
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
JULY 21, 2008**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, July 21, 2008, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Ragan Hall. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

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

Having a duly constituted quorum, the meeting was opened in due process by Sheriff's Major Carl Edison. Chairman Hall noted that with twenty-one 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 Paul Decker, Trisha LeMarbre and Jim Vaughn were absent from the meeting.

The Invocation was led by Dr. Chris Johnson, Pastor of the Central Baptist Church in Hendersonville.

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

APPROVAL OF AGENDA

Commissioner Stone moved to add consideration of the property tax rate to the agenda under Budget Committee. Commissioner Hobbs requested the addition of a resolution regarding road improvement funds under Highway Commission report, Item 2. Without objection, Chairman Hall moved Resolution 0807-01 should be below 0807-02 under the Highway Commission Report, in light of the connection between the two resolutions. Commissioner Skidmore moved, and was duly seconded, to adopt the agenda with the additions. The Commission approved the agenda as amended by unanimous voice vote of the body.

APPROVAL OF MINUTES

The minutes for the meeting of this body held on June 16, 2008, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Hughes made the motion, seconded by Commissioner Graves.

RECOGNITION OF THE PUBLIC

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

Buzz Black spoke in favor of Ragan Hall being elected as County Executive.

Ken Wilbur, Mayor of Portland, spoke on the vacancy for the County Executive.

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

REPORT OF THE CHAIR

Commissioner Boyd introduced the following resolution:

A RESOLUTION HONORING BILLY NOLEN

WHEREAS, after thirty years as an educator, principal and coach, Mr. Billy Nolen is retiring as the principal of Union Elementary School and leaving a career that has positively influenced numerous lives and helped to mold a generation of Sumner County citizens; and

WHEREAS, Mr. Nolen graduated from MTSU in 1977 and thus began a teaching career, that spanned numerous classrooms and countless athletic venues as he dedicated his efforts to both teaching and coaching hundreds of students; and

WHEREAS, in 1995, Mr. Nolen was hired to be an assistant principal at Guild Elementary and from there he went to Union Elementary as principal of the first balanced calendar school in Sumner County; and

WHEREAS, it is appropriate that Billy Nolen be recognized for the very significant contribution he has made to Sumner County in teaching and guiding our students;

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008, that this body expresses its appreciation and gratitude for the many years of service and dedication of Billy Nolen and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Billy Nolen 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 Billy Nolen.

Upon motion of Commissioner Skidmore, seconded by Commissioner Graves, the Commission voted to approve the Certificate of Recognition.

Chairman Hall introduced the following resolution:

A RESOLUTION HONORING RUFUS F. LASSITER

WHEREAS, Rufus F. Lassiter, after over forty years in education, is retiring as the principal of Gallatin High School, thereby bringing to an end a career that has spanned decades of educational endeavors, innumerable positive events and countless lives helped by his actions; and

WHEREAS, Mr. Lassiter graduated from Western Kentucky University in 1967, and since he began his teaching career, has served as an educator, principal and decorated coach and by his outstanding efforts positively influenced the lives of so many students; and

WHEREAS, In 1996, Mr. Lassiter was hired to be an assistant principal at Gallatin High School and from there he became the principal of Gallatin High School in 2005; and

WHEREAS, it is appropriate that Rufus F. Lassiter be recognized for the very significant contribution he has made to Sumner County in teaching and guiding our students;

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008, that this body expresses its appreciation and gratitude for the many years of service and dedication of Rufus F. Lassiter and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Rufus F. Lassiter 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 Rufus F. Lassiter.

A RESOLUTION HONORING CAROLYN D. LASSITER

WHEREAS, Carolyn D. Lassiter, a gifted coach, theatrical director, principal and educator is retiring after 37 years in the field of education; and

WHEREAS, Mrs. Lassiter is ending her tenure with the Sumner County School System as the principal of Jack Anderson Elementary School but during her years with our county she also served as an award winning soccer coach and renowned educator who gave selflessly of her time and talents; and

WHEREAS, Mrs. Lassiter has touched the lives of countless students and for her efforts our county and community is a better place to live.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008, that this body expresses its appreciation and gratitude for the many years of service and dedication of Carolyn D. Lassiter and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Carolyn D. Lassiter 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 Carolyn D. Lassiter.

Upon motion of Commissioner Holt, seconded by Commissioner Graves, the Commission voted to approve the Certificates of Recognition.

Chairman Hall introduced the following resolution:

A RESOLUTION HONORING EDDIE SMITH

WHEREAS, Eddie Smith, who has served as the Administrator of Portland Medical Center since December of 2000 has after many years of service to the Portland community decided to conclude his tenure with Portland Medical Center, and with his wife Bonnie return to Texas to enjoy their six grandchildren; and

WHEREAS, Mr. Smith has also given of his time served as president of Portland Chamber of Commerce, treasurer for Rotary, and as a member of the Board of Directors for United Way of Sumner County and by his tireless efforts has worked to help numerous members of his community; and

WHEREAS, Mr. Smith has also performed diligently as a member of the Board of Directors for the Portland Community Education Foundation, which has awarded more than \$40,000.00 in scholarships and grants to Portland students in its three year existence; and,

WHEREAS, it is appropriate that Eddie Smith be recognized for the significant contribution he has made to Sumner County through his dedication and involvement with the community.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008, that this body expresses its appreciation and gratitude for the years of service and dedication of Eddie Smith and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Eddie Smith 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 Eddie Smith.

