIVE COMMITTEE**

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

**0801-05 A RESOLUTION NAMING THE NEW SUMNER COUNTY ARCHIVE FACILITY "THE R.J. "HANK" THOMPSON SUMNER COUNTY ARCHIVE BUILDING"**

**WHEREAS**, R.J. "Hank" Thompson has given over forty years of service to the people of our community, county, state, and country in numerous areas; and

**WHEREAS**, Mr. Thompson has not only served as a County Commissioner, mayor, engineer, and sports referee but as a leader whose only goal was first to his family and then to his community large or small; and

**WHEREAS**, during his years of service, Mr. Thompson was instrumental on the local level in the growth of our county, on a national level through his efforts to aid all cities as a delegate with the U.S. Conference of Mayors, and internationally by his economic development efforts in various areas.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby names the new archive facility as The R.J. "Hank" Thompson Sumner County Archive Building in recognition of his lifelong service to Sumner County; and

**BE IT FURTHER RESOLVED** that the facility be so designated and an appropriate plaque honoring County Executive Hank Thompson and his wife Nancy be place inside the facility.

---

Commissioners Holt and Goode read into the record letters supporting the resolution and offering praise to Executive Thompson for his community service.

---

**RECESS**

Chairman Thompson declared a recess at 8:11 p.m. due to technical difficulties. The Commission reconvened at 8:28 p.m.

Commissioner Goode moved, seconded by Commissioner Vaughn, to suspend the rules and allow the local representative from U.S. Representative Bart Gordon’s office to speak. Carolyn Diaz-Barriga read into the record a letter from Congressman Gordon, giving recognition to Executive Thompson.

The electronic vote was recorded in the following manner:

Akins	A	Fennell	Y	Cummings	Y
Hall	Y	Graves	A	Satterfield	A
Holt	Y	Matthews	Y	Boyd	Y
England	A	Hendricks	A	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	A	Pospisil	Y

**0801-05            Yes: 18            No: 0            Abs: 6            08:28 PM**

Chairman Thompson declared Resolution 0801-05 approved by the body.

---

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

**0801-06 A RESOLUTION AMENDING RESOLUTION NO. 0712-05 CREATING THE CONSTRUCTION MANAGEMENT POLICY TO ADD AN ADDITIONAL MEMBER FROM THE BOARD OF EDUCATION TO THE OVERSIGHT COMMITTEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby amend Resolution No. 0712-05 creating the Construction Management Policy, at Section 6, to add one additional member, chosen by the Board of Education, to the oversight committee.

---

Commissioner LeMarbre requested a correction to the body of the resolution to state “from” instead of “chosen” by the Board of Education.

The electronic vote was recorded in the following manner:

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

**0801-06            Yes: 20            No: 1            Abs: 2            08:30 PM**

Chairman Thompson declared Resolution 0801-06 approved by the body. The resulting resolution was revised in the following manner:

**0801-06 A RESOLUTION AMENDING RESOLUTION NO. 0712-05 CREATING THE CONSTRUCTION MANAGEMENT POLICY TO ADD AN ADDITIONAL MEMBER FROM THE BOARD OF EDUCATION TO THE OVERSIGHT COMMITTEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby amend Resolution No. 0712-05 creating the Construction Management Policy, at Section 6, to add one additional member, from the Board of Education, to the oversight committee.

---

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

**0801-07 REGULATIONS GOVERNING THE HEALTH AND SAFETY STANDARDS OF  
RESIDENTIAL AND NONRESIDENTIAL PROPERTIES  
As of October 20, 2003 and Amending same as of January 2008.**

**SECTION 1 – Appointment of (Zoning Inspector) and Hearing Board.**

- (a.) These regulations shall be enforced by the Sumner County Planning / Zoning Director or his or her designee) who shall also be known as the Sumner County Zoning Inspector (hereinafter referred to as “Zoning Inspector”
- (b.) The Sumner County Health and Safety Standards Board (hereinafter referred to as “Hearing Board”) shall consist of six (6) members to be appointed by the County Executive subject to confirmation by the County Legislative Body. All members of the Hearing Board shall be appointed for four (4) year terms in an effort to achieve subsequent staggered four (4) year terms:

Board Member One Representative – Initial One Year Term  
Board Member Two Representative – Initial Two Year Term  
Board Member Three Representative – Initial Three Year Term  
Board Member Four Representative – Initial Four Year Term  
Board Member Five Representative – Initial Four Year Term  
Board Member Six Representative – Initial Four Year Term

Any compensation or authorization for reimbursement of expenses for the members of the Hearing Board shall be established by the County Legislative Body. Any vacancy, which occurs on the Hearing Board, shall be filled by the County Executive subject to confirmation by the County Legislative Body for the remainder of the term of the vacant position.

