
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
MAY 16, 2011**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, May 16, 2011, 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	Jerry F. Stone
Frank E. Freels	David Kimbrough	Paige Brown Strong
Billy Geminden	Trisha LeMarbre	Moe Taylor
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's Chief Deputy Al Puccini. 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 Skidmore was not present for the meeting.

The Invocation was led by Board of Education Member Will Duncan.

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

APPROVAL OF AGENDA

Chairman Hyde recognized Commissioner Decker who moved, seconded by Commissioner Matthews, to amend and approve the Regular and Consent agendas and to allow Board of Education Chairman Don Long to take about 12 minutes to present some concerns the Board has about the 1981 Financial Management Act. The Commission approved the agenda as amended and the request by unanimous voice vote of the body.

Commissioner Stone requested that Resolution 1104-05 be moved from Consent Agenda to the Budget Committee report for discussion of bonus payments. Without objection, Chairman Hyde declared the agenda amended as requested.

APPROVAL OF MINUTES

Commissioner Matthews moved to amend the minutes of April 18, 2011, to reflect his vote on Resolution 1104-03 as abstaining. The minutes for the meeting of this body held in, and recorded in the office of the Clerk, Bill Kemp, were approved as amended

by voice vote after Commissioner Freels made the motion, seconded by Commissioner Graves.

RECOGNITION OF THE PUBLIC

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

Ray Dotson of 1343 Dickerson Bay Road in Gallatin expressed concern regarding the Commission's passage of the Financial Management Act of 1981.

Board of Education Member Beth Cox of Hendersonville requested the Commission to reconsider passage of the Financial Management Act.

John Evans of 155 Cumberland Drive asked the Commission to reconsider passage of the Financial Management Act.

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

REPORT OF THE CHAIR

Commissioner Ring introduced the following resolution:

A RESOLUTION HONORING MISS DARRIAN BRUCE

WHEREAS, Miss Darrian Bruce attends Gallatin High School where she is Co-Valedictorian and participated for four years in High School Mock Trial, Model United Nations where she has served two years as Chaplin and Youth In Government where she has served three years as Attorney General; and

WHEREAS, Miss Bruce is one of twenty delegates to the National Affairs Conference; served on the STARS Executive Council Junior; acted as an attorney for two years with the Sumner County Team Court; was selected to attend the Student Congress on Policies in Education (SCOPE) as a Junior; served as SCOPE 2nd Vice President as a Senior; and attended Girls' State and where she was elected as a Party Delegate, Supreme Court Justice and Girls' Nation nominee; and

WHEREAS, Miss Bruce is an outstanding student as well as a top seller in magazines, a participant in church mission trips and is a positive role model for all persons; and

WHEREAS, Miss Bruce, through her determination and hard work in government and politics, and her outstanding efforts, has brought honor, not only to herself, but to her school and community and represents the future leadership of our county.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body does hereby congratulate and commend Miss Darrian Bruce for her outstanding achievements; 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 Miss Darrian Bruce.

Upon motion of Commissioner Ring, seconded by Commissioner Pospisil, the Commission approved the resolution honoring Miss Bruce.

Commissioner Ring introduced the following resolution:

**A RESOLUTION HONORING
MRS. MARYANNE DURSKI**

WHEREAS, Mrs. Maryanne Durski, Assistant Director of Schools for Finance was honored as the Tennessee Outstanding Business Official at the recent Southeastern Association of School Business Official (SASBO) Annual Conference in Concord, North Carolina; and

WHEREAS, Mrs. Durski is to be commended and recognized for her leadership and contributions to her peers and colleagues of Sumner County and for her efforts a deserving student will receive a scholarship.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body does hereby express its appreciation and gratitude for the many years of service and dedication of Mrs. Durski and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Mrs. Maryanne Durski to 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 Mrs. Maryanne Durski.

Upon motion of Commissioner Ring, seconded by Commissioner Pospisil, the Commission approved the resolution honoring Mrs. Durski.