Upon motion of Commissioner Skidmore, seconded by Commissioner Graves, the Commission voted to approve the Certificate of Recognition.

Commissioner Fennell read the following resolution into the record:

**A RESOLUTION HONORING BETHPAGE AND WESTMORELAND
ELEMENTARY SCHOOLS**

WHEREAS, Bethpage Elementary and Westmoreland Elementary Schools, were recently honored as the only two Title One schools in Sumner

County to rank in the top 10 percent in the State on TCAP testing for reading, language arts and math; and

WHEREAS, these remarkable scores show the diligent effort of the students and the staff in working to accomplish a goal and demonstrate the results of hard work and dedication; and

WHEREAS, both the faculty and staff of Bethpage Elementary and Westmoreland Elementary Schools, should be commended for the distinctive guidance and direction to the students and future leadership of Sumner County and the students should be congratulated for their outstanding efforts.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008 that this body does hereby recognize and commend the Bethpage and Westmoreland Elementary Schools for their dedication, commitment to excellence and outstanding successes; and

BE IT FURTHER RESOLVED that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the Bethpage Elementary and Westmoreland Elementary Schools.

Upon motion of Commissioner Fennell, seconded by Commissioner Akins, the Commission voted to approve the Certificate of Recognition.

ELECTION OF COUNTY EXECUTIVE

NOTICE OF SPECIAL ELECTION ALL MEMBERS OF THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS

Pursuant to Section 5-5-113 of the Tennessee Code Annotated, I, Bill Kemp, County Clerk, hereby give notice to all members of the Sumner County Board of County Commissioners that on Monday, July 21st, 2008, at approximately 7:00 p.m., they should assemble in the Commission Chambers of the Sumner County Administration Building, 355 North Belvedere Drive, Gallatin, Sumner County, Tennessee, with respect to filling the vacancy in the Office of County Executive created by the death of R.J. "Hank" Thompson, County Executive of Sumner County, Tennessee. This special election will be held during the regular meeting of this Body on the aforesaid date.

Persons interested in the position are asked to submit a resume or qualifications to the Office of the County Clerk, Sumner County Administration Building, 355 North Belvedere Drive, Room 111, Gallatin, Tennessee, 37066 by Monday, July 21st, 2008, 12:00 Noon (local time) or attend the aforesaid 7:00 pm meeting and express interest to a member of the Sumner County Legislative Body.

The position must be filled according to all applicable state statutes, rules and regulations.

THIS NOTICE EXECUTED AND DATED THIS 7th DAY OF JULY, 2008.

Chairman Hall recognized Commissioner Hobbs who nominated Commissioner Ragan Hall to fill the vacancy of County Executive. Chairman Hall accepted the nomination and relinquished the Chair to County Clerk Bill Kemp.

The nominations were suspended to elect a temporary Chairman Pro Tem to conduct the meetings. Commissioner Stone nominated Clerk Kemp to fill the position. Hearing no other nominations, Commissioner Goode moved, seconded by Commissioner Hughes, to cease nominations and elect Clerk Kemp by acclamation. The motion carried by voice vote of the body.

County Law Director Leah Dennen informed commissioners that the majority now drops by one, with a majority constituting 12 commissioners.

Hearing no other nominations, Commissioner Hyde moved, seconded by Commissioner Akins, to cease nominations and conduct a roll call vote for the election.

Commissioner Stone moved, and was duly seconded, to cease nominations. The motion carried by voice vote of the body.

The electronic vote was recorded in the following manner:

ELECT HALL COUNTY EXECUTIVE

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

EXECUTIVE Yes: 15 No: 1 Abs: 4 07:29 PM

Acting Chairman Kemp declared an election and swore in Mr. Hall as County Executive.

ELECTION OF CHAIRMAN

Without objection, Clerk Kemp offered to conduct the election of a new Commission Chairman and opened the floor for nominations. Commissioner Kimbrough nominated Commissioner Merrell Hyde and Commissioner Pospisil nominated Commissioner Hobbs.

Commissioner Akins moved, seconded by Commissioner Skidmore, to cease nominations. The motion carried upon voice vote of the body.

Ms. Dennen stated that under new rules that the members of the Commission whose names are placed in nomination for Commission Chairman could not vote in the election and are not counted toward the majority; therefore, the majority for the vote, only, was eleven members.

Acting Chairman Kemp noted that the green button on the voting panel represents a vote for Commissioner Hyde; the white button one would be a vote for Commissioner Hobbs.

The electronic vote was recorded in the following manner:

VOTE CHAIRMAN HYDE-GREEN(Y) HOBBS-WHITE(A)

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | A | Fennell | Y | Cummings | Y |
| Graves | A | Satterfield | A | Holt | Y |
| Matthews | Y | Boyd | A | England | A |
| Hendricks | A | Moser | Y | Hughes | Y |
| Kimbrough | Y | Goode | Y | Skidmore | A |

Freels A Stone A Pospisil A

CHAIRMAN HYDE: 8 No: 0 HOBBS: 10 07:36 PM

Acting Chairman Kemp declared no election for Chairman.

