

**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
SEPTEMBER 17, 2007**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, September 17, 2007, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the County Executive R.J. "Hank" Thompson. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

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

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman R.J. "Hank" Thompson noted that with twenty-four 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.

The Invocation was led by Commissioner Jim Vaughn.

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

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**APPROVAL OF AGENDA**

Chairman Thompson requested the addition of the creation of an ad hoc committee to study the property tax freeze be placed on the agenda under Report of Chair. Commissioner Satterfield requested the removal of Items 1 and 2 from the Consent Agenda to be placed under the Budget Committee report. Commissioner Holt moved, seconded by Commissioner Graves, to adopt the agenda with the additions and changes. The Commission approved the agenda as amended by unanimous voice vote of the body.

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**APPROVAL OF MINUTES**

The minutes for the meeting of this body held on August 20, 2007, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Skidmore made the motion, seconded by Commissioner Moser.

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**RECOGNITION OF THE PUBLIC**

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

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Leonard Assante of 1095 Graybill Drive in Gallatin spoke on 0709-04 regarding the Archives/Storage facility. He requested the Commission to keep the Archives in downtown Gallatin.

John Garrott of the Bledsoe Lick Historical Society announced a bluegrass festival scheduled for the upcoming weekend. He also requested the Commission to keep the Archives downtown.

Shirley Wilson, the Sumner County Archives Director, of 106 Leeward Point in Hendersonville reported that her main concern with the Archives was the time taken to get the project underway. Because of the expansion factor of Archives records, she stated that the Archives needed to be built with additional capacity.

James Gregory spoke on behalf of the farmers who are requesting hay assistance because of the drought. He requested the Commission vote in favor of Resolution 0709-08.

Joyce Hoyle of 637 East Main Street spoke on the historical significance of preserving the old Archives building rather than destroying it.

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

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## REPORT OF THE CHAIR

### A RESOLUTION HONORING MS. KITTY KULAKOWSKI

Commissioner Boyd introduced the following resolution:

**WHEREAS**, Ms. Kitty Kulakowski, after thirty-four years with the Gallatin News Examiner, retired on August 17, 2007 ending a varied and inspired journalism career; and

**WHEREAS**, Ms. Kulakowski, during her reign, served as a reporter and editor as well as numerous other positions required to put together our local newspaper, where she also created her famous holiday cookbook, which has been published for twenty-six years; and

**WHEREAS**, Ms. Kulakowski, is a mother, grandmother and great grandmother who enjoys gardening, participating in civic organizations, and attends the First Presbyterian Church in Gallatin.

**NOW, THEREFORE BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of August, 2007 that this body does hereby congratulate Ms. Kitty Kulakowski for her outstanding achievements and wish her luck with her new endeavors; 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 Ms. Kitty Kulakowski.

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Upon motion of Commissioner Boyd, seconded by Commissioner England, the Commission voted to approve the certificate honoring Mrs. Kulakowski.

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Commissioner Holt introduced the following resolution:

**A RESOLUTION HONORING  
MR. ROY HIXSON**

**WHEREAS**, Mr. Roy Hixson, has been a member of the Sumner County Planning Commission since January of 2003; and

**WHEREAS**, Mr. Hixson 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. Hixson, 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 17<sup>th</sup> day of September, 2007 that this body does hereby congratulate Mr. Roy Hixson for 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 the Mr. Roy Hixson.

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Upon motion of Commissioner Holt, seconded by Commissioner Matthews, the Commission voted to approve the certificate honoring Mr. Hixson.

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Chairman Thompson introduced the following resolution:

**RESOLUTION 0709-01**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$75,150,000 OF SUMNER COUNTY, TENNESSEE; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS.**

**WHEREAS**, pursuant to Sections 49-3-1001 to 49-3-1008, inclusive, Tennessee Code Annotated, counties in Tennessee are authorized through their respective governing bodies to issue and sell bonds of said counties for school purposes; and

**WHEREAS**, the Board of County Commissioners (the "Governing Body") has determined that it is necessary and advisable to issue bonds for the purpose of providing funds to finance the acquisition, construction and renovation of various elementary, middle and high school projects located in Sumner County, Tennessee (collectively, the "Projects"); and

**WHEREAS**, the Governing Body has determined that it is advisable and in the best interest of the County to issue general obligation school bonds, in one or more emissions or series, in an aggregate principal amount not to exceed \$75,150,000, for the purpose of (i) paying the costs of the Projects; (ii) paying legal, fiscal, architectural, administrative and engineering costs incident thereto; (iii) reimbursing the County for prior expenditures for the

Projects; and (iv) paying costs incident to the issuance and sale of the bonds authorized herein; and

**WHEREAS**, it is the intention of the Governing Body to adopt this resolution for the purpose of authorizing not to exceed \$75,150,000 in aggregate principal amount of said bonds, providing for the issuance, sale and payment of said bonds, establishing the terms thereof, and the disposition of proceeds therefrom, and providing for the levy of a tax under certain conditions for the payment of principal thereof, premium, if any, and interest thereon.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Sumner County, Tennessee, as follows:

Authority. The bonds authorized by this resolution are issued pursuant to Sections 49-3-1001 et seq., Tennessee Code Annotated, and other applicable provisions of law.

