
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
AUGUST 20, 2012**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, August 20, 2012, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Merrol Hyde. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

Mike Akins	Ben Harris	Baker Ring
Paul Decker	Chris Hughes	David Satterfield
Paul D. Freels	Merrol N. Hyde	Jo Skidmore
Frank E. Freels	David Kimbrough	Jerry F. Stone
Billy Geminden	Trisha LeMarbre	Paige Brown Strong
Paul Goode	Joe C. Matthews	Jim Vaughn
Steve Graves	Kirk Moser	Shawn Utley
Michael Guthrie	Bob Pospisil	

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Hyde noted that with twenty-three 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. Commissioner Moe Taylor was not present for the meeting.

The Invocation was led by Pastor James Gill of the First Baptist Church in Gallatin.

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

APPROVAL OF AGENDA

Commissioner Vaughn moved, seconded by Commissioner Ring, to adopt the regular and consent agendas. The Commission approved the agendas by unanimous voice vote of the body.

APPROVAL OF MINUTES

The minutes for the meetings of this body held on July 16, August 6 and August 13, 2012, and recorded in the office of the Clerk, Bill Kemp, were approved by unanimous voice vote after Commissioner Frank Freels made the motion, seconded by Commissioner Harris.

RECOGNITION OF THE PUBLIC

Chairman Hyde opened the floor to allow the public to speak concerning any matter on the agenda. Several public speakers deferred comment as their matter of interest was not on the agenda.

Randy Wright of 1060 Belvedere Drive in Gallatin asked the Commission to set aside personalities and determine what would be adequate to fully fund the school system and other county departments. He was in favor of raising taxes to support local government.

James Mooneyhan of 588 Brandy Hollow Road in Portland stated that big box retailers have charities set up to augment funding for the school system. Commissioner Akins moved, seconded by Commissioner Graves, to suspend the rules to allow Mr. Mooneyhan to continue to speak. The motion carried.

Michael Ponce of Buffalo Run in Goodlettsville was in favor of properly funding schools. He stated his reluctant support for the wheel tax, because he felt that it was a regressive tax. He supported a tax increase.

Stacey Stuhrenberg of 101 Manor Way in Hendersonville spoke in favor of fully funding the school system budget.

Irene Kertchaval of 108 Wickham Court in Hendersonville spoke in favor of protecting and appreciating teachers.

George Jarrell, Tommy Watkins, Whitney Cisco and Bryan Gates deferred comments.

Dr. Kathleen Kimble of 1135 Stirlingshire Drive in Hendersonville and principal of Nannie Berry Elementary School asked commissioners to vote for passage of the wheel tax increase tonight. She said the schools need the funds now. The amount of funding decreased for the Nannie Berry School was \$52,751.00.

Lois Finney of 605 Clifton Drive in Goodlettsville and a science teacher at Joe Schafer Middle School pointed out that neighboring counties have increased taxes and Sumner County needs to follow suit. She said there was a lack of trust between governmental bodies. Commissioner Goode moved, seconded by Commissioner Utley, to suspend the rules to allow Ms. Finney to continue to speak. The motion carried.

Susie Turner of 128 Tanasi Shores in Gallatin and principal of Watt Hardison Elementary School stated that \$44,700 will be reduced from her school's budget. She asked commissioners to pass the wheel tax increase tonight.

Andrew Turner of 422 Pennington Avenue in Gallatin and principal of Rucker Stewart Middle School stated that \$72,000 would be cut from his school. He asked commissioners to pass the wheel tax increase tonight.

Maria Brewer of 148 Field Crest Circle in Hendersonville said she is a supporter of schools and asked commissioners to take the steps to fully fund the school budget.

Herman C Lawson of 130 Saranac Trail in Hendersonville said quality education depends on quality teachers. He said the teachers need job security and good pay. He said Sumner County is falling further behind.

Beth Cox of 113 Windham Circle in Hendersonville and Board of Education member implored the Commission to fully fund the school system. Commissioner Moser moved, seconded by Commissioner Goode, to suspend the rules to allow Ms. Cox to continue to speak. The motion carried.