Commissioner Goode nominated County Executive Hall to serve as Commission Chairman.

Commissioner Stone moved, seconded by Commissioner Akins, to take a ten-minute recess.

The electronic vote was recorded in the following manner:

TEN MINUTE RECESS

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | Y | Cummings | N |
| Graves | Y | Satterfield | Y | Holt | N |
| Matthews | N | Boyd | N | England | Y |
| Hendricks | Y | Moser | N | Hyde | N |
| Hughes | N | Kimbrough | N | Goode | N |
| Skidmore | Y | Freels | Y | Stone | Y |
| Pospisil | N | | | | |

RECESS Yes: 9 No: 10 Abs: 0 07:44 PM

Acting Chairman Kemp declared the motion failed to pass.

Acting Chairman called for nominations from the floor again. Commissioner Goode nominated County Executive Hall to be Commission Chairman. County Executive Hall did not accept the nomination. Commissioner Pospisil nominated Commissioner Hobbs. Commissioner Kimbrough nominated Commissioner Hyde.

Commissioner Goode moved, seconded by Commissioner Satterfield, to cease nominations. The motion was approved by voice vote of the body.

By ruling, the nominees could not vote in the election. With Commissioner Hobbs as the green button and Commissioner Hyde as the white button, the electronic vote was recorded in the following manner:

VOTE FOR CHAIRMAN HOBBS-GREEN(Y) HYDE WHITE(A)

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | A | Cummings | A |
| Graves | Y | Satterfield | Y | Holt | A |
| Matthews | A | Boyd | Y | England | Y |
| Hendricks | Y | Moser | A | Hughes | A |
| Kimbrough | A | Goode | A | Skidmore | Y |
| Freels | Y | Stone | Y | Pospisil | Y |

CHAIRMAN2 Hobbs: 10 No: 0 Hyde: 8 07:48 PM

Acting Chairman Kemp declared there was no election.

Commissioner Holt moved, seconded by Commissioner Moser, to defer the election for 30 days and nominate acting Chairman Kemp to continue to chair the meeting.

Commissioner Cummings moved, Commissioner Akins seconded, to substitute Clerk Kemp with Executive Hall's name. County Executive Hall declined the nomination, except for this remainder of the ongoing meeting.

Commissioner Satterfield moved, seconded by Commissioner Stone, to recess for five minutes.

The electronic vote was recorded in the following manner:

VOTE FOR FIVE MINUTE RECESS

| | | | | | |
|-------------|---|----------|---|-----------|---|
| Akins | Y | Fennell | Y | Graves | Y |
| Satterfield | Y | Holt | N | Matthews | N |
| Boyd | N | England | Y | Hendricks | Y |
| Moser | N | Hughes | N | Kimbrough | N |
| Goode | N | Skidmore | Y | Freels | Y |
| Stone | Y | Hobbs | Y | Pospisil | N |

RECESS Yes: 10 No: 8 Abs: 0 07:58 PM

Acting Chairman Kemp declared the motion failed to pass.

Upon voice vote of the body, Commissioner Hendricks called for a division of assembly. The electronic vote on Commissioner Cumming's amendment was recorded in the following manner:

COUNTY EXECUTIVE TO SERVE AS TEMPORARY PRO TEM

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

AMEND Yes: 9 No: 9 Abs: 2 08:03 PM

Acting Chairman Kemp declared the motion failed to pass.

Upon voice vote of the body, commissioners called for a division of assembly. The electronic vote was recorded in the following manner:

CLERK TO SERVE AS ACTING CHAIRMAN

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

CLERK Yes: 12 No: 7 Abs: 1 08:04 PM

Acting Chairman Kemp declared passage of the motion.

RECESS

Commissioner Hughes moved, and was duly seconded, to recess for ten minutes. The motion carried. The Commission reconvened at 8:15 p.m.

ELECTION OF COMMITTEE ON COMMITTEES

Commissioner Hendricks nominated Commissioner Skidmore.
Commissioner England nominated Commissioner Akins.
Commissioner Akins nominated Commissioner Pospisil who declined the nomination.
Commissioner Stone nominated Commissioner Satterfield.
Commissioner Akins nominated Commissioner Freels.
Commissioner Satterfield nominated Commissioner Boyd who declined the nomination.
Commissioner Skidmore nominated Commissioner Hendricks who declined the nomination.
Commissioner Akins nominated Commissioner Graves.
Commissioner Holt moved, seconded by Commissioner Hughes, to defer 30 days and take the matter up next month. Ms. Dennen stated that the vote would require two-thirds vote. Commissioner Holt moved to change his motion to state a referral instead of deferral. Commissioner Hughes agreed to the change.

The electronic vote was recorded in the following manner:

REFER COMMITTEE ON COMMITTEES VOTE

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

REFER Yes: 10 No: 9 Abs: 1 08:23 PM

Acting Chairman Kemp declared the motion failed to pass.

The electronic vote was recorded in the following manner:

APPROVE COMMITTEE ON COMMITTEES

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

COMM Yes: 11 No: 1 Abs: 8 08:25 PM

Acting Chairman Kemp declared no election and nominations not closed.

Commissioner Hobbs moved, seconded by Commissioner England, that the nominations cease and the slate previously nominated be elected by acclamation. Commissioner Hyde requested a roll call vote.

