

**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
JULY 27, 2010**

The Board of County Commissioners of Sumner County, Tennessee met in emergency special session on Tuesday, July 27, 2010, 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	Paul Goode	Joe C. Matthews
Sandra Ridings Boyd	Steve Graves	Kirk Moser
Steve Camp	Bob Hendricks	Bob Pospisil
David Cummings	Billy S. Hobbs	David Satterfield
Paul Decker	Chris Hughes	Jo Skidmore
Shawn Fennell	Merrol N. Hyde	Jim Vaughn
Paul D. Freels	David Kimbrough	Shawn Utley
Frank E. Freels		

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

The Invocation was led by Commissioner Billy Hobbs.

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

Chairman Hyde requested the Clerk read the following notice into the record:

**NOTICE
TO ALL MEMBERS OF THE SUMNER COUNTY BOARD OF COUNTY
COMMISSIONERS OF THE SUMNER COUNTY COMMISSION**

Pursuant to Tennessee Code Annotated Sections 5-5-104 & 105, I, Bill Kemp, County Clerk, hereby give notice to all members of the Sumner County Board of County Commissioners that there will be **an Emergency Special Called Meeting**, set for **Tuesday, July 27, 2010 at 5:30 p.m.** (local time) at the Sumner County Administration Building, Commission Chambers, 355 North Belvedere Drive, Gallatin, Tennessee, 37066.

The purpose of this emergency special called meeting is to consider, deliberate, and possibly vote on the resolution of the county's interest in the Sumner Regional Health System sale and terms for future provision of services to the county.

The public necessities require that this emergency special meeting be called by the County Executive.

Anyone having an interest, desiring to comment or ask questions concerning the above-referenced issues is invited to attend this meeting.

**THIS NOTICE EXECUTED AND DATED THIS 22ND DAY OF JULY,
2010.**

APPROVAL OF AGENDA

Commissioner Goode moved, seconded by Commissioner Graves, to adopt the agenda as submitted. The Commission approved the agenda as amended by unanimous voice vote of the body.

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.

EXECUTIVE SESSION

Chairman Hyde declared an Executive Session of the Commission at 5: 35 p.m. The Commission reconvened at 5:45 p.m.

REPORT OF THE CHAIR

Chairman Hyde introduced the following resolution:

**1007-01S A RESOLUTION ACCEPTING THE TERMS OF THE AGREEMENT
AS TO THE SALE OF THE ASSETS OF SUMNER REGIONAL
HEALTH SYSTEMS**

WHEREAS through numerous actions of this body, Sumner Regional Health Systems ("Sumner Regional") was created and through the decades has grown into a vibrant regional health care facility used not only by our county, but citizens in surrounding communities; and

WHEREAS in 1994 and 2004, actions were taken to allow operation of Sumner Regional separate from Sumner County and in order for the division to take place, certain future rights and obligations were pledged to Sumner County; and

WHEREAS with the bankruptcy of Sumner Regional, new arrangements are necessary to continue services and protect the overall future interests of the County and its citizens; and

WHEREAS this body, at its meeting of May 17, 2010, authorized the County Executive and the Law Director to act to defend the rights and obligations of the County.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in Emergency Special Called Session on this the 27th day of July, 2010, that this body does hereby agree to the following terms to conclude all pending litigation and safeguard the interests of Sumner County.

- (1) At closing of the sale of Sumner Regional, on or before August 31, 2010, the County shall be paid the sum of Fifteen Million Dollars (\$15,000.000.00); and
- (2) As a for- profit entity, the purchaser shall timely pay any and all real and personal property taxes assessed by all appropriate taxing authorities; and

- (3) Inmate care shall continue, until 2034, pursuant to the percentages and terms agreed between the County and Sumner Regional in the previously adopted 1994, 2004 and 2007 agreements; and
- (4) Indigent care will continue to be provided pursuant to federal guidelines; and
- (5) Provision of three athletic trainers for the Sumner County School System, shall continue through the 2011-2012 school year pursuant to the terms set forth in the 2009-2010 school year agreement signed by Sumner Regional.
- (6) All terms, set forth above, are subject to approval of the United States Bankruptcy Court.

BE IT FURTHER RESOLVED that the County Executive and Law Director are authorized to continue to monitor, defend and act to safeguard the interests of Sumner County as previously authorized and when necessary, to endorse any and all documents necessary to complete this transaction pursuant to the terms set forth herein.

Commissioner Satterfield moved, seconded by Commissioner Akins, to approve the resolution. County Executive Anthony Holt requested the resolution be read into the record. The request was granted and County Law Director Leah Dennen read the resolution.

Commissioner Kimbrough declared a conflict of interest and stated he would be abstaining from the vote.

The electronic vote was recorded in the following manner:

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

HOSPITAL Yes: 21 No: 0 Abs: 1 05:55 PM

Chairman Hyde declared the resolution approved by the body.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 6:53 p.m. upon motion of Commissioner Goode and seconded by Commissioner Matthews.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____

MINUTE BOOK EIGHTEEN
JULY 19, 2010