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

REPORT OF THE CHAIR

County Executive Anthony Holt introduced the following resolution:

A RESOLUTION HONORING THE SUMNER SPAY NEUTER ALLIANCE

WHEREAS, the Sumner Spay Neuter Alliance celebrated its one year anniversary on July 15, 2012 and since opening Dr. Yvette Pennington has surgically sterilized over 6,300 dogs and cats; and

WHEREAS, these simple procedures will save the lives of millions of animals because the more dogs and cats we spay and neuter the fewer dogs and cats our county has to euthanize; and

WHEREAS, the Sumner Spay Neuter Alliance was created to fight the needless euthanasia of unwanted pets through access to low cost procedure for these efforts they should be commended; and

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of August, 2012, that this body does hereby express its appreciation and gratitude for the service of the Sumner Spay Neuter Alliance and this body urges all the citizens of Sumner County to acknowledge the accomplishments made by the Sumner Spay Neuter Alliance; 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 Sumner Spay Neuter Alliance Facility.

Upon motion of Commissioner Graves, seconded by Commissioner Matthews, the Commission voted to honor the Sumner Spay Neuter Alliance Facility for its good work with animals.

Commissioner Stone presented the following slate of 2012-13 Commission standing committees and moved for approval; Commissioner Pospisil seconded the motion.

PROPOSED COMMISSION STANDING COMMITTEES 2012-2013

Budget Committee

Kirk Moser
Jerry Stone
Moe Taylor
Jim Vaughn
Shawn Utley
Mike Guthrie
Paul Freels

Public Services Committee

Shawn Utley
Mike Akins
Paul Freels
Joe Matthews
David Satterfield
Judy Hardin (Road Supt.)
Anthony Holt (County Executive)

Highway Committee

Frank Freels
Billy Geminden
Steve Graves
Mike Akins
Mike Guthrie
David Kimbrough
Tom Neal (Citizen)
Anthony Holt (County Exec)
Judy Hardin (Highway Supt.)

General Operations Committee

Jo Skidmore
David Satterfield
Moe Taylor
Ben Harris
Steve Graves
Bob Pospisil
Paige Brown-Strong

Beer Board Committee

Paige Brown Strong
Jo Skidmore
Baker Ring
Frank Freels
Paul Freels
Chris Hughes
Paul Goode

Emergency Services Committee

Jim Vaughn
Mike Akins
Bob Pospisil
Joe Matthews
Paul Decker
Jerry Stone
Ben Harris

Education Committee

Paul Decker
Trisha LeMarbre
Jerry Stone
Joe Matthews
Billy Geminden
Jim Vaughn
Kirk Moser

Rules and Procedures Committee

(Commission Chair)
Baker Ring
David Satterfield
Chris Hughes
Paul Goode
David Kimbrough

Financial Management 2012

Steve Graves
Kirk Moser
Frank Freels
Bob Pospisil
Highway Supt.
Director of Schools
County Executive

Financial Management 2002

Steve Graves
Kirk Moser
Frank Freels
Bob Pospisil
Highway Supt
Director of Schools
County Executive

Commissioners Guthrie and Kimbrough declined to serve on the Highway Commission. Chairman Hyde noted that there would be two vacancies on the Highway Commission that the Committee on Committees would consider filling at its next meeting.

The electronic vote was recorded in the following manner:

ELECT COMMITTEE SLATE

Akins	Y	Geminden	Y	Utley	Y
Graves	Y	Satterfield	A	F. Freels	Y
Matthews	N	Harris	Y	Ring	N
Brown Strong	Y	Vaughn	Y	LeMarbre	N
Moser	Y	Decker	Y	Hyde	Y
Hughes	Y	Goode	N	Skidmore	Y
P. Freels	Y	Stone	Y	Guthrie	Y
Pospisil	Y				

COMMITTEE Yes: 17 No: 4 Abs: 1 07:45 PM

Chairman Hyde declared the slate approved by the body and instructed the committees to meet and elect chairman and vice-chairman. The resulting committee chairmen were as follows:

Financial Management 2012

Frank Freels, Chairman
Steve Graves, Vice-Chairman

and Financial Management 2002

Frank Freels, Chairman
Steve Graves, Vice-Chairman

Education Committee

Paul Decker, Chairman
Trisha LeMarbre, Vice-Chairman

Rules and Procedures Committee

Commission Chairman, Chairman)
Baker Ring, Vice-Chairman

General Operations Committee

Jo Skidmore, Chairman
Paige Brown Strong, V-Chr.