The Commission took a revote on the nominees. The electronic vote was recorded in the following manner:

APPROVE COMMITTEE ON COMMITTEES

| | | | | | |
|--------|---|-------------|---|----------|---|
| Akins | Y | Fennell | A | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | A |

MINUTE BOOK SEVENTEEN
JULY 21, 2008

| | | | | | |
|-----------|---|-----------|---|---------|---|
| Matthews | A | Boyd | N | England | Y |
| Hendricks | Y | Moser | N | Hyde | A |
| Hughes | A | Kimbrough | A | Goode | A |
| Skidmore | Y | Freels | Y | Stone | Y |
| Hobbs | Y | Pospisil | A | | |

COMM Yes: 10 No: 2 Abs: 8 08:28 PM

Acting Chairman Kemp declared no election.

Commissioner Hyde moved, seconded by Commissioner Holt, to refer the election of Committee on Committees. Acting Chairman Kemp stated that the vote will require two-thirds vote. Upon voice vote of the body, the Chair declared the motion failed.

Commissioner Hobbs nominated Commissioners Satterfield, Skidmore, Freels, Akins and Graves.

Commissioner Satterfield nominated Commissioner England who withdrew his name from nomination.

Commissioner Freels withdrew his name from nomination.

Commissioner Stone re-nominated Commissioner Freels who accepted the nomination.

Commissioner Goode moved, seconded by Commissioner Holt, to cease nominations.

The motion carried by voice vote of the body.

Commissioners called for both voting by roll call and by group. The electronic vote to determine the method of voting was recorded in the following manner:

ROLL CALL VOTE-GREEN(Y) SLATE VOTE-WHITE(A)

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | A | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | A |
| Matthews | A | Boyd | A | England | Y |
| Hendricks | Y | Moser | A | Hyde | A |
| Hughes | A | Kimbrough | A | Goode | A |
| Skidmore | Y | Freels | Y | Stone | Y |
| Hobbs | Y | Pospisil | A | | |

ROLL Yes: 10 No: 0 Abs: 10 08:43 PM

Acting Chairman Kemp declared the motion failed to pass.

The electronic vote was recorded in the following manner:

APPROVE COMMITTEE ON COMMITTEES

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | A | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | A |
| Matthews | A | Boyd | Y | England | Y |
| Hendricks | Y | Moser | N | Hyde | A |
| Hughes | A | Kimbrough | A | Goode | A |
| Skidmore | Y | Stone | Y | Hobbs | Y |
| Pospisil | A | | | | |

COMM Yes: 10 No: 1 Abs: 8 08:45 PM

Acting Chairman Kemp declared no election.

Commissioner Goode moved, seconded by Commissioner Moser, to refer the election.

Commissioner Hobbs moved, seconded by Commissioner Skidmore, to move the Committee on Committee election to the heel of the agenda.

Upon voice vote of the body, Chairman placed the matter on the voting board. The electronic vote was recorded in the following manner:

MOVE COMMITTEE ON COMMITTEES VOTE TO HEEL

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

AMEND Yes: 13 No: 5 Abs: 2 08:51 PM

Acting Chairman Kemp declared passage of the motion.

REPORT FROM COUNTY OFFICIALS

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

Acting Chairman Kemp introduced the following resolution:

0807-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.**

Upon motion of Commissioner Matthews, seconded by Commissioner Fennell, voting was recorded in the following manner:

APPROVE NOTARY APPLICATIONS

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | Y | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | Y |
| Matthews | Y | Boyd | Y | England | Y |
| Hendricks | Y | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | Y | Freels | Y | Stone | A |
| Hobbs | Y | Pospisil | Y | | |

0807-NOT Yes: 19 No: 0 Abs: 1 08:53 PM

Acting Chairman Kemp declared election of Notaries Public.

COMMITTEE ON COMMITTEES

Commissioner Matthews announced deferral of appointments to the Sumner County Regional Airport Authority.

Commissioner Matthews announced deferral of the appointments to the Board of Tourism to fill the expiring terms of John Pennington and Sandy Stucky.

Commissioner Matthews announced the appointments next month to the Ethics Committee and Sheriff's Civil Service Board.

HIGHWAY COMMISSION

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

0807-02 A RESOLUTION ENDORSING THE OPTONS OFFERED BY THE CUMBERLAND LAND HOLDINGS, LLC. (AKA "THE LOCKET")

BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in regular session on this the 18th day of August, 2008 that this body does hereby endorse the options (attached herewith as Exhibit A) offered by the Cumberland Land Holdings, LLC (AKA "The Locket") as to all topics except the offer of bridge improvement funds and asserting that the proposal should be expanded to include payment by the Locket of the entire cost of the Bates Creek bridge project.

Commissioner Fennell moved, seconded by Commissioner Holt, to amend to adopt the letter dated June 28, 2008 sent from George F. Johnson of the Lockett Project. The letter would be the contractual agreement between the developer and the County.

Commissioner Graves moved, Commissioner Fennell seconded, to have the developer pay the \$750.00 road fees until the bridge and road improvements are made. Commissioner Graves clarified his motion stating that the road fees would be paid to the developer. Commissioner Fennell agreed to incorporate the amendment into his amendment. The commissioner seconding the motion agreed, as well.

County Executive Hall stated that the estimated cost to build the bridge would be \$330,000.00 for engineering, design and construction.