In addition to its responsibilities in hearing grievances pursuant to Section VI of these regulations, the Hearing Board shall also be charged with the responsibility of recruiting or coordinating efforts of community organizations, neighbors, religious institutions, and other agencies to provide assistance to persons who are not financially or physically able to comply on their own with the requirements of these regulations.

**SECTION II – Property Standards**

- (a.) Definitions:

As used in these regulations, the following terms are defined below. Any term not defined by this regulation shall be interpreted as having the meaning established by the 11<sup>th</sup> Edition of the Merriam-Webster’s Collegiate Dictionary.

- 1. “Accumulation of debris, trash, litter, or garbage” means a state in which a significant quantity of solid waste products, decomposing matter, or personal property that has been discarded, damaged or which has little or no economic value or practical use is located on the property such that one or more of the following conditions results:

The accumulation contributes to the infestation of the property by insects, rodents or other vermin; the accumulation creates an attractive nuisance or other danger to the general public at large; the debris, trash, litter or garbage spreads to adjacent properties by natural action of wind or water;

The accumulation produces offensive odors that affect reasonable enjoyment of adjacent properties; or the accumulation creates a risk to the health and safety of occupants of the property or other residents of the county; or

The accumulation noticeably depresses the value of adjacent properties.

This term includes the accumulation of one or more unlicensed, junk or dismantled motor vehicles, as defined below, on the property.

This term would not include the brief, temporary storage of debris, trash, letter or garbage for regularly scheduled waste disposal or transfer.

2. **“Dilapidated building or structure”** means a structure that is unfit for human occupation or use due to conditions in or around such structure that are dangerous or injurious to the health or safety of the occupants of such structure, the occupants of neighboring structures or to the health or safety of other residents of the county, assuming ordinary health and sensibilities of a reasonable person. Such conditions may include but are not limited to: defects within the structure increasing the hazard of fire, accidents or other calamities, disrepair; structural defects; and unsanitary conditions.
3. **“Unlicensed, Junk or Dismantled Motor Vehicles”** as used in definition #1 above, means an abandoned or unlicensed, junk or dismantled car is defined as any motor vehicle; including cars, trucks, tractor trailers, buses, motorcycles, campers, and travel trailers; which does not have lawfully affixed thereto an un-expired license plate and/or the condition of which is wrecked, dismantled, partially dismantled, inoperative, abandoned, or discarded. This shall not include any motor vehicle in “operable” condition specifically adapted or designed for operation on drag strips or race tracks per the appropriate sanctioned rules and regulations, or any vehicle retained by the owner for antique collection purposes that have a lawfully affixed antique license plate. This shall not include farm tractors and farm equipment. It shall be unlawful and considered to be a violation of this zoning resolution to park, store, leave, or permit the same of any abandoned or unlicensed, junk or dismantled motor vehicle on any lot or parcel or any public right-of-way for a period in excess of one (1) week. Personal vehicles for sale must be owned by the individual and on the property that the vehicle owner occupies. The presence of any such vehicles or parts thereof is hereby declared to be evidence of a violation of this resolution. This term shall not include items on the premises of an establishment constituting an automobile graveyard within the meaning of T.C.A. § 54-20-201, *et seq.*, and operating in compliance with the requirements of that part or establishments having facilities for processing scrap metal.
4. **“Water Craft”** – All boats, motorized water vessels, etc. that are parked, or allowed to be parked on property that is not zoned for a public business must have a current registration. Failure to have a current registration will be a violation of these regulations.
5. **“Semi tractor trailers”** intended use is to transport tangible goods on highways, therefore any unlicensed tractor trailer shall be considered unlawful and a violation for use as storage.
6. **“Travel Trailers, Motorhomes and Campers”** are intended for recreational use. It shall be considered a violation of zoning regulations and considered a safety violation to occupy such vehicles on a permanent basis.