Commissioner Ring introduced the following resolution:

**A RESOLUTION HONORING
MR. BENNY BILLS**

WHEREAS, Mr. Benny Bills, after a lifetime in education endeavors is retiring as the Sumner County Director of Schools; and

WHEREAS, Mr. Bills has been an educator for nearly 50 years, during which time he has served as a teacher, principal, and administrator, where he has been known for his leadership, advocacy and community service; and

WHEREAS, Mr. Bills has lived in Gallatin since 1966 with his wife, Doris and daughter, Julie; and

WHEREAS, Mr. Bills received his Bachelor's degree in 1961 and Master's degree in 1969 at Middle Tennessee State University; and

WHEREAS, Mr. Bills has worked hard to build bridges between teachers, administrators, parents and citizens of Sumner County and tirelessly toiled to make Sumner County the best school district in Middle Tennessee; and

WHEREAS, Benny Bills is to be commended and recognized for his diligent service and dedication to the citizens of Sumner County.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body does hereby express its appreciation and gratitude for the many years of service and dedication of Mr. Benny Bills and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Mr. Benny Bills to 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. Benny Bills.

Upon motion of Commissioner Ring, seconded by Commissioner LeMarbre, the Commission approved the resolution honoring Mr. Bills.

Chairman Hyde introduced the following resolution:

**A RESOLUTION IN REMEMBRANCE OF
MR. RANDOLPH "RANDY" C. WOOD**

WHEREAS, Mr. Randy Wood was an influential leader in the entertainment industry for more than half a century, founding Randy's Record Shop, based in Gallatin, Tennessee in 1947; Dot Records in 1950; Ranwood Records in 1968; and Studio Masters Recording Studio in 1972; and served as a vice president of Paramount Pictures; and

WHEREAS, Mr. Wood served with the United States Army Air Corps during World War II, graduated from Middle Tennessee State University in 1941 and throughout his life, was a passionate supporter of education causes, establishing the Volunteer State Community College Foundation; and

WHEREAS, Mr. Wood was active in numerous charities and civic groups, served as director of the Hollywood YMCA, the Hollywood Museum, the Recording Industry Association of America, the Radio-Television-Recording-Advertising Charities, and the Lawrence Welk Foundation as well as many others; and

WHEREAS, Mr. Wood was the beloved husband of Lois Henry Wood and father of three children, Linda, Larry and John; and

WHEREAS, thanks to the selfless efforts of Mr. Randy Wood, Sumner County is a better place in which to live and all those who knew and loved him can know that he helped make our community a better place in which to live.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body does hereby recognize and honor the memory of Mr. Wood for his leadership, dedication and service to Sumner County; and

BE IT FURTHER RESOLVED that the membership of this body join in expressing their sympathy and condolences to the family of Mr. Wood; 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 family of Mr. Randy Wood.

Upon motion of Commissioner Akins, seconded by Commissioner Harris, the Commission approved the resolution honoring the late Mr. Wood.

Commissioner Vaughn introduced the following resolution:

**A RESOLUTION PROCLAIMING MAY AS
MOTORCYCLE AWARENESS MONTH**

WHEREAS, motorcycle riding is an exhilarating and increasingly popular mode of transportation for thousands of people across the state and nation; and

WHEREAS, the County of Sumner has citizens that ride motorcycles for leisure and transportation and it is the goal of the Sumner County to protect its citizens, and support efforts to decrease accidents and injuries; and

WHEREAS, incidents of motorcyclist being injured and killed is increasing due to many factors, but especially those that are attributed to human error in judgment and awareness; and

WHEREAS, to minimize safety hazards, it is necessary to take sensible precautions, increase training and safety skills for both motorcycle drivers while enjoying a safe and exciting summer, and work towards our goal of reducing motorcycle fatalities and injuries; and

WHEREAS, all motorcycle organizations, clubs, dealerships, groups and highway safety officials do actively promote safe operations, increased rider training, improved licensing efforts, and motorist awareness.

NOW, THEREFORE BE IT RESOLVED, by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011 that this body does hereby proclaim May 2011 as "Motorcycle Awareness Month" and urge all motor vehicle operators to join in this effort to help keep citizens, streets, and highways safe.