Commissioner Fennell moved, seconded by Commissioner Goode, to suspend the rules to hear from Mr. Johnson on the project.

The electronic vote was recorded in the following manner:

SUSPEND THE RULES TO HEAR FROM DEVELOPER

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | N | Fennell | Y | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | Y |
| Matthews | Y | Boyd | Y | England | N |
| Hendricks | N | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | N | Freels | N | Stone | N |
| Hobbs | N | Pospisil | Y | | |

SUSPEND Yes: 13 No: 7 Abs: 0 09:28 PM

Acting Chairman Kemp declared the motion failed to pass by the necessary two-thirds vote.

Commissioner Fennell moved, seconded by Commissioner Goode, to refer the matter to Highway Commission for further review.

The electronic vote was recorded in the following manner:

REFER REZONING

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

0807-02REFER Yes: 13 No: 6 Abs: 1 09:33 PM

Acting Chairman Kemp declared the motion to refer passed. The rezoning of the Lockett Project was re-docketed for August 18, 2008.

Commissioner Graves introduced the following resolution and moved, seconded by Commissioner Hobbs, to approve the foregoing:

0807-07 A RESOLUTION APPROPRIATING ONE MILLION DOLLARS FROM THE HOSPITAL RESERVE FUND (“HOSPITAL FUND”) TO THE ROAD IMPROVEMENT AND CONSTRUCTION ESCROW FUND (“ROAD ESCROW FUND”) AS SEED MONEY TO BE USED TO FUND INITIAL ELIGIBLE ROAD PROJECTS, WITH ANY INTEREST EARNED TO BE ANNUALLY RETURNED TO THE HOSPITAL FUND AND ANY ROAD ESCROW FEES COLLECTED TO REMAIN IN THE ROAD ESCROW FUND FOR FUTURE ROAD NEEDS

WHEREAS, this body previously passed Resolution 0712-09 creating the County Road Escrow Fee as well as permanently designated account to be known as the Road Escrow Fund; and

WHEREAS, the road needs of this county are great and persist as new growth in the area continues; and

WHEREAS, the Road Escrow Fund will help to construct new roads as well as much needed improvements to existing roads but as a new fund will not yet be able to offer any relief to this very pressing problem.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008 that this body does hereby appropriate to the Road Escrow Fund One Million Dollars from the Hospital Fund to be used for present eligible road projects; and

BE IT FURTHER RESOLVED that any interest earned from this one million dollar contribution shall be returned annually to the Hospital Fund; and

BE IT FURTHER RESOLVED that any Road Escrow Fees paid shall be placed in the Road Escrow Fund for future necessary road needs.

Commissioner Goode moved, seconded by Commissioner Holt, to amend the resolution to use the \$750.00 road fees to re-pay the \$1 million back to the Hospital Fund.

The electronic vote was recorded in the following manner:

AMEND 0807-07 REPAY WITH ROAD FEES

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

0807-07AMEND Yes: 11 No: 8 Abs: 1 09:46 PM

Acting Chairman Kemp declared the motion failed to pass.

The electronic vote was recorded in the following manner:

APPROVE 0807-07

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

0807-07 Yes: 10 No: 9 Abs: 1 09:53 PM

Acting Chairman Kemp declared the motion failed to pass.

EDUCATION COMMITTEE

Commissioner Hughes reported the Committee did not meet in July due to the death of R.J. "Hank" Thompson.

GENERAL OPERATIONS COMMITTEE

Commissioner Holt brought forth the concern of committee members that the Budget Committee are not funding two additional maintenance personnel previously approved by the County Commission.

EMERGENCY SERVICES COMMITTEE

Commissioner Hughes reported the Committee did not meet in July due to the death of the County Executive R.J. "Hank" Thompson.

PUBLIC WORKS COMMITTEE

There was no report from the Public Works Committee.

LEGISLATIVE COMMITTEE

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

0807-03 A RESOLUTION CREATING A SPECIAL SCHOOL ATHLETIC FACILITY FUND WHICH SHALL BE DISTRIBUTED ON AN AS NEED BASIS PURSUANT TO THE APPLICATION PROCESS CREATED BY THIS BODY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session of this the 21st day of July, 2008 that this body does hereby create a special purpose fund, which shall be used for outdoor athletic facilities and so designated as the "Athletic Facility Fund"; and

BE IT FURTHER RESOLVED that the Athletic Facility Fund shall be used annually to fund creation, renovation and maintenance of county athletic facilities pursuant to the following:

- (1) Funds shall be distributed annually on an as needed basis.
- (2) Any facility, location or organization seeking funds shall make application in the manner prescribed by this body.
- (3) Each applicant must include the following information:
 - (a) A true estimate of the cost of the project and how that cost was determined;
 - (b) The source of revenue for the project, how the source was estimated and how the funds will be raised;
 - (c) A summary of the need, including the number of users. Community use of the facility should be noted;
 - (d) A summary of how matching funds will be raised and collected.
- (4) Applications shall be received between July 1 and December 1 of each fiscal year with no project to be funded until after December 31st of that year.
- (5) All grants shall be funded on a dollar for dollar matching basis. While land, in-kind and labor donations are encouraged, these contributions will not be accepted toward the Athletic Facility Fund donation calculation.