7. “Shipping Containers” are intended to be used to transport tangible goods, domestic and international. They are not intended for use on personal property (non commercial sites) as a storage building or any other use except as its manufactured intended purpose.
8. “Singlewide Mobile Homes” are intended to be used as a residential structure. It shall be a violation to use any mobile home for any other purpose other than its manufactured intended use.
9. “Owner” means the owner of record of the real property as established in the records of the register of deeds and assessor of property.
10. “Neglect and overgrowth of vegetation” means a condition where trees, vines, grass, underbrush or other vegetation has been allowed to grow in such a manner as to endanger the health, safety or welfare of occupants of the property, or other persons of the county, or encourage the infestation of rats, insects or other harmful animals.
  - It shall be considered a violation on any parcel, developed or vacant, to allow grass, weeds, vines or underbrush to exceed (15) inches in height.
  - Farms shall be considered exempt, however any common property line(s) that adjoin any residential property(s) must have a (50) foot interior mowed buffer from said property line(s) excluding a standing forest and/or subject to topography.
  - Any property in either a recorded or non-recorded platted subdivision shall be maintained in its entirety so as not to present a nuisance to any adjoining residential property(s).
  - Any non-residential, vacant property that exceeds the acreage for platted subdivisions shall be maintained and considered the same as a farm.

“Farm” means any parcel containing at least (5.01) acres or more, that is not part of an area that contains residential structures.

“Subdivision” means any parcel less than (5.01) acres, that may be part of a recorded or non-recorded parcel.

11. “Structure” means a building or construction intended for human occupation or use of residential, commercial, industrial or storage purposes. The term includes, but is not limited to houses, garages, commercial and industrial buildings, shops, storage buildings or sheds. The term does not include structures built solely for occupation by animals.

(b.) Regulations:

1. It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property the obvious neglect and overgrowth of vegetation or the accumulation of debris, trash, litter, or garbage so as to endanger the health, safety or welfare of other persons.
2. It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property a vacant dilapidated building or structure, that endangers the health, safety, or welfare of other persons.
3. It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property, any combination of the preceding elements so as to endanger the health, safety or welfare of other persons.

4. It shall be a violation of these regulations for any owner of property to allow any violation identified above to continue in, on or around, any building structure or property affected by this regulation.
5. Each day that one or more of the conditions described above exists or continues to exist shall constitute a separate violation of these regulations except to the extent that enforcement of the regulations are stayed, pending a hearing, as described in Section VI, below.

### **SECTION III – Owner Responsibilities**

It is the obligation of the owner(s) of property to maintain such property so as not to endanger the health, safety, or welfare of county residents and/or so as not to violate the terms of these Regulations. If said property fails to comply with the above-stated regulations, the property owner(s) is ultimately responsible and liable regardless of whether such condition was caused by a tenant, leaseholder or other person.

### **SECTION IV – Inspection Procedures**

Whenever a petition is filed with the Zoning Inspector;

- By at least three (3) owners or occupants of property that lies within one hundred (100) yards of the boundary of the property in question alleging that violation(s) of any of these regulations exists; OR
- The Zoning Inspector on his or her own can visibly observe a violation from a public road; OR
- The adjoining property gives written permission for the Zoning Inspector to observe the violation from their property.

The Zoning Inspector shall, after making a preliminary investigation which discloses a basis for such violation, issue and cause to be served upon the owner of record of such properties a notice, in accordance with the provisions of Section V, stating the violations and requesting the condition to be remedied immediately.

### **SECTION V – Notice of Violation**

- (a.) The Zoning Inspector shall notify the owner of the property of the violation(s) of these regulations by personal service upon the owner OR by United States Certified Mail, Return Receipt Requested, addressed to the last known address of the owner(s) of record. The notice of violation shall state that the owner of the property is entitled to a hearing. The notice of violation shall be written in plain language and shall also include, but not be limited, to the following elements;
1. A summary of the requirements of these regulations and a brief statement of the violations noted by the Zoning Inspector including the date the violations were noted;
  2. A brief statement of the authority granted to counties under T.C.A. § 5-1-115 and an explanation of the consequences and penalty of failing to remedy the violations of the regulations;
  3. The person, office, address and telephone number of the department or person giving notice;
  4. Instructions regarding what actions should be taken to remedy the violation, together with a cost estimate for such which shall be conformity with the standards of cost in the community; AND

5. An indication of the time frame which the alleged violator must remedy the violation, or request a hearing, and the place where in the notified party may return a copy of the notice of violation, indicating the desire for a hearing OR waiver of hearing, and agreement to remedy the violation.
- (b) If the whereabouts of the owner(s) of record is unknown and the same cannot be ascertained by the Zoning Inspector in the exercise of due diligence or if for any reason notice by Certified Mail, Return Receipt Request, cannot be obtained, the Zoning Inspector, after making an affidavit to that effect, may then serve notice of violation upon such person(s) by publishing the same once each week for two (2) consecutive weeks in two (2) newspapers of local circulation. A copy of such notice of violation shall be posted in a conspicuous place on the premises affected by the notice or order. A copy of such notice of violation shall also be filed for record in the county register's office and such filing of the notice of violation or order shall have the same force and effects as other "*lis pendens*" notices provided by law.