Upon motion of Commissioner Vaughn, seconded by Commissioner Guthrie, the Commission approved the resolution honoring Motorcycle Awareness Week.

Commissioner Graves introduced the following resolution:

A RESOLUTION HONORING BETHPAGE ELEMENTARY SCHOOL

WHEREAS, the Bethpage Elementary School, led by Principal Bill Johnson was named a winner of the 2011 Tennessee Value Added Achievement Awards; and

WHEREAS, from the 1300 Tennessee Schools evaluated, Bethpage Elementary School, and Mr. Johnson were recognized as one of the eighteen great principals and schools in our state; and

WHEREAS, Bethpage Elementary School and Mr. Johnson are to be commended for the outstanding efforts they have made to help students not only reach their potential but develop a great education foundation.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011 that this body does hereby recognize, commend and congratulate Mr. Bill Johnson and Bethpage Elementary School for the Receipt of the Value Added Achievement Award; 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 Mr. Bill Johnson and Bethpage Elementary School.

Upon motion of Commissioner Graves, seconded by Commissioner Satterfield, the Commission approved the resolution honoring the Bethpage Elementary School for its achievement.

Commissioner LeMarbre introduced the following resolution:

A RESOLUTION HONORING MR. TREVOR RIPPY

WHEREAS, Mr. Trevor Rippy, a fifth grader at Beech Elementary School, recently won the National Wrestling Championship at the AAU Youth Nationals 80-pound weight class junior division; and

WHEREAS, Mr. Rippy, a member of the Generals of Sumner County Wrestling team, completed the AAU season undefeated for the second straight year and was named the state's top wrestler in the junior division; and

WHEREAS, Mr. Rippy through his hard work and determination, has demonstrated the outcome of dedication, practice and a winning effort; and

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body hereby congratulates and commend Mr. Trevor Rippy for his wrestling success and athletic pursuits; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and the Clerk is to provide a copy of this resolution to Mr. Trevor Rippy.

Upon motion of Commissioner LeMarbre, seconded by Commissioner Stone, the Commission approved the resolution honoring Mr. Rippy.

Commissioner Akins introduced the following resolution:

A RESOLUTION HONORING MR. ROBERT "GENE" FERGUSON

WHEREAS, Mr. Robert Gene Ferguson, began his teaching career 1968 in Tazewell County, teaching mathematics, physical education, driver education, and coaching football; moved to Tennessee in 1979 where he spent six years teaching mathematics in Hendersonville, before becoming the Assistant Principal of Westmoreland High School in 1985; and

WHEREAS, Mr. Ferguson, after over forty years as an educator, has positively influenced numerous students and countless lives during his tenure; and

WHEREAS, it is appropriate that Mr. Ferguson be recognized for the very significant contribution he has made to Sumner County in teaching and guiding our students and the positive inspiration he has provided.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body expresses its appreciation and gratitude for the many years of service and dedication of Mr. Ferguson and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Mr. Robert "Gene" Ferguson 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 Mr. Ferguson.

Upon motion of Commissioner Akins, seconded by Commissioner Taylor, the Commission approved the resolution honoring Mr. Ferguson.

Commissioner Taylor introduced the following resolution:

**A RESOLUTION HONORING
MR. DEWAYNE OLDHAM**

WHEREAS, Mr. Dewayne Oldham served our country in Vietnam, taught eleven years and for the past twenty-four and half years has been principal at Westmoreland High School; and

WHEREAS, Mr. Oldham, after the thirty-six years teaching has chosen to retire to spend more time with family and hobbies; and

WHEREAS, Mr. Oldham's, dedication to the noble profession of teaching, has positively influenced numerous students during his tenure and because of his efforts, future generations have been shown positive guidance; and

WHEREAS, it is appropriate that Mr. Oldham 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 16th day of May, 2011, that this body expresses its appreciation and gratitude for the many years of service and dedication of Mr. Dewayne Oldham and this body urges all the citizens of Sumner County to acknowledge the accomplishments and contributions made by Mr. Oldham 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 Mr. Dewayne Oldham.