- (6) Nothing in this resolution will preclude any organization from seeking an interest-free loan for athletic facilities. However, this body will no longer forgive such loans and any such financing must be repaid within five (5) years.
- (7) Athletic Facility Fund Applicants must first present their request to the Education Committee, after approval by that committee; the request must be affirmed by the Budget Committee and the approved by the full Commission.
- (8) Athletic Facility Fund donations shall be awarded based on need and the overall picture of all applicants that year for the available sums.
- (9) Funds can only be requested for capital projects.
- (10) No request can be brought to the County Commission until it has been first considered by the Board of Education.

BE IT FURTHER RESOLVED that the June 2008 applications of \$69,900.88 by Westmoreland High School and \$231,000.00 by Merrol Hyde Magnet School for capital projects shall be excluded from this process and these two schools should re-present, within this fiscal year (08-09), their proposals to the appropriate county committees to seek funding.

BE IT FURTHER RESOLVED that this resolution should be included in the administrative policy manual.

Commissioner Akins moved, seconded by Commissioner Fennell, to amend the resolution to exclude \$69,000.00 from the Westmoreland High School project from the criteria listed in the resolution.

The electronic vote was recorded in the following manner:

EXCLUDE WESTMORELAND HIGH PROJECT

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | Y | Cummings | N |
| Graves | Y | Satterfield | Y | Holt | Y |
| Matthews | N | Boyd | Y | England | Y |
| Hendricks | Y | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | Y | Freels | N | Stone | N |
| Hobbs | Y | Pospisil | Y | | |

0807-03AMEND1 Yes: 16 No: 4 Abs: 0 10:09 PM

Acting Chairman Kemp declared passage of the amendment. The amendment is reflected in the previous resolution.

Commissioner Hyde moved, seconded by Commissioner Goode, to pull out the Merrell Hyde Magnet School request for soccer facilities and a field.

The electronic vote was recorded in the following manner:

EXCLUDE MAGNET SCHOOL PROJECT

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

0807-03AMEND2 Yes: 12 No: 3 Abs: 5 10:13 PM

Acting Chairman Kemp declared passage of the amendment. The amendment is reflected in the resolution.

Commissioner Hughes moved, seconded by Commissioner Moser, to remove the \$100,000.00 in funding from the resolution.

The electronic vote was recorded in the following manner:

REMOVE FUNDING SOURCE

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

0807-03AMEND3 Yes: 13 No: 5 Abs: 2 10:17 PM

Acting Chairman Kemp declared passage of the amendment.

The electronic vote was recorded in the following manner:

APPROVE 0807-03 AS AMENDED

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | Y | Cummings | Y |
| Graves | Y | Satterfield | N | Holt | Y |
| Matthews | N | Boyd | Y | England | N |
| Hendricks | N | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | N | Freels | N | Stone | N |
| Hobbs | N | Pospisil | Y | | |

0807-03 Yes: 12 No: 8 Abs: 0 10:17 PM

Acting Chairman Kemp declared the motion approved by the body.

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

0807-04 A RESOLUTION IMPLEMENTING AND PLACING INTO PRACTICE THE SUMNER COUNTY ADMINISTRATIVE POLICY MANUAL AS CREATED BY RESOLUTION 0711-04 OF THIS BODY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008, that this body does hereby implement and place into the practice

THE SUMNER COUNTY ADMINISTRATIVE POLICY MANUAL as created by Resolution 0711-04 of this body and attached herewith as an exhibit to this resolution; and

BE IT FURTHER RESOLVED that this Manual shall be used for all specially designated future resolutions and actions of this body.

The electronic vote was recorded in the following manner:

APPROVE 0807-04

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | Y | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | Y |
| Matthews | Y | Boyd | Y | England | Y |
| Hendricks | Y | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | Y | Freels | Y | Stone | Y |
| Hobbs | Y | Pospisil | Y | | |

0807-04 Yes: 20 No: 0 Abs: 0 10:19 PM

Acting Chairman Kemp declared passage of the motion.

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

**0807-05 A RESOLUTION TO AMEND THE POLICIES OF THE FINANCIAL
 MANAGEMENT ACT TO MODIFY THE MEMBERSHIP OF THE FINANCIAL
 MANAGEMENT COMMITTEE TO NAME THE CHAIRMAN OF THE BUDGET
 COMMITTEE AS A STANDING MEMBER**

WHEREAS, the private act which covers the finances of Sumner County, known as the Sumner County Financial Management Act, addresses the various financial decisions and investments made for the county; and

WHEREAS, the complex economic decisions of this county, overseen by the Financial Management Committee should be understood and followed by the Budget Committee.

THEREFORE, BE IT RESOLVED, by the Sumner County Board of County Commissioners, meeting in regular session on this the 21st day of July, 2008 that this body does hereby amend the rules of committee structure to modify the Financial Management membership to require that the chairman of the Budget Committee become a standing member of that committee.

BE IT FURTHER RESOLVED, that the standing rules of this commission are amended at SECTION D (12) (a) at the second paragraph to add the following language at the end of the sentence

.... "with one member being the chairman of the budget committee."