### **SECTION VI - Compliance and Appeals**

- (a) Upon receipt of the notice of violation as provided hereinabove, the property owner shall proceed forthwith to take appropriate measures to comply with these regulations or to request a hearing before the Hearing Board established in Section 1 of these regulations. Pursuant to T.C.A. § 5-1-115 a request for hearing shall be made within ten (10) days following receipt of said notice of violation. If the property owner does not request a hearing, he or she shall take appropriate action to remedy the violation within ten (10) days of receipt of the notice of violation unless the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas liquids, steam, sewage or other materials in which case the owner shall have twenty (20) days to remedy the violation, excluding Saturdays, Sundays and legal holidays.
- (b) If the property owner timely requests a hearing as provided herein, the Hearing Board shall, within a reasonable time following the receipt of the request for hearing, hold a hearing on the issue of the appropriateness of the requirements imposed on the property owner and the issue of cost of remedying the condition. The time period established herein for remedying violations shall be stayed pending review by the Hearing Board. Failure to make the request for a hearing within the time limit allowed by this regulation shall, without exception, constitute a waiver of right to a hearing and judicial review.
- (c) The hearing shall be conducted as an initial hearing with the burden of proof resting on the Zoning Inspector to demonstrate, by a preponderance of the evidence that the alleged violation exists. Immediately following the hearing, the Hearing Board may;
  1. Dismiss the notice of violation and such notice shall be come ineffective;
  2. May confirm the notice of violation;
  3. May modify the notice of violation;
  4. Grant a continuance at the request of either party if the Hearing Board considers the continuance appropriate.

The affirmative vote of three (3) Hearing Board Members shall constitute action by the Hearing Board.

- (d) Any person aggrieved by an act of the hearing Board under the provisions of this regulation may seek judicial review of same under Tennessee Code Annotated, Title 27, Chapter 8, Part 1.

### **SECTION VII – Remedies and Penalties**

- (a) If the owner fails to comply with the notice within ten (10) days of receipt of same, subject to stay pending review and any modifications made pursuant to review as provided for above, the Hearing Board may cause such property to be repaired, altered or improved or be vacated and closed, removed or demolished as necessary to remedy the condition. Subject to approval by the County Legislative Body, the Hearing Board may contract with a private entity to perform the work or request such work to be performed by a department or agency of the county. In contracting for such services from a private entity, the Hearing Board shall comply with all applicable purchasing procedures of the county. The costs of such action shall be assessed against the owner of the property. Upon performance, the actual cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the county or its agent shall, upon the filing of a notice with the office of the register deeds, be a lien in favor of the county against the real property on which such costs was incurred, second only to liens of the state and county for taxes, any lien of the county for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing prior to the filing of such notice. The notice of lien shall identify the owner of record of the real property, contain the property address, describe the property sufficiently to identify it and recite the amount of the obligation secured by the line. These costs shall be collected by the county trustee at the same time and in the same manner as property taxes are collected.
- (b) Owner(s), individually and/or jointly, of property found to be in violation of these Regulations shall be subject to a civil penalty of not more than fifty dollars (\$50.00) for each offense. Each and every day during which such violation exists or continues after notice has been provided to the property owner and the time for appeal or compliance has expired shall be deemed a separate offense.
- (c) Pursuant to T.C.A. §§ 5-1-121 and 5-1-123, such penalties may be assessed by the General Sessions Court of Sumner County in exercise of its powers to enforce these regulations. Action to pursue such penalties in the General Sessions Court shall be instituted at the request of the Zoning Inspector or Hearing Board by the County Attorney or other legal counsel designated by the County Legislative Body.