Beer Board Committee

Paige Brown Strong, Chr.
Chris Hughes, Vice-Chr.

Emergency Services Committee

Jim Vaughn, Chairman
Joe Matthews, Vice-Chairman

Budget Committee

Kirk Moser, Chairman
Jerry Stone, Vice-Chairman

Public Services Committee

Shawn Utley, Chairman
Mike Akins, Vice-Chairman

Highway Committee

Steve Graves, Chairman
Billy Geminden, Vice-Chr.

Chairman Hyde instructed Committee Chairman, composing the Legislative Committee, to meet and elect a chairman and vice-chairman for the Legislative Committee. The members are Commissioners Utley, Moser, Pospisil, Graves, Stone, Skidmore, Vaughn Decker and Chairman Hyde. Commissioner Pospisil was elected chairman and Commissioner Moser, vice-chairman.

CONSENT AGENDA

Commissioner Skidmore moved, seconded by Commissioner Graves, to approve the following items on the Consent Agenda:

**1208-05 A RESOLUTION TO CARRYOVER THE FISCAL YEAR 2012
BALANCES OF THE CAPITAL PROJECTS FUND**

BE IT RESOLVED by the County Board of Commissioners of Sumner County, Tennessee, meeting in regular session on this 20th day of August, 2012 that this body hereby adjusts the Capital Projects Fund from the Fiscal Year 2012 as shown on the attachment herewith.

**1208-06 A RESOLUTION TO CARRYOVER THE FISCAL YEAR 2012
BALANCES FOR BUDGETED GRANTS**

BE IT RESOLVED by the County Board of Commissioners of Sumner County, Tennessee, meeting in regular session on this 20th day of August, 2012 that this body hereby adjusts the Carryover Budgeted Grants for the Fiscal Year 2012 as shown on the attachment herewith.

**1208-07 A RESOLUTION APPROVING PROPERTY TRANSFERS AS
AUTHORIZED BY THE DELINQUENT TAX COMMITTEE AND SET FORTH
PURSUANT TO THE TERMS OF THE ATTACHED SCHEDULE**

BE IT RESOLVED by the County Board of Commissioners of Sumner County, Tennessee, meeting in regular session on this 20th day of August, 2012 that this body hereby approves property transfers as authorized by the Delinquent Tax Committee and set forth pursuant to the terms as shown on the attached schedule.

**1208-08 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE
HENDERSONVILLE LIBRARY 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 20th day of August, 2012 that this body does hereby declare the items from the Hendersonville Library as surplus or salvage 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.

Tax Refunds:

- First Baptist Church \$69.15

The electronic vote was recorded in the following manner:

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

1208-CONSENT Yes: 23 No: 0 Abs: 0 7:57 PM

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

REPORT FROM COUNTY OFFICIALS

County Officials filed the following reports: County Investments, County General Fund, County Debt Service Fund, County Highway Fund, County Capital Outlay Fund, School General Purpose Fund, School Federal Projects Fund, School Food Service Fund, Employee Health Insurance Trust Fund, Employee Dental Insurance Trust Fund, Casualty Insurance Trust Fund, County Trustee Funds, Special Reports: County Dental Insurance Claim Payments, County Health Insurance Claim Payments, County Property Tax Collections, County EMS Billing/Collections/Balances, County Sales Tax Collections, County Wheel Tax Collections, County Tax Rates/Property Values and County School Loan Program Rates. Approval of the filing of these records does not certify to the accuracy of the documents.

