
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
JANUARY 25, 2010**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, January 25, 2010, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Merrol Hyde. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

Mike Akins	Paul Goode	Joe C. Matthews
Sandra Ridings Boyd	Steve Graves	Kirk Moser
David Cummings	Bob Hendricks	Bob Pospisil
Paul Decker	Billy S. Hobbs	David Satterfield
Shawn Fennell	Chris Hughes	Jo Skidmore
Paul D. Freels	Merrol N. Hyde	Jerry F. Stone
Frank E. Freels	David Kimbrough	Jim Vaughn
	Trisha LeMarbre	Shawn Utley

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman Hyde noted that with twenty-three members seated, a simple majority would be by twelve votes; and that matters requiring a two-thirds vote would be by sixteen votes during this session.

The Invocation was led by Pastor Bruce Chesser, First Baptist Church of Hendersonville.

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

APPROVAL OF AGENDA

Without objection, Chairman Hyde removed Resolution 1001-06 and Resolution 1001-03 from the agenda. The certificates of recognition were moved before Recognition of the Public. Chairman Hyde recognized Commissioner Goode who stated that during discussion of Resolution 1001-02 that the Director of Tourism be allowed to speak. Commissioner Satterfield requested moving 1001-01 to the Report of Chair as "D". Chairman Hyde added "C" as Water Block Grant under Report of Chair. Commissioner Frank Freels moved, Commissioner Moser duly seconded, to adopt the agenda with the Additions and changes. 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 21, 2009, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Hobbs made the motion, seconded by Commissioner Goode. Commissioner Vaughn abstained from the vote.

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

A RESOLUTION HONORING MR. CHARLES HAYNES

WHEREAS, Mr. Charles Haynes, since December 7, 1993 has been a member of the Sumner County Planning Commission and served as Chairman of the committee from 2000-2007; and

WHEREAS, Mr. Haynes has been instrumental in bringing progress and advancement to this county and demonstrates civic-mindedness and his commitment to serve the citizens of Sumner County; and

WHEREAS, Mr. Haynes, by giving of his time and talents, has contributed distinctive guidance and direction to the citizens and leadership of Sumner County.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010, that this body does hereby recognize and commend Mr. Charles Haynes for his commitment and appreciate his dedication and service to the citizens and government of Sumner County; 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 Mr. Charles Haynes.

Chairman Hyde declared the certificate of recognition honoring Mr. Haynes approved by the body.

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

**A RESOLUTION HONORING
THE HENDERSONVILLE CHRISTIAN ACADEMY FOOTBALL TEAM**

WHEREAS, the Hendersonville Christian Academy football team led by Coach Don Karns and his outstanding coaching staff have won the 2009 TAACS State Football Championship after retaining a season record of 10 wins and 1 loss and bringing the school its first State Football Championship; and

WHEREAS, the Hendersonville Christian Academy football team played with pride and spirit and through their diligent efforts have brought honor to themselves, their school and Sumner County by their outstanding performance and dedicated efforts; and

WHEREAS, Donovan Humpress was named the Defensive Most Valuable Player and Taylor Harmon was named the offensive Most Valuable Player and along with the other members of the team played with pride and dignity and through their gallant struggles has demonstrated the benefits of unbreakable spirit, teamwork and dedication.

NOW THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010, that this body does hereby congratulate and commend the Hendersonville Christian Academy football team for their award winning, record-breaking, outstanding season; 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 Hendersonville Christian Academy football team and Coach Don Karns.

Chairman Hyde declared the certificate of recognition honoring the Hendersonville Christian Academy football team approved by the body.

RECOGNITION OF THE PUBLIC

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

Beth Cox of 113 Windham Circle in Hendersonville spoke regarding her concerns as a Board of Education member about the proposed adoption of the Financial Management Act of 1981.

The following persons stated their objection to the new Animal Control Facility being located near a school or home, stating the potential for property damage or devaluation. Most were concerned for the health and safety of the children going to school nearby. Other concerns were objections to the use of inmate labor at the facility and health concerns from odors and bacteria.

Billy Green of 109 Hix Lane in Gallatin
David Agee of 129 Hix Lane in Gallatin
Brad McFarland of 119 Hix Lane in Gallatin
Samuel Hammock 1022 Lyndale Drive in Castalian Springs
Betty Sims of 154 Bushes Lane in Gallatin
Tony Leal 614 Ruth Avenue in Gallatin
Mary Holland of Gallatin
Kaylyn Rich of 578 Hollerman in Gallatin

Ed Vance of Hendersonville stated that the County made a good choice for the new Tourism Director.