#### **SECTION VIII – Exceptions**

- (a) The provision of Section VI-(a) of this regulation permitting Sumner County to remedy conditions pursuant to T.C.A. § 5-1-115(c) and place a lien for the costs of remedying the violation on the property shall not apply to any parcel of property upon which an owner-occupied residence is located. Enforcement of these regulations upon owner-occupied properties shall be accomplished solely by civil penalties assessed in General Session Court.
- (b) The county shall only undertake to remove motor vehicles in accordance with the provisions of T.C.A. §§ 55-16-101, *et seq.* and in accordance with the limitations of T.C.A. § 55-5-122. If removal by the county of unlicensed, junk or dismantled motor vehicles that are in violation of these regulations would conflict with the provisions of those statutes, any violation of these regulations that is caused solely by the presence of unlicensed, junk or dismantled motor vehicles on private property shall only be enforced by civil penalties.
- (c) This regulation shall not apply to any business operated pursuant to the Tennessee Solid Waste Disposal Act, Tennessee Code Annotated, Section 68-221-1101, *et seq.*

#### **SECTION IX – Rules and Record Keeping**

- (a) In addition to these regulations, the Hearing Board may promulgate any additional rules and regulations necessary for the administration and enforcement of these regulations subject to approval by the County Legislative Body.
- (b) The Zoning Inspector shall serve as the record keeper for the Hearing Board and shall maintain all minutes and records of the Hearing Board. The Zoning Inspector shall also keep a record of the following information regarding petitions, inspections and enforcement actions:
  - 1. All petitions filed with his or her office.
  - 2. The address of any property found to be in violation of this regulation.
  - 3. The mileage driven in performing investigations.
  - 4. A copy of all notices delivered to property owners found to be in violation of this regulation and any expenses associated therewith.
  - 5. All waivers of hearing and agreements to remedy violations.
  - 6. All requests for hearing received.
  - 7. Orders and decisions issued by the Hearing Board.
  - 8. Copies of all requests for judicial review and final decision of the judicial review.

The Zoning Inspector shall submit an annual report summarizing this information to the County Legislative Body each year at the first meeting of the County Legislative Body each calendar year.

**SECTION X – Effective Date**

After passage of this regulation, the county clerk shall cause this regulation to be published in a newspaper of general circulation within the county. This regulation shall become effective sixty (60) days after its passage, the public welfare requiring it.

**SECTION XI – Severability and Conflict with Other Resolutions**

- (a) If any provision of this regulation or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to that end, the provisions of this regulation are declared to be severable.
- (b) All resolutions of the Board of County Commissioners of Sumner County, Tennessee, which are in conflict with this regulation, are hereby repealed.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Holt	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		

**0801-07      Yes: 23      No: 0      Abs: 0      08:31 PM**

Chairman Thompson declared Resolution 0801-07 approved by the body.

**EMERGENCY SERVICES COMMITTEE**

Commissioner Vaughn reported that the Emergency Services Committee met on January 7 and 17 to take action on the employment of Dennis Wallace, Director of Emergency Services. Commissioner Vaughn moved, seconded by Commissioner Fennell, to terminate the services of Mr. Wallace. Commissioner Vaughn enumerated the reasons that went into the decision to terminate Mr. Wallace.

Commissioner Holt moved, seconded by Commissioner Vaughn, to suspend the rules to allow Mr. Wallace to speak. The motion carried by voice vote of the body. Mr. Wallace stated his intension to retire. He requested the Commission grant him time to get his retirement in order, which he said would take about 90 days. Commissioner Holt stated that he felt there was no need for public comments at this point and Chairman Thompson ruled there would be no comments on this matter.

Commissioner Stone moved, seconded by Commissioner Akins, to amend the motion to allow the suspension with full pay and benefits for 90 days.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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

**EMS      Yes: 24      No: 0      Abs: 0      08:49 PM**

Chairman Thompson declared the amendment approved by the body.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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

**EMS      Yes: 24      No: 0      Abs: 0      08:50 PM**

Chairman Thompson declared the motion as amended approved by the body.

Commissioner Vaughn moved, Commissioner Fennell seconded, to allow Keith Douglas to continue as Interim Director until a new director can be appointed; the Commission direct the Emergency Medical Services Committee to form a committee to conduct a search for a new director; and direct Mrs. Whiteside to furnish the EMS Committee an updated job description for the position.

Commissioner England moved, seconded by Commissioner Hobbs, to amend the motion to request the County Technical Assistance Service (CTAS) come to Sumner County and perform an evaluation on what should be done.