Chairman Hyde introduced the following resolution:

1208-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.**

Notaries to be elected August 20, 2012

KELLY ANDERSON	CARMITA IKEARD
KATHLEEN N BARRETT	RHONDA L JONES
JACQUALINE BARROW	DEBBIE KELLOGG
CAMESHA RAQUEL BECK	LYNN DULIN KOSTADINE
TERI L BROOKS	ASHLEY F. KRANTZ
AMY M BROWN	TERESA LATEN
TRACY CANNON	TAMMY LOVEALL
DONNA G CLARK	LARRY E. OLIVER
DINA COLLINS	JAMES W OVERTON
KIMETHY D. CRICK	CRISSY D PURCELL
JONATHAN EARLS	JOE REWA
JAMES P FORD	GWEN E SCHAEFER
CLAUDIA A FRANCE	EVIE M SCHLECHTY
JOSEPH B FREEDLE	ANNIE J SCHMALZRIED
BRANDI FRONTZ	TAMMY M SEALS
BRENDA GOMEZ	BRIAN L SMITH
SAMANTHA K GROSLAND	PATRICIA A SNELLING
DAWN HALEY	TIMOTHY L TAKACS
WENDA M. HALLUM	LORI ANN THARP
JENNIFER L HAND	CYNTHIA J THOMPSON
DENISE M HARASEVIAT	LISA VASKE
NOELLE K HARRIS	PATSY ZUCK
JULIA HATLEY	DARYL R HOLT

PERSONAL SURETY
DARLENE D DAUGHTRY
TAMMY M SEALS
AMY B BROWN

Upon motion of Commissioner Akins, seconded by Commissioner Harris, voting was recorded in the following manner:

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

1208-NOTARY Yes: 22 No: 0 Abs: 1 07:58 PM

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

CORRESPONDENCE

Clerk Kemp announced the Westmoreland Mule Day Celebration will be held September 24-30 at Westmoreland Expo Center.

COMMITTEE ON COMMITTEES

Commissioner Stone brought forth the appointment of William Moudy on the Sheriff's Civil Service Board and reported that the committee had deferred the appointment until next month.

He stated that the Airport Authority appointments continue to be deferred.

Commissioner Stone announced the following business for next month:

- 1) Election of Ethics Committee
- 2) Election of Library Board member – Shelly Ames
- 3) Election of Commission Chairman and Chairman Pro Tem

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

Commissioner Decker stated that the Education Committee meeting will be Tuesday, September 4 at 6:00 p.m. He expressed concern for adult education and the cuts to the program. He said the Committee would be looking at the finance and administration of this valuable service.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

PUBLIC SERVICES COMMITTEE

Commissioner Utley introduced the following resolution and moved for approval; seconded by Commissioner Pospisil.

1208-01 A RESOLUTION ACCEPTING BIDS FROM KEMP BROTHERS CONSTRUCTION COMPANY FOR WATERLINES ON JOHNNY SPEARS ROAD FOR \$133,280.00 AND GAINES HILL ROAD FOR \$208,173.00

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of August, 2012, that this body hereby accepts the bids from Kemp Brothers Construction Company for waterlines on Johnny Spears Road for \$133,280.00 and Gaines Hill Road for \$208,173.00 as shown on the attachment herewith.

The electronic vote was recorded in the following manner:

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

1208-01 Yes: 23 No: 0 Abs: 0 08:01 PM

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

EMERGENCY SERVICES COMMITTEE

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

1208-02 A RESOLUTION INCREASING AMBULANCE TRANSPORT RATES

WHEREAS, fuel costs have increased dramatically in the last year; and

WHEREAS, medicine and medical supply costs continue to rise; and

WHEREAS, in order to maintain the high standard of care provided by the Sumner County Ambulance Service, it is necessary that rates for transports be increased.

THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of August, 2012 that this body does hereby increase the ambulance transport rates as follows:

<u>Code</u>	<u>Description</u>	<u>Current</u>	<u>Proposed</u>
A0428	BLS non-emergency	\$250.00	\$350.00
A0429	BLS emergency	\$450.00	\$600.00

BE IT RESOLVED that the proposed rates shall become effective at 12:01 a.m. on September 1, 2012.

The electronic vote was recorded in the following manner:

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

1208-02 Yes: 20 No: 3 Abs: 0 08:02 PM

Chairman Hyde declared the resolution approved by the body.