The electronic vote was recorded in the following manner:

APPROVE 0807-05

| | | | | | |
|-----------|---|-------------|---|-----------|---|
| Akins | Y | Fennell | Y | Cummings | Y |
| Graves | A | Satterfield | Y | Holt | Y |
| Matthews | Y | Boyd | Y | Hendricks | A |
| Moser | Y | Hyde | Y | Hughes | Y |
| Kimbrough | Y | Goode | Y | Skidmore | N |
| Freels | Y | Stone | Y | Pospisil | Y |

0807-05 Yes: 15 No: 1 Abs: 2 10:23 PM

Acting Chairman Kemp declared the motion failed to pass by the necessary two-thirds vote.

Being on the prevailing side, Commissioner Skidmore moved, seconded by Commissioner Holt, to reconsider the previous motion. The motion carried by voice vote of the body.

The electronic vote was recorded in the following manner:

REVOTE 0807-05

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

REVOTE Yes: 15 No: 1 Abs: 4 10:25 PM

Acting Chairman Kemp declared the motion failed to receive the necessary two-thirds majority.

BUDGET COMMITTEE

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

0806-04 A RESOLUTION APPROPRIATING \$295,000.00 FROM THE HOSPITAL RESERVE FUNDS ACCOUNT TO THE AIRPORT AUTHORITY ACCOUNT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008 that this body hereby appropriates \$295,000.00 from the Hospital Reserve Funds Account (101-35115) to the Airport Authority Account (101-58220-316) as matching funds for Federal grants.

Passed first reading June 16, 2008

Commissioner Stone moved, Commissioner Cummings seconded, to offer an amendment to repeal a previously passed resolution in 2002 appropriating \$300,000.00 that has not been spent by the Airport Authority. He moved to use the \$300,000.00 to fulfill this resolution, placing \$5,000.00 back in the County General Fund.

AMEND 0806-04 TO REPEAL \$300,000.00

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | N | Cummings | Y |
| Graves | Y | Satterfield | Y | Holt | N |
| Matthews | N | Boyd | N | England | Y |
| Hendricks | N | Moser | Y | Hyde | Y |
| Hughes | N | Kimbrough | N | Goode | N |
| Skidmore | Y | Freels | N | Stone | Y |
| Hobbs | Y | Pospisil | Y | | |

0806-04AMEND2 Yes: 11 No: 9 Abs: 0 10:35 PM

Acting Chairman Kemp declared the amendment failed to pass.

The electronic vote was recorded in the following manner:

SECOND READING 0806-04

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

0806-04 Yes: 12 No: 5 Abs: 3 10:36 PM

Acting Chairman Kemp declared the resolution passed on the second reading.

Commissioner Stone moved, seconded by Commissioner Cummings, to set the Property Tax Rate at the current rate of \$2.28, with the re-allocation of three cents from schools to the County General Fund.

Commissioner Holt moved, seconded by Commissioner Goode, to set the current Property Tax Rate as it stands.

The electronic vote was recorded in the following manner:

APPROVE TAX RATE CURRENT RATE AND DISTRIBUTION

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

TAX2 Yes: 12 No: 7 Abs: 1 10:52 PM

Acting Chairman Kemp declared passage of the motion to set the tax rate.

The electronic vote was recorded in the following manner:

APPROVE TAX RATE AS AMENDED CURRENT LEVEL

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | Y | Fennell | Y | Cummings | N |
| Graves | Y | Satterfield | Y | Holt | Y |
| Matthews | N | Boyd | N | England | Y |
| Hendricks | Y | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | N | Goode | Y |
| Skidmore | Y | Freels | Y | Stone | N |
| Hobbs | Y | Pospisil | Y | | |

TAX1 Yes: 15 No: 5 Abs: 0 10:55 PM

Acting Chairman Kemp declared passage of the motion as amended. The resulting resolution was prepared as follows:

**0807-08 A RESOLUTION FIXING THE TAX LEVY IN SUMNER COUNTY
TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2008 AND
ENDING JUNE 30, 2009**

BE IT RESOLVED by the County Board of Commissioners of Sumner County, Tennessee, assembled in regular session on this the 21st day of July, 2008, that the combined property tax rate for Sumner County, Tennessee for the fiscal year beginning July 1, 2008 and ending June 30, 2009 shall be \$2.28 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

| <u>Fund</u> | <u>Tax Rate</u> | <u>Percentage</u> |
|------------------------|-----------------|-------------------|
| General | 0.44 | 19.30 |
| General Debt Service | 0.44 | 19.30 |
| Highway | 0.22 | 0.88 |
| School General Purpose | 1.38 | 60.52 |
| Total Funds | 2.28 | 100.00 |

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 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, 2008, the public welfare requiring it.

CONSENT AGENDA

Commissioner Moser moved, and was duly seconded, to approve the following items on the Consent Agenda.

**0807-06 A RESOLUTION DECLARING ATTACHED ITEMS FOR SURPLUS
AND DESTRUCTION**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 21st day of July, 2008 that this body does hereby declare the items as surplus as shown on the attachments; and

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

BE IT FURTHER RESOLVED that in the event items do not sale, disposal of same is approved pursuant to existing policies and procedures.

PROPERTY TAX REFUNDS

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

1. Tax Refund 31W Insulation Co Inc \$288.55 Property Tax Collections
Tax Refund White House Christian Academy \$432.17 Property Tax
2. Collections

3. Tax Refund Servpro Industries Inc \$225.40 Property Tax Collections

Upon voice vote of the body, the Commission approved the Consent Agenda.