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

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	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		

**EMS-NEW            Yes: 23            No: 0            Abs: 0            08:54 PM**

Chairman Thompson declared Commissioner England’s amendment approved by the body.

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

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	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		

**EMS            Yes: 23            No: 0            Abs: 0            08:55 PM**

Chairman Thompson declared the motion as amended approved by the body. The resulting resolution was prepared as follows:

**0801-17            A RESOLUTION ACCEPTING THE RESIGNATION OF  
 EMERGENCY SERVICES DIRECTOR, DENNIS WALLACE, EFFECTIVE  
 SUNDAY, APRIL 28, 2008, CONTINUING HIS SUSPENSION WITH PAY AND  
 BENEFITS  
 UNTIL THAT DAY, CONTINUING THE SERVICE OF KEITH DOUGLAS AS THE  
 INTERIM DIRECTOR, DIRECTING THE EMERGENCY SERVICES COMMITTEE  
 TO CONDUCT AN IMMEDIATE SEARCH FOR THE DIRECTOR AS  
 WELL AS UPDATING THE JOB DESCRIPTION FOR SAME, AND ASKING  
 CTAS TO STUDY AND MAKE RECOMMENDATIONS FOR  
 EMERGENCY SERVICES PROCEDURES AND OVERSIGHT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby:

1. Accept the resignation of Emergency Services Director, Dennis Wallace, effective April 28, 2008; and
2. Continue his suspension with pay and benefits until that day; and
3. Continue the service of Keith Douglas as the interim director until a new director is appointed; and
4. Direct the Emergency Services Committee to perform an immediate director search and update the job description; and
5. Ask CTAS to perform a study and make recommendations for emergency service procedures and oversight.

---

**BUDGET COMMITTEE**

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

**0801-08 A RESOLUTION APPROPRIATING \$16,935.00 FROM THE PLANNING ABATEMENT RESERVE ACCOUNT TO THE VEHICLE ACCOUNT OF THE PLANNING & ZONING DEPARTMENT FOR PURCHASE OF A VEHICLE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby appropriates \$16,935.00 from the Planning Abatement Reserve Account (101-34461) to the Vehicle Account (101-51720-718) of the Office of Planning & Zoning for the purchase of a vehicle.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	N
Hall	Y	Graves	Y	Satterfield	Y
Holt	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

**0801-08 Yes: 23 No: 1 Abs: 0 08:58 PM**

Chairman Thompson declared Resolution 0801-08 approved by the body on the first and final reading.

---

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

**0801-09 A RESOLUTION APPROPRIATING \$23,582.00 TO THE ANIMAL CONTROL BUDGET FOR THE HIRING OF A NEW MANAGER FOR ADOPTION SERVICES AND VOLUNTEER COORDINATION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby appropriate \$23,582.00 to the Animal Control budget for the hiring of a new manager for adoption services and volunteer coordination with funds to be appropriated from the County General Fund Reserve as shown on the attachment herewith; and

**BE IT FURTHER RESOLVED** that this body does hereby accept the recommendations of County Executive for future study of this area.

---

Without objection, Chairman Thompson recognized the public for comments.

Speaking in favor of improvements to the Animal Control Facility were the following:  
Heidi Dahlquist of 102 Forest Meadows Drive in Hendersonville  
Diane Townsend, President and found of Safe Place for Animals,  
of 622 Neals Lane of Gallatin

Harry Ragsdale of 1184 Plantation Pass of Gallatin  
 Patty Ragsdale of 1184 Plantation Pass of Gallatin  
 Dixie Matl of 133 Bella Vista Drive in Goodlettsville

Commissioner Stone moved, seconded by Commissioner England, to direct the Law Enforcement Subcommittee to study the business plan using the non-profit model of maintaining the County's animal shelter.

Commissioner Cummings moved, seconded by Commissioner Stone, to consider the matter during 2008-09 Budget committee recommendations.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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

**LAW            Yes: 24            No: 0            Abs: 0            09:31 PM**

Chairman Thompson declared Commissioner Stone's amendment passed.