Phillip Hight of Castalian Springs gave his praise of Charles Haynes and stated that his concern with the spending habits of the County Commission.

Jonna Lilly of 124 Harsh Lane in Gallatin stated that she is in favor of the Animal Control Facility and the location was not a problem. She voiced her concern about a letter circulated by the principal of Benny Bills Elementary School.

Joe Johnson of 168 Dobbins Pike in Gallatin stated that if the Animal Control Facility was properly installed and run it would probably be a good thing, though he was not excited about it being in his backyard.

Mike Moulton of Cottontown stated his admiration for Charles Haynes when Mr. Moulton was the Sumner County Planning Director. Mr. Moulton cautioned the Commission on its expenditures concerning Resolution 1001-05, approving the capital projects list.

Don Long 184 Spy Glass Way in Hendersonville read a letter from Hendersonville Mayor Scott Foster asking that the County fund the tourism budget to the extent possible.

Greer Broemel of 501 Union Street in Nashville and Director of the Middle Tennessee Tourism Council requested the Commission to maintain the tourism budget.

Walt Baker, CEO of the Tennessee Hospitality Association in Nashville, spoke on Resolution 1002-02 urging the Commission to fully fund the tourism budget.

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

REPORT OF THE CHAIR

ELECTION OF FIFTH DISTRICT COMMISSIONER

Chairman Hyde recognized Commissioner Stone who moved to defer the election of the Fifth District Commission seat vacated by James A. England until next month. The election was seconded by Commissioner Kimbrough and deferred upon unanimous voice vote.

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

1001-13 RESOLUTION IN SUPPORT OF FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, funds are available through the State of Tennessee, Small Cities Community Development Block Grant (CDBG) Program; and

WHEREAS, Sumner County wishes to provide potable public water to serve the residents of Sumner County; and

WHEREAS, Sumner County may apply for CDBG funds in the amount of \$500,000.00 and will provide local match funds not to exceed \$100,000 available from Sumner County's General Capital project funds from bond proceeds.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010 that this body does hereby authorize that application be made for CDBG funds to extend water lines to areas where public water is currently unavailable, and that Anthony Holt, County Executive, be authorized to sign the application and all assurance necessary to filing said application.

Commissioner Graves stated that he had a conflict of interest and would abstain from the vote on this matter.

The electronic vote was recorded in the following manner:

APPROVE WATER BLOCK GRANT APPLICATION

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

1001-13 Yes: 22 No: 0 Abs: 1 07:59 PM

Chairman Hyde declared the resolution approved by the body.

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

**1001-01 A RESOLUTION SELECTING THE COUNTY PROPERTY
LOCATED ON UNION SCHOOL ROAD AS THE SITE LOCATION FOR THE
NEW SUMNER COUNTY ANIMAL CONTROL FACILITY**

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of
County Commissioners meeting in regular session on this the 25th day of
January, 2010, that this body does hereby select the County property located on
Union School Road as the site location for the new Sumner County Animal
Control Facility.

Commissioner Satterfield moved, seconded by Commissioner Stone, to defer the
matter for 90 days while an alternative location is researched.

The electronic vote was recorded in the following manner:

REFER 1001-01 TO RESEARCH OTHER SITES

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

1001-01.1 Yes: 6 No: 17 Abs: 0 08:10 PM

Chairman Hyde declared the motion to defer failed to pass.

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

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

1001-01 Yes: 17 No: 6 Abs: 0 08:21 PM

Chairman Hyde declared the resolution approved by the body on the first and
final reading.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Skidmore, seconded by Commissioner Matthews, 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.

Chairman Hyde introduced the following resolution:

1001-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.**

ALLEN, KATHERINE ELIZABETH
ANDERSON, AMBER ANNE
BRADFORD, ANITA FAYE
BRASWELL, DARRELL W
BROWN, BONNIE SUE
BROWN, SHAINA W.
CARTER, THELMA KAY
CONYER, GAIL
COOK, CARRIE L
COOPER, RICKY LYNN
CROOK, TAMMY REGINA
DEBOE, BETTY FLEMING
DUER, KATHLEEN HELEN
FAHEY, SHARIE RENEE
FREITAG, AMY ANN
HALL, NANCY JANE
HIBDON, DIANNE
JARVIS, PAULA W
JONES, AMY MARIE