Definitions. The following terms shall have the following meanings in this resolution unless the text expressly or by necessary implication requires otherwise:

"Bonds" means the General Obligation School Bonds authorized herein;

"Book-Entry Form" or "Book-Entry System" means a form or system, as applicable, under which physical bond certificates in fully registered form are issued to a Depository, or to its nominee as Registered Owner, with the certificate of bonds being held by and "immobilized" in the custody of such Depository, and under which records maintained by persons, other than the County or the Registration Agent, constitute the written record that identifies, and records the transfer of, the beneficial "book-entry" interests in those bonds;

"Code" means the Internal Revenue Code of 1986, as amended, and all regulations promulgated thereunder;

"County" means Sumner County, Tennessee;

"Depository" means any securities depository that is a clearing agency under federal laws operating and maintaining, with its participants or otherwise, a Book-Entry System, including, but not limited to, DTC;

"DTC" means the Depository Trust Company, a limited purpose company organized under the laws of the State of New York, and its successors and assigns;

"DTC Participant(s)" means securities brokers and dealers, banks, trust companies and clearing corporations that have access to the DTC System;

"Governing Body" means the Board of County Commissioners of the County;

"Projects" means the acquisition, construction and renovation of various elementary, middle and high school projects located in Sumner County, Tennessee; and

"Registration Agent" means Regions Bank, Nashville, Tennessee, as the registration and paying agent for the Bonds or any successor designated by the Governing Body.

Authorization and Terms of the Bonds.

For the purpose of providing funds to (i) pay the costs of the Projects, (ii) pay legal, fiscal, architectural, administrative and engineering costs incident thereto; (iii) reimburse the County for prior expenditures for the Projects; and (iv) pay costs incident to the issuance and sale of the bonds authorized herein, there are hereby authorized to be issued bonds of the County in the aggregate principal amount of not to exceed \$75,150,000. The Bonds shall be issued in fully registered, book-entry form, without coupons, shall be known as "General Obligation School Bonds" and shall be dated the date of issuance, or have such other dated date and such series designation as shall be determined by the County Executive pursuant to Section 7

hereof. The Bonds shall bear interest at a rate or rates not exceeding 5.50% per annum, payable semi-annually on June 1 and December 1 in each year, commencing June 1, 2008 (subject to modification pursuant to Section 7 thereof). The Bonds shall be issued initially in \$5,000 denominations or integral multiples thereof, as shall be requested by the purchaser thereof, and shall mature, either serially or through mandatory redemption, commencing on June 1, 2008, and continuing on the first day of June of each year thereafter through and including June 1, 2019, the final maturity date (subject to modifications pursuant to Section 7 thereof), as set forth below:

<u>Year</u>	<u>Amount</u>
2008	\$4,465,000
2009	5,245,000
2010	5,445,000
2011	5,660,000
2012	5,880,000
2013	6,110,000
2014	6,360,000
2015	6,615,000
2016	6,890,000
2017	\$7,180,000
2018	7,485,000
2019	7,815,000

Subject to the adjustments permitted by Section 7 hereof, the Bonds maturing June 1, 2008 through June 1, 2017 shall mature without option of prior redemption. Subject to the adjustments permitted by Section 7 hereof, the Bonds maturing June 1, 2018 and thereafter shall be subject to redemption, at the option of the County on June 1, 2017 or on any date thereafter, in whole or in part, at the redemption price of par plus accrued interest to the redemption date. If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be designated by the Governing Body, in its discretion, and, if less than all of the Bonds of a maturity shall be called for redemption, the Bonds within the maturity to be redeemed shall be selected as follows:

if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or

if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

Pursuant to Section 7 hereof, the County Executive is authorized to sell the Bonds, or any maturities thereof, as term bonds ("Term Bonds") with mandatory redemption requirements corresponding to the maturities set forth herein or as determined by the County Executive. In the event any or all the Bonds are sold as Term Bonds, the County shall redeem Term Bonds on redemption dates corresponding to the maturity dates set forth herein, in aggregate principal amounts equal to the maturity amounts established pursuant to Section 7 hereof for each redemption date, as such maturity amounts may be adjusted pursuant to Section 7 hereof, at a price of par plus accrued interest thereon to the date of redemption. The Term Bonds to be redeemed within a single maturity shall be selected in the manner described in subsection (b) above.

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such mandatory redemption date, the County may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption

provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and canceled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the County on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The County shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.

Notice of call for redemption, whether optional or mandatory, shall be given by the Registration Agent on behalf of the County not less than thirty (30) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for redemption of any of the Bonds for which proper notice was given. As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant or Beneficial Owner will not affect the validity of such redemption. The Registration Agent shall mail said notices as and when directed by the County pursuant to written instructions from an authorized representative of the County (other than for a mandatory sinking fund redemption, notices of which shall be given on the dates provided herein) given at least forty-five (45) days prior to the redemption date (unless a shorter notice period shall be satisfactory to the Registration Agent). From and after the redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and if notice has been duly provided as set forth herein.