Upon motion of Commissioner Taylor, seconded by Commissioner Akins, the Commission approved the resolution honoring Mr. Oldham.

In the packet was a report from the Veterans Services Department.

Clerk Kemp read correspondence from the family of Commissioner Moe Taylor, thanking the Commission for their expression of kindness during their time of loss.

REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Harris, seconded by Commissioner Taylor, 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.

Notaries Public to be elected May 17, 2011

LINDA BEVELS AGEE
MINERVA L D BRANHAM
H LYNN BRASSELL
CARIE BROWN
DODIE CLARK
TAMRA COLEY
GLORIA COOPER
ALLAN CROOKS
KATHY L DATTILO
ESTELLE STEWART DAVIS
M ALLEN EHMLING
NATALIE GAGNON
BETH A GARRISON
CHRIS GEORGE
MACI L GIGAX
SUSAN HAAG

JULIA HARDIN
FREIDA JONES
JENIFER LIVINGSTON
PAMELA J LYONS
RACHEL MCCRACKEN
DAWN MONK
JANICE POTTS
CATHY POWELL
EFFIE D SAHIHI
NANCY SIMPKINS
TERRI TENUT
J. DAWN THREADGILL
GLENDA TODD
RONALD E WEISSINGER
JUDITH E WOODARD

PERSONAL SURETIES
LAWRENCE RAY WHITLEY
SALLIE BROWN
ERNEST WOODARD JR
BRYANT WOODARD

Chairman Hyde introduced the following resolution:

1105-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 Ring, Chairman Hyde declared the election of Notaries Public by voice vote of the body.

COMMITTEE ON COMMITTEES

Commissioner Stone reported next month's business would be the expiring term of David Satterfield on the Sumner County Resource Authority.

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

Commissioner Decker recognized Board of Education Chairman Don Long who gave a presentation on the Board's concerns about the Financial Management Act of 1981.

Commissioner Decker stated that the overall message from the Board was aimed at working on cooperation. Commissioner Decker moved, seconded by Commissioner Pospisil, that the School Board Chairman and the Chairman of the 1981 Financial Management Committee set up a date to address the issues brought up at this meeting by the Board in a forum, and, furthermore, that at the next County Commission meeting, the Chairman of the 1981 Financial Management Act Committee give a report about the meeting. The motion carried by voice vote of the body.

GENERAL OPERATIONS COMMITTEE

Commissioner Hughes reported that there were four county vehicles without a Sumner County decal and now the vehicles are marked. He also reported that the General Operations Committee voted to send to the Budget Committee the estimated cost of \$89,000.00 to implement the 1981 Financial Management Act. Also the General Operations Committee voted to request the Budget Committee include in the 2011-12 General Fund budget \$100,000.00 for a new telephone system.

EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

PUBLIC SERVICES COMMITTEE

There was no report from the Public Services Committee.

LEGISLATIVE COMMITTEE

There was no report from the Legislative Committee.

RULES AND PROCEDURES COMMITTEE

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

1105-01 A RESOLUTION AMENDING THE STANDING RULES AND PROCEDURES OF THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS RULE I AND RULE II, SECTION A, B, C, AND D; AND REPLACING WITH NEW RULE I AND II, SECTION A, B, C, D (LILAC COLORED PAPER PAGES 1-5)

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular Session on this the 16th day of May, 2011 that this body does hereby amend the standing rules of this body by deleting Rule I, and Rule II, Sections A, B, C and D and replacing same with new Rule I and Rule II, Sections A thru D (working copy lilac colored paper pages 1 thru 5).

Chairman Hyde declared the resolution approved upon voice vote of the body.

BUDGET COMMITTEE

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

1105-02 A RESOLUTION APPROPRIATING \$3,720.00 FROM THE COUNTY GENERAL FUND RESERVE FOR REPAIR ON TRAFFIC SIGNAL LIGHT AT NEW SHACKLE AND LONG HOLLOW PIKE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011 that this body hereby appropriates \$3,720.00 from the County General Fund Reserve for repair on traffic signal light at New Shackle and Long Hollow Pike as shown on the attachment herewith.