LAWRENCE, THOMAS MICHAEL
LOWRY, JEFFREY WAYNE
MASACEK, RONALD A
MAURER, PAMELA SUZANNE
MCCOLLUM, FREDERICK LO ALLYN
NEELY, PATRICIA MATTHEWS
NORMAN, SHERRY LYNN
PACE, RHONDA WARD
PARDUE, DONNA JEAN
PARKS, ZENA RODGERS
PORTER, JANETTE RENEE
PROFFITT, LINDA
ROBERTS, RITA ANN
SCOTT, JOHN WAYNE
SMITH, RICHARD KEITH
STEVENS, ALANDRIA SHAY
STEWART, THERESA ANN
TEMPLETON, DEBBIE KAY
TROTTER, JASON BRADLEY

KIZER, TRACY LEE

TURNER, KATHY DOREEN
UPCHURCH, GEARLD LYNN
WATERS, ERICKA GANNON
WILLIS, DENISE E

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

The electronic vote was recorded in the following manner:

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

1001-NOTARY Yes: 21 No: 0 Abs: 1 08:22 PM

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

COMMITTEE ON COMMITTEES

Commissioner LeMarbre announced the Agricultural Extension Agency appointments to fill the terms of David Cummings, Shawn Fennell, Charlie Car, and Vivian Reece. The recommendation was to re-appoint Shawn Fennell (Commissioner) and Charlie Car (farmer); and to replace Vivian Reece (farmwoman) and David Cummings (Commissioner) with Joy Alexander and Frank E. Freels, respectively. Upon motion of Commissioner LeMarbre, seconded by Commissioner Skidmore, the Commission voted to approve the appointments to the Agricultural Extension Agency.

Commissioner LeMarbre reported on Board of Health appointments to fill the terms of Dr. Glen Jones, Dr. Wayne Hooper, Jr., and Dr. Robert Philips, stating that they had agreed to serve another term. Upon motion of Commissioner LeMarbre, seconded by Commissioner Matthews, the Commission voted to approve the re-appointments to the Board of Health.

Commissioner LeMarbre announced the expiring terms and vacancies of the following: a) Vacancy following the resignation of George Carter on the Zoning Board of Appeals; b) Vacancy following the resignations of Ken Cox and David Schreiner on the Regional Library Board; c) General Operations Committee appointment to fill the vacancy created when James A. England resigned.

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no report from the Education Committee.

GENERAL OPERATIONS COMMITTEE

There was no further report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

PUBLIC WORKS COMMITTEE

There was no report from the Public Works Committee.

LEGISLATIVE COMMITTEE

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

1001-02 A RESOLUTION URGING THE TENNESSEE GENERAL ASSEMBLY TO AMEND CHAPTER 7 OF THE PRIVATE ACTS OF 1985 RELATIVE TO DISTRIBUTION OF THE PROCEEDS OF THE HOTEL/MOTEL TAX IN SUMNER COUNTY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010 that this body does ask our delegates to introduce and work for the passage of a private act amending Chapter 7 of the Private Acts of 1985 to change the distribution of the hotel/motel tax levied pursuant to that act so that the proceeds of the tax are required to be appropriated in the annual budget by the county commission in the following manner:

The first three hundred fifty thousand dollars (\$350,000.00) of the proceeds of the tax levied and collected each fiscal year shall be appropriated and distributed to the Sumner County Board of Tourism. Any amounts collected over and above that amount shall be appropriated and expended at the discretion of the county commission through its normal committee process and voting. In the event that less than three hundred fifty thousand dollars (\$350,000.00) is collected in any fiscal year, then only the amount of taxes levied and collected in that fiscal year shall be appropriated to the Board of Tourism for that fiscal year.

BE IT FURTHER RESOLVED that the members of the General Assembly representing the people of Sumner County are urged to introduce and work for the passage of said amendment, as set out in the attachment to this resolution; and

BE IT FURTHER RESOLVED that the County Clerk is directed to send a certified copy of this resolution and the attached amendment to the members of the General Assembly representing Sumner County.

PASSED this 25th day of January, 2010.