ELECTION OF COMMITTEE ON COMMITTEES RESUMED

Acting Chairman Kemp reported that the Commission had moved the motion to refer the election of the Committee on Committees to the heel of the agenda.

The electronic vote was recorded in the following manner:

REFER COMMITTEE ON COMMITTEES VOTE

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

REFER Yes: 11 No: 8 Abs: 1 10:57 PM

Acting Chairman Kemp declared the motion to refer failed to pass.

Commissioner Holt moved, seconded by Commissioner Goode to adjourn the meeting.

The electronic vote was recorded in the following manner:

ADJOURN MEETING

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

ADJOURN Yes: 11 No: 8 Abs: 1 11:00 PM

Acting Chairman Kemp declared the motion failed to pass.

RECESS

Without objection, Acting Chairman Kemp declared a recess for ten minutes. The motion carried. The Commission reconvened at 11:10 p.m.

Commissioner Satterfield nominated Commissioner Cummings for Committee on Committees. Commissioner Stone nominated Commissioner Akins.

Commissioner Holt moved, and was duly seconded, to suspend the rules to nominate every commissioner present and the three absent commissioners.

The electronic vote was recorded in the following manner:

SUSPEND THE RULES COMMISSION TO ACT AS COMMITTEE

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | N | Fennell | Y | Cummings | Y |
| Graves | N | Satterfield | N | Holt | Y |
| Matthews | Y | Boyd | N | England | N |
| Hendricks | N | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | N | Freels | Y | Stone | N |
| Hobbs | N | Pospisil | Y | | |

SUSPEND Yes: 11 No: 9 Abs: 0 11:12 PM

Acting Chairman Kemp declared the motion failed to pass.

Commissioner Akins nominated Commissioner Freels.
 Commissioner Goode nominated Commissioner Pospisil.
 Commissioner Goode nominated Commissioner Fennell.
 None of the three accepted the nomination.

Commissioner Stone nominated Commissioner Graves.
 Commissioner Graves nominated Commissioner Skidmore.
 Commissioner Cummings nominated Commissioner Hughes who did not accept the nomination.
 Commissioner Stone nominated Commissioner Satterfield.
 Commissioner Satterfield nominated Commissioner England.
 Commissioner Graves nominated Commissioner Moser who did not accept the nomination.
 Commissioner Skidmore nominated Commissioner Matthews who did not accept.

Upon a motion by Commissioner Stone, seconded by Commissioner Graves, the Commission voted by voice to cease nominations. The roll call vote was as follows:

| Commissioner | CUMMINGS | AKINS | GRAVES | SKIDMORE | SATTERF | ENGLAND |
|-----------------------------|----------|-------|--------|----------|---------|---------|
| Akins, Mike | X | X | X | X | X | |
| Fennell, Shawn | | X | X | | X | |
| Cummings, David | | X | X | X | X | X |
| Hall, Ragan | | | | | | |
| Graves, Steve | X | X | X | X | X | |
| Satterfield, David | X | X | X | X | X | |
| Holt, Anthony E. | | | | | | |
| Matthews, Joe C. | | | | | | |
| Boyd, Sandra Ridings | | X | X | X | X | X |
| England, James A. | X | X | X | X | X | |
| Hendricks, Bob | X | X | X | X | X | |
| Vaughn, Jim | | | | | | |
| LeMarbre, Trisha | | | | | | |
| Moser, Kirk | X | | | | | |
| Decker, Paul | | | | | | |
| Hyde, Merrol N. | | | | | | |
| Hughes, Chris | | | | | | |
| Kimbrough, David | | | | | X | |
| Goode, Paul R. | | | | | | |
| Skidmore, Jo | X | X | X | X | X | |
| Freels, Paul D. | | | | X | X | X |
| Stone, Jerry F. | | X | X | X | X | |
| Pospisil, Bob | | | | | | |

| | | | | | | |
|-----------------|----------|-----------|-----------|-----------|-----------|----------|
| Hobbs, Billy S. | | X | X | X | X | X |
| TOTALS | 7 | 11 | 11 | 11 | 13 | 4 |
| | CUMMINGS | AKINS | GRAVES | SKIDMORE | SATTERF | ENGLAND |

Acting Chairman Kemp declared Commissioner Satterfield elected to the Committee on Committees.

ADJOURNMENT

Commissioner Holt moved, Commissioner Goode seconded, to adjourn the meeting.

The electronic vote was recorded in the following manner:

ADJOURN MEETING

| | | | | | |
|-----------|---|-------------|---|----------|---|
| Akins | N | Fennell | Y | Cummings | Y |
| Graves | N | Satterfield | N | Holt | Y |
| Matthews | Y | Boyd | Y | England | N |
| Hendricks | N | Moser | Y | Hyde | Y |
| Hughes | Y | Kimbrough | Y | Goode | Y |
| Skidmore | N | Freels | Y | Stone | N |
| Hobbs | N | Pospisil | Y | | |

ADJOURN Yes: 12 No: 8 Abs: 0 11:24 PM

Acting Chairman Kemp declared the motion passed and the Commission meeting adjourned at 11:24 p.m.

CLERK

Prepared by Maria A. Moser
 Approved on _____