Chairman Hyde declared the resolution approved upon voice vote of the body.

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

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

1105-05 A RESOLUTION APPROPRIATING THE FISCAL YEAR 2010-2011 SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE FUND BUDGET AMENDMENTS AND APPROPRIATING AND/OR TRANSFERRING SUCH FUNDS AS REQUIRED

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011 that this body hereby approves the 2010-2011 Sumner County Board of Education General Purpose School Fund Budget amendments and appropriates and/or transfers such funds among the various accounts as shown on the attached schedule which is hereby incorporated as a part of this resolution.

Commissioner Stone moved, seconded by Commissioner Pospisil, to refer Resolution 1105-05 back to the Budget Committee. The Commission voted in the following manner.

The electronic vote was recorded as follows:

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

REFER 1105-05 Yes: 14 No: 8 Abs: 1 08:18 PM

Chairman Hyde declared the resolution referred to the Budget Committee.

CONSENT AGENDA

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

1105-03 A RESOLUTION APPROPRIATING \$10,000.00 AS PASS-THROUGH FUNDS TO VARIOUS ACCOUNTS FOR OVERTIME EXPENSES OF THE DRUG TASK FORCE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body hereby appropriates \$10,000.00 to the budget of the Drug Task Force as pass-through funds to various accounts for overtime expenses as shown on the attachment herewith.

1105-04 A RESOLUTION APPROPRIATING \$91,356.08.00 FROM PREVIOUSLY ALLOCATED FUNDS FOR EDUCATE AND GROW SCHOLARSHIP PROGRAM RESERVE TO VOLUNTEER STATE COMMUNITY COLLEGE FUND FOR FISCAL YEAR 2011

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body hereby appropriates \$91,356.08 from previously allocated funds for Educate and Grow Scholarship Program to Volunteer State Community College fund for Fiscal Year 2011 as shown on the attachment herewith.

INTERFUND LOAN CAPITAL OUTLAY NOTES

(Maturity not exceeding three (3) years)

1105-06 RESOLUTION OF THE GOVERNING BODY OF SUMNER, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF SUMNER COUNTY EMERGENCY COMMUNICATIONS DISTRICT SERIES 2011- INTERFUND LOAN CAPITAL OUTLAY NOTES NOT TO EXCEED \$1,870,872

WHEREAS, the Governing Body of Sumner, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project(s) (the "Project"):
The "project" consists of a turnkey operation, which includes hardware, software, setup, and training costs. The expected economic life (average life) of the project is nine years; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, local governments in Tennessee are authorized to finance the cost of the Project through the issuance and sale of interest bearing capital outlay notes with a maturity of up to three years upon the approval of the State Director of Local Finance; and

WHEREAS, under the provisions of §9-21-408 of Title 9 Chapter 21, Tennessee Code Annotated, Local Governments in Tennessee are authorized to make interfund loans in accordance with procedures for issuance of notes in § 9-21-604 of Title 9 Chapter 21 Tennessee Code Annotated.

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Sumner, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the State Director of Local Finance, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed one

million eight hundred seventy thousand and eight hundred and seventy two dollars (\$1,870,872) (the "Notes") from the County General Fund to the SUMNER COUNTY EMERGENCY COMMUNICATIONS DISTRICT Fund upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "COURTHOUSE AND JAIL SERIES 2011- Interfund Loan Capital Outlay Notes, Series 2011", shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon by the legislative governing body; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed four percent (4%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than three (3) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be equal to or greater than the final maturity of these notes and any extensions thereof. Provided, however, that unless otherwise approved by the State Director of Local Finance, each year the Notes that are outstanding, will be retired based on the attached schedule, but in no event not less than one-ninth (1/9), of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

If applicable, the Notes shall be further secured by SUMNER COUNTY EMERGENCY COMMUNICATIONS DISTRICT's fees and reserves.