AN ACT to amend Chapter 7 of the Private Acts of 1985 relative to distribution of the proceeds of the hotel/motel tax in Sumner County

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1. Chapter 7 of the Private Acts of 1985 is amended by deleting Section 9 in its entirety and substituting the following:

SECTION 9. The proceeds of the tax levied herein shall be appropriated in the annual budget by the county commission in the following manner:

The first three hundred fifty thousand dollars (\$350,000.00) of the proceeds of the tax levied and collected each fiscal year shall be appropriated and distributed to the Sumner County Board of Tourism. Any amounts collected over and above that amount shall be appropriated and expended at the discretion of the county commission through its normal committee process and voting. In the event that less than three hundred fifty thousand dollars (\$350,000.00) is collected in any fiscal year, then only the amount of taxes levied and collected in that fiscal year shall be appropriated to the Board of Tourism for that fiscal year.

Section 2. The provisions of this act shall in no manner repeal, modify, or interfere with the authority granted by any other public or private law applicable to Sumner County except as provided in Section 1.

Section 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Sumner County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified by such officer to the Secretary of State.

Section 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Chairman Hyde recognized Colleen Coury, Director of Tourism, who encouraged commissioners to continue their support of tourism.

Chairman Hyde recognized County Executive Anthony Holt who encouraged commissioners to support the work of the Board of Tourism.

Chairman Hyde recognized County Finance Director who stated that the revenues for Fiscal Year are coming close to the amount estimated.

Commissioner Goode read a letter from Ernst Western Corporation, a hotel owner in Sumner County, giving support for Tourism Department funding.

Commissioner Goode moved, seconded by Commissioner LeMarbre, to allocate the first three hundred fifty thousand dollars (\$350,000.00) of the proceeds of the tax levied and collected each fiscal year to the Sumner County Board of Tourism. Any amounts collected over and above that amount shall be appropriated and expended at the discretion of the county. If less is collected, then the funds will be disbursed to the Sumner County Tourism budget.

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

AMEND \$350,000.00 TO TOURISM

Akins	Y	Fennell	Y	Cummings	N
Utley	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	Y	Boyd	N
Vaughn	Y	LeMarbre	Y	Moser	Y
Decker	Y	Hyde	Y	Hughes	Y
Kimbrough	Y	Goode	Y	Skidmore	Y
P. Freels	N	Stone	Y	Hobbs	N
Pospisil	Y				

1001-02.1 Yes: 17 No: 5 Abs: 0 08:36 PM

Chairman Hyde declared the amendment approved by the body.

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

Akins	Y	Fennell	Y	Cummings	N
Utley	Y	Graves	Y	Satterfield	N
F. Freels	Y	Matthews	Y	Boyd	N
Vaughn	Y	LeMarbre	Y	Moser	Y
Decker	Y	Hyde	Y	Hughes	Y
Kimbrough	Y	Goode	Y	Skidmore	Y
P. Freels	Y	Stone	Y	Hobbs	Y
Pospisil	Y				

1001-02 Yes: 20 No: 3 Abs: 0 08:38 PM

Chairman Hyde declared Resolution 1001-02 approved by the body. The resolution reflects the amendment as stated.

BUDGET COMMITTEE

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

1001-04 A RESOLUTION APPROPRIATING \$15,000.00 FROM THE CITY OF GALLATIN IN PASS-THROUGH FUNDS TO THE GALLATIN LIBRARY BUDGET-JANITORIAL SERVICES FUND

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010, that this body hereby appropriates \$15,000.00 in pass through funds from a donation by the City of Gallatin to the Gallatin Library Budget-Janitorial Services Fund as shown on the attachment.

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
Hendricks	Y	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y

Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		
1001-04	Yes: 23	No: 0	Abs: 0	08:39 PM	

Chairman Hyde declared Resolution 1001-04 approved by the body.

Chairman Hyde recognized the County Finance Director David Lawing who stated that no collections have been made under the Voluntary Tax Act.

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

1001-05 A RESOLUTION ADOPTING THE COUNTY GENERAL CAPITAL PROJECTS LIST AND APPROPRIATING FUNDS FROM THE 2010 BOND ISSUE PROCEEDS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010 that this body does hereby adopt the County General Projects Lists dated January 11, 2010 (attached herewith as Exhibit A) and appropriates funds from the 2010 Bond Issue Funds as adopted previously by this body and as set forth in this resolution; and

BE IT FURTHER RESOLVED that the costs for the Sumner County Administration Building repair and Court House repairs are just estimates; and

BE IT FURTHER RESOLVED that up to \$80,000 is appropriated from the 2010 Bond Proceed for architect or engineering fees for the design of the repairs to the Sumner County Administration Building and Courthouse; and

BE IT FURTHER RESOLVED that the donation of \$675,000.00 to the Portland Library Renovation Project shall be appropriated to the City of Portland as a one third match for the Portland Library Project; and

BE IT FURTHER RESOLVED that the county and the city of Portland shall enter into a contract which guarantees that the Portland Library Project shall be undertaken and completed; and

BE IT FURTHER RESOLVED that such contract shall provide that the county will make its contribution when the city appropriates its \$675,000.00 and accepts its equal contribution from the private sector in cash or in kind.