The County hereby authorizes and directs the Registration Agent to maintain Bond registration records with respect to the Bonds, to authenticate and deliver the Bonds as provided herein, either at original issuance or upon transfer, to effect transfers of the Bonds, to give all notices of redemption as required herein, to make all payments of principal and interest with respect to the Bonds as provided herein, to cancel and destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer, to furnish the County at least annually a certificate of destruction with respect to Bonds canceled and destroyed, and to furnish the County at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds. The County Executive is hereby authorized to execute and the County Clerk is hereby authorized to attest such written agreement between the County and the Registration Agent as they shall deem necessary and proper with respect to the obligations, duties and rights of the Registration Agent. The payment of all reasonable fees and expenses of the Registration Agent for the discharge of its duties and obligations hereunder or under any such agreement is hereby authorized and directed.

The Bonds shall be payable, both principal and interest, in lawful money of the United States of America at the main office of the Registration Agent. The Registration Agent shall make all interest payments with respect to the Bonds by check or draft on each interest payment date directly to the registered owners as shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding

the interest payment date (the "Regular Record Date") by depositing said payment in the United States mail, postage prepaid, addressed to such owners at their addresses shown on said Bond registration records, without, except for final payment, the presentation or surrender of such registered Bonds, and all such payments shall discharge the obligations of the County in respect of such Bonds to the extent of the payments so made. Payment of principal of and premium, if any, on the Bonds shall be made upon presentation and surrender of such Bonds to the Registration Agent as the same shall become due and payable. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each. In the event the Bonds are no longer registered in the name of DTC, or a successor Depository, if requested by the Owner of at least \$1,000,000 in aggregate principal amount of the Bonds, payment of interest on such Bonds shall be paid by wire transfer to a bank within the continental United States or deposited to a designated account if such account is maintained with the Registration Agent and written notice of any such election and designated account is given to the Registration Agent prior to the record date.

Any interest on any Bond that is payable but is not punctually paid or duly provided for on any interest payment date (hereinafter "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such Defaulted Interest shall be paid by the County to the persons in whose names the Bonds are registered at the close of business on a date (the "Special Record Date") for the payment of such Defaulted Interest, which shall be fixed in the following manner: the County shall notify the Registration Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment, and at the same time the County shall deposit with the Registration Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Registration Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons entitled to such Defaulted Interest as in this Section provided. Thereupon, not less than ten (10) days after the receipt by the Registration Agent of the notice of the proposed payment, the Registration Agent shall fix a Special Record Date for the payment of such Defaulted Interest which Date shall be not more than fifteen (15) nor less than ten (10) days prior to the date of the proposed payment to the registered owners. The Registration Agent shall promptly notify the County of such Special Record Date and, in the name and at the expense of the County, not less than ten (10) days prior to such Special Record Date, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner at the address thereof as it appears in the Bond registration records maintained by the Registration Agent as of the date of such notice. Nothing contained in this Section or in the Bonds shall impair any statutory or other rights in law or in equity of any registered owner arising as a result of the failure of the County to punctually pay or duly provide for the payment of principal of, premium, if any, and interest on the Bonds when due.

The Bonds are transferable only by presentation to the Registration Agent by the registered owner, or his legal representative duly authorized in writing, of the registered Bond(s) to be transferred with the form of assignment on the reverse side thereof completed in full and signed with the name of the registered owner as it appears upon the face of the Bond(s) accompanied by appropriate documentation necessary to prove the legal capacity of any legal representative of the registered owner. Upon receipt of the Bond(s) in such form and with such documentation, if any, the Registration Agent shall issue a new Bond or the Bond to the assignee(s) in \$5,000 denominations, or integral multiples thereof, as requested by the registered owner requesting transfer. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the publication of notice calling such Bond for redemption has been made, nor to transfer or exchange any Bond during the period following the receipt of instructions from the County to call such Bond for redemption; provided, the Registration Agent, at its option, may make transfers after any of said dates. No charge shall be made to any registered owner for the privilege of transferring any Bond, provided that any transfer tax

relating to such transaction shall be paid by the registered owner requesting transfer. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the County nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bonds shall be overdue. The Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in any authorized denomination or denominations.

The Bonds shall be executed in such manner as may be prescribed by applicable law, in the name, and on behalf, of the County with the manual or facsimile signature of the County Executive and attested by the manual or facsimile signature of the County Clerk.

Except as otherwise provided in this resolution, the Bonds shall be registered in the name of Cede & Co., as nominee of DTC, which will act as securities depository for the Bonds. References in this Section to a Bond or the Bonds shall be construed to mean the Bond or the Bonds that are held under the Book-Entry System. One Bond for each maturity shall be issued to DTC and immobilized in its custody. A Book-Entry System shall be employed, evidencing ownership of the Bonds in authorized denominations, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants pursuant to rules and procedures established by DTC.

Each DTC Participant shall be credited in the records of DTC with the amount of such DTC Participant's interest in the Bonds. Beneficial ownership interests in the Bonds may be purchased by or through DTC Participants. The holders of these beneficial