LEGISLATIVE COMMITTEE

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

**1208-03 A RESOLUTION TO CALL FOR A REFERENDUM
ON THE QUESTION OF
WHETHER AN ADDITIONAL \$25.00 COUNTY-WIDE MOTOR VEHICLE
PRIVILEGE TAX WITH LIMITATIONS
("2012 SCHOOL FUND MOTOR VEHICLE PRIVILEGE TAX")
SHOULD BE LEVIED FOR SUMNER COUNTY AND DESIGNATED FOR THE
GENERAL PURPOSE SCHOOL FUND**

WHEREAS, *Tennessee Code Annotated*, Section 5-8-102, authorizes counties to levy and have approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the tax should be levied, a motor vehicle privilege tax as a condition precedent to the operation of a motor vehicle within a county; and

WHEREAS, the need for new revenue sources for schools is great in Sumner County; and

WHEREAS, the County Legislative Body of Sumner County has determined that it would be in the best interest of the county to allow for a referendum to be called to determine if an additional County Wide Motor Vehicle Tax in the amount of \$25.00 designated for the General Purpose School Fund (hereinafter referred to as the "2012 School Fund Motor Vehicle Privilege Tax") should be collected; and

WHEREAS, this body also wishes to allow an exception from the tax for one car owned by elderly low income citizens who otherwise qualify for previous year low income tax programs.

NOW, THEREFORE BE IT RESOLVED, by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of August, 2012 that this body does hereby resolve that a county wide referendum election should be called to determine if the registered voters of Sumner County wish to raise revenue for schools through the passage of the 2012 School Fund Motor Vehicle Privilege Tax as follows:

SECTION 1. For the privilege of using the public roads and highways, in Sumner County, Tennessee, there is levied upon motor-driven vehicles, and upon the privilege of the operation thereof, except motorcycles, motor-driven bicycles and scooters, farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and motor-driven vehicles owned by any governmental agency or governmental instrumentality and except for other exemptions provided by general law, an additional special privilege tax, known as the 2012 School Fund Motor Vehicle Privilege Tax for the benefit of such county, which tax shall be in the amount of Twenty-Five Dollars and zero cents (\$25.00) for each motor-driven vehicle, the owner of which resides within said county.

However, low income elderly drivers who are 65 years of age or older, who qualify under the following conditions, shall be eligible to receive a waiver of this 2012 School Fund Motor Vehicle Privilege Tax of \$25.00 for one (1) vehicle:

In order to be eligible for the one vehicle per year exemption of this 2012 School Fund Motor Vehicle Privilege Tax, the Trustee shall provide a copy of the list to the Clerk from the state of Tennessee Tax relief website of those who qualified

for and actually received the Tax relief discount in the year prior to the current tax roll on the books of the Trustee's office.

SECTION 2. If approved by the voters, the 2012 School Fund Motor Vehicle Privilege Tax herein levied shall be paid to and collected by the County Clerk of Sumner County beginning December 1, 2012 or for any registration expiring after December 1, 2012. The County Clerk shall collect this tax at the same time he collects previously adopted local privilege taxes as well as the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State.

The County Clerk shall deduct a fee of five percent (5%) as authorized in *Tennessee Code Annotated*, Section 8-21-701 (55), from the amount of taxes collected and paid over to the Trustee.

SECTION 3. Payment of the 2012 School Fund Motor Vehicle Privilege Tax (along with all other local and state privilege taxes) imposed hereunder shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor-driven vehicle.

SECTION 4. The 2012 School Fund Motor Vehicle Privilege Tax herein levied, when paid together with full, complete and explicit performance of and compliance with all provisions of this and previous Resolutions, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid on, to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year, which will run concurrently with the period established for the state registration fees by *Tennessee Code Annotated*, Section 55-4-104.

In the event the 2012 School Fund Motor Vehicle Privilege Tax is paid for more or less than a full twelve month period, the tax imposed shall be proportionate to the annual taxes fixed for the vehicle and modified in no other manner.

SECTION 5. The proceeds of this 2012 School Fund Motor Vehicle Privilege Tax shall be deposited in the General Purpose Fund of the Sumner County School System.

SECTION 6. This Resolution for the imposition of the 2012 School Fund Motor Vehicle Privilege Tax shall have no effect unless it is approved by a majority of the number of qualified voters of Sumner County, Tennessee, voting in an election on the question of whether or not the 2012 School Fund Motor Vehicle Privilege Tax should be approved.