Commissioner Kimbrough moved, seconded by Commissioner Vaughn, to amend the motion to strike the language of the last paragraph and replace it with the following:

The county and the city of Portland shall enter into a contract which guarantees that the Portland Library Project shall be undertaken and completed; and

Be it further resolved that such contract shall provide that the county will make its contribution when the city appropriates its \$675,000.00 and accepts its equal contribution from the private sector in cash or in kind.

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

AMEND TO INCLUDE PORTLAND AND PRIVATE PAYMENTS

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
Hendricks	Y	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	Y	Hughes	Y
Kimbrough	Y	Goode	Y	Skidmore	N
P. Freels	Y	Stone	Y	Hobbs	Y
Pospisil	Y				

1001-05.1 Yes: 21 No: 1 Abs: 0 08:41 PM

Chairman Hyde declared the 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
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	Y	Matthews	Y	Boyd	Y
Hendricks	Y	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	N	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

1001-05 Yes: 22 No: 1 Abs: 0 08:42 PM

Chairman Hyde declared Resolution 1001-05 approved by the body as amended. The amendment, as stated, is reflected in the stated resolution.

CONSENT AGENDA

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

1001-07 A RESOLUTION APPROPRIATING \$251.24 AS PASS-THROUGH FUNDS FROM PORTLAND LIBRARY FUND RESERVE TO VARIOUS ACCOUNTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010, that this body hereby appropriates \$251.24 as pass-through funds from Portland Library Fund Reserve to Various Accounts as shown on the attachments.

1001-08 A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE \$2,028,971.00 TO THE BOARD OF EDUCATION FROM 2007 BOND FUNDS FOR PORTLAND EAST MIDDLE SCHOOL RENOVATIONS

WHEREAS this body on the 16th day of November, 2009 appropriated \$2,028,971.00 to the Board of Education from 2007 bond funds for Portland East Middle School Renovations; and

WHEREAS at that time, this body restricted this appropriation in order that reconciliation of county finance records with Board of Education records could be undertaken.

THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January that this body does hereby authorize the distribution of up to the appropriated sum of \$2,028,971.00 to the Board of Education for the Portland East Middle School Renovations.

**1001-09 A RESOLUTION APPROPRIATING \$867,566.00
IN PASS-THROUGH FUNDS FROM THE HIGHWAY DEPARTMENT
UNDESIGNATED FUND BALANCE TO VARIOUS ACCOUNTS**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010, that this body hereby appropriates \$867,566.00 in pass-through funds from the Highway Department Undesignated Fund Balance to Various Accounts as shown on the attachment.

**1001-10 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
SHERIFF'S OFFICE AS SURPLUS AND AUTHORIZING DISPOSAL OR SALE
OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010 that this body does hereby declare the items as surplus as shown on the attachment; and

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

**1001-11 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
SHERIFF'S DEPARTMENT FOR SURPLUS AND DESTRUCTION**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 25th day of January, 2010 that this body does hereby declare the items as surplus as shown on the attachments; and

BE IT FURTHER RESOLVED that given the nature of the items, disposal is the appropriate manner to discard of these items and such is directed pursuant to existing policies and procedures.

**1001-12 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 25th day of January, 2010 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.

First Reading December 15, 2009
Second Reading January 24, 2010

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
Hendricks	Y	Vaughn	Y	LeMarbre	Y
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	Y	P. Freels	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

1001-CONSENT Yes: 23 No: 0 Abs: 0 08:44 PM

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

FINANCIAL MANAGEMENT AD HOC COMMITTEE

Chairman Hyde announced the following members of the Financial Management Ad Hoc Committee: Commissioners Hobbs (to serve as Chairman), Kimbrough, Decker, Moser, Vaughn, Stone, Frank Freels, Pospisil, School Director of Finance Maryanne Durski and County Director of Finance David Lawing. The charge of the ad hoc committee was review the 1981 Financial Management Act and to set up meetings to determine if the Commission should act.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 9:50 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____