The electronic vote was recorded in the following manner:

Akins	N	Fennell	N	Cummings	Y
Hall	N	Graves	N	Satterfield	N
Holt	N	Matthews	N	Boyd	N
England	N	Hendricks	N	Vaughn	N
LeMarbre	N	Moser	N	Decker	N
Hyde	N	Hughes	N	Kimbrough	N
Goode	N	Freels	N	Stone	Y
Hobbs	N	Pospisil	N		

**0801-09-2            Yes: 2            No: 21            Abs: 0            09:39 PM**

Chairman Thompson declared Commissioner Cummings' amendment failed. The resulting resolution was prepared as follows:

**0801-09            A RESOLUTION APPROPRIATING \$23,582.00 TO THE ANIMAL CONTROL BUDGET FOR THE HIRING OF A NEW MANAGER FOR ADOPTION SERVICES AND VOLUNTEER COORDINATION AND DIRECTING A VOLUNTEER STUDY TO BE CONDUCTED**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body does hereby appropriate \$23,582.00 to the Animal Control budget for the hiring of a new manager for adoption services and volunteer coordination with funds to be appropriated from the County General Fund Reserve as shown on the attachment herewith; and

**BE IT FURTHER RESOLVED** that this body does hereby direct the Law Enforcement Committee to study the volunteer business plan and consider ways to outsource or better coordinate volunteer assistance at the facility.

---

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

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	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

**0801-09          Yes: 24          No: 0          Abs: 0          09:40 PM**

Chairman Thompson declared Resolution 0801-09 approved as amended by the body.

---

### CONSENT AGENDA

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

**0801-10    A RESOLUTION APPROVING THE FISCAL YEAR 2007-2008 SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND BUDGET AMENDMENTS AND APPROPRIATING AND/OR TRANSFERRING SUCH FUNDS AS REQUIRED**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby approves the 2007-2008 Sumner County Board of Education General Purpose School Fund budget amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedule which is hereby incorporated as a part of this resolution.

---

**0801-11    A RESOLUTION APPROPRIATING \$421.20 AS PASS-THROUGH FUNDS FROM THE ELMER HINTON MEMORIAL LIBRARY FUND RESERVE ACCOUNT TO THE GRANT ACCOUNT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby appropriates \$421.20 as pass-through from the Elmer Hinton Memorial Library Fund Reserve Account (101-35113) to the Grant Account (56500-799-103) as shown on the attachment herewith.

---

**0801-12          A RESOLUTION APPROPRIATING \$1,800.00 FROM THE COUNTY GENERAL FUND RESERVE ACCOUNT TO THE POSTAGE ACCOUNT OF THE OFFICE OF YOUTH SERVICES FOR POSTAGE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby appropriates \$1,800.00 from the County General Fund Reserve Account (101-39000) to the Postage Account (101-54240-348) of the Office of Youth Service for postage.

---

**0801-13 A RESOLUTION APPROPRIATING \$10,000.00 FROM THE DRUG COURT  
OTHER ACCOUNT TO VARIOUS ACCOUNTS WITHIN THE  
OFFICE OF THE DRUG COURT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby appropriates \$10,000.00 from the Drug Court Other Account to various accounts of the Drug Court as shown on the attachment herewith.

**0801-14 A RESOLUTION RESTATING THE POLICY THAT  
SUMNER COUNTY, TENNESSEE, DOES NOT DISCRIMINATE ON THE BASIS  
OF RACE, SEX, COLOR, RELIGION, NATIONAL ORIGIN, AGE,  
DISABILITY OR VETERAN STATUS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 28<sup>th</sup> day of January, 2008 that this body hereby restates its policy that Sumner County, Tennessee, does not discriminate on the basis of race, sex, color, religion, national origin, age, disability or veteran status.

**0801-15 A RESOLUTION DECLARING VARIOUS ITEMS 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 28<sup>th</sup> day of January, 2008 that this body does hereby declare the items as surplus as shown on the attachments; and

**BE IT FURTHER RESOLVED**, that the disposal or sale 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:

Michael Rippey etux Theresa, \$21.99; Max T. Barnes, \$344.14; Lloyd Brown, \$233.98; Nicholas Turner etux Shanon, \$258.78; Boral Bricks, \$172.15; Property Tax Collections

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	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		

**0801-CON Yes: 23 No: 0 Abs: 0 09:40 PM**

Chairman Thompson declared the Consent Agenda approved by the body on the first and final reading.

**ADJOURNMENT**

MINUTE BOOK SEVENTEEN  
JANUARY 28, 2008

Chairman Thompson declared the Commission meeting adjourned at 9:45 p.m.

\_\_\_\_\_  
BILL KEMP, CLERK

\_\_\_\_\_  
R.J. "HANK" THOMPSON, CHAIRMAN

Prepared by Maria A. Moser

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

---