The Sumner County Election Commission, upon passage of this Resolution, shall call an election on the question of whether or not the 2012 School Fund Motor Vehicle Privilege Tax should be levied.

The election to determine if the 2012 School Fund Motor Vehicle Privilege Tax should be levied should be held in the November General and Municipal Election on November 6, 2012, with the ballots having printed on them the substance of this Resolution.

The voters shall vote for or against the approval of this Resolution and the result of such referendum for or against the passage of the 2012 School Fund Motor Vehicle Privilege Tax shall be certified by the County Election Commission to the Sumner legislative body,

The cost of the election shall be paid by Sumner County.

SECTION 7. For the purpose of seeking the referendum, the provisions of this Resolution shall be effective upon being approved by a majority of the members of the Sumner County Legislative Body, the public welfare requiring it.

For the purpose of collection of the tax herein levied, if the Referendum vote is in the affirmative for the collection of the 2012 School Fund Motor Vehicle Privilege Tax, then the County Clerk for Sumner County shall begin collection as of December 1, 2012 and for any registration expiring after December 1, 2012.

For all other purposes, this Resolution shall take effect upon approval.

SECTION 8. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other resolutions or provisions or applications of this resolution which can be given effect without the invalid provision or application, and to that end the provisions of previous resolutions as well as of this resolution are declared to be severable.

Chairman Hyde recognized Commissioner Ring who moved to amend the resolution, seconded by Commissioner Goode, that the Commission take a vote on increasing the wheel tax tonight and, thereby, bypass a referendum.

Commissioner Frank Freels called for a point of order regarding the vote on the wheel tax by either the Commission or referendum.

County Law Director Leah Dennen said that the law states that for the Commission to enact a wheel tax, it would take two votes at two separate meetings with a space of 30 days to allow the public the possibility of challenging the matter. She stated that both votes would take a super majority or two-thirds vote to pass an increase in the wheel tax. She further stated that a future Commission could rescind the action of a previous Commission and abolish the increase in the wheel tax. If the Commission passes the wheel tax, the earliest date of collection would be November 1, 2012.

If the wheel tax is passed pursuant to a referendum, then the \$25 would stay continually. The collection of the tax would begin on December 1, 2012.

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

COMMISSION INCREASE WHEEL TAX

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

1208-03.1-INCREASE Yes: 9 No: 13 Abs: 0 08:16 PM

Chairman Hyde declared the amendment failed to pass a wheel tax.

Commissioner Vaughn moved to amend the main motion, seconded by Commissioner Pospisil, such that those exempted from the 2012 Wheel Tax would be seniors 65 and older who qualify under the following condition:

Those renewing their tags will be exempted by using a list from the State of Tennessee Tax Relief website of those who have qualified for and actually received the Tax Relief discount in the year prior to the current tax roll on the books in the Trustee's office.

Commissioner Vaughn's motion to amend was incorporated into the main motion with the acceptance of the maker of the motion and the commissioner seconding the motion.

The electronic vote was recorded in the following manner:

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

1208-03 Yes: 21 No: 1 Abs: 1 08:17 PM

Chairman Hyde declared the resolution approved by the body.

BUDGET COMMITTEE

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

**1208-04 A RESOLUTION APPROPRIATING \$64,880.00
FOR THE HEALTH DEPARTMENT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 20th day of August, 2012, that this body hereby appropriates \$64,880.00 as pass-through funds for the Health Department as shown on the attachment herewith.

The electronic vote was recorded in the following manner:

Akins	Y	Geminden	Y	Utley	Y
Graves	Y	F. Freels	Y	Matthews	Y
Harris	Y	Ring	Y	Brown Strong	Y
Vaughn	Y	LeMarbre	Y	Moser	Y
Decker	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	P. Freels	Y
Stone	Y	Guthrie	Y	Pospisil	Y

1208-04 Yes: 21 No: 0 Abs: 0 08:18 PM

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

RULES AND PROCEDURES

There was no report from the Rules and Procedures Committee.

FINANCIAL MANAGEMENT COMMITTEE

There was no report from the Financial Management Committee.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 8:25 p.m. upon motion of Commissioner Graves seconded by Commissioner Akins.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on _____