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the Director of the Sumner County Emergency Communications District with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Director of Finance of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the Sumner County Emergency Communications District of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable

instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. The Notes shall not be sold until receipt of the State Director of Local Finance's written approval for the sale of the Notes.

Section 9. That, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 16th day of May, 2011.

(Local Government Chief Executive) _____

ATTESTED: _____

(City Recorder/County Clerk)

INTERFUND LOAN CAPITAL OUTLAY NOTES

(Maturity not exceeding three (3) years)

**1105-06 RESOLUTION OF THE GOVERNING BODY OF
SUMNER, TENNESSEE, AUTHORIZING
THE ISSUANCE, SALE, AND PAYMENT OF
COURTHOUSE AND JAIL SERIES 2011- INTERFUND LOAN
CAPITAL OUTLAY NOTES NOT TO EXCEED \$190,609**

WHEREAS, the Governing Body of Sumner, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project(s) (the "Project"); the "project" consists of a turnkey operation, which includes hardware, software, setup, and training costs. The expected economic life (average life) of the project is nine years; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, local governments in Tennessee are authorized to finance the cost of the Project through the issuance and sale of interest bearing capital outlay notes with a maturity of up to three years upon the approval of the State Director of Local Finance; and

WHEREAS, under the provisions of §9-21-408 of Title 9 Chapter 21, Tennessee Code Annotated, Local Governments in Tennessee are authorized to make interfund loans in accordance with procedures for issuance of notes in § 9-21-604 of Title 9 Chapter 21 Tennessee Code Annotated.

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Sumner County, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the State Director of Local Finance, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed one hundred ninety thousand six hundred nine dollars (\$190,609) (the "Notes") from the County General Fund to the Courthouse and Jail Maintenance Fund upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "COURTHOUSE AND JAIL SERIES 2011- Interfund Loan Capital Outlay Notes, Series 2011"; shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon by the legislative governing body; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed four percent (4%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than three (3) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be equal to or greater than the final maturity of these notes and any extensions thereof. Provided, however, that unless otherwise approved by the State Director of Local Finance, each year that the Notes are outstanding, shall be retired based on the attached schedule, but

in no event not less than one-ninth (1/9), of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local Government over and above all other taxes authorized by the Local Government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the Sumner County Sheriff with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Director of Finance of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the Sumner County Finance Office of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remain outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office, a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. The Notes shall not be sold until receipt of the State Director of Local Finance's written approval for the sale of the Notes.

Section 9. That, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director"). The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes"). If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 16th day of May, 2011.

(Local Government Chief Executive)

ATTESTED: _____

(City Recorder/County Clerk)

1105-07 A RESOLUTION APPROPRIATING \$2,606.95 TO THE OFFICE OF THE SHERIFF FROM THE RECOVERED INSURANCE FUNDS TO VEHICLE REPAIR AND MAINTENANCE EXPENSES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body hereby appropriates \$2,606.95 from the Recovered Insurance Funds to Vehicle Repair and Maintenance Expenses for the Sheriff's Office as shown on attachment herewith.

1105-08 A RESOLUTION APPROPRIATING \$8,013.74 FROM THE TECHNOLOGY GRANT AND ERATE REBATE FUNDS TO DATA PROCESSING EQUIPMENT EXPENSE FOR THE GALLATIN, HENDERSONVILLE AND PORTLAND LIBRARIES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011, that this body hereby appropriates \$3,143.00 from the Technology Grant and Erate Rebate Funds to Data Processing Equipment Expense for the Gallatin, Hendersonville and Portland Libraries as shown on the attachment herewith.

1105-09 A RESOLUTION TRANSFERRING \$8,400.00 FROM VETERINARY SERVICES ACCOUNT TO MEDICAL SERVICES ACCOUNT WITHIN THE SHERIFF'S DEPARTMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of May, 2011 that this body does hereby transfer funds from Veterinary Services Account to Medical Services Account within the Sherriff's Department as shown on the attachment herewith.

Chairman Hyde declared the Consent Agenda approved on the first and final reading upon unanimous voice vote of the body.

ADJOURNMENT

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

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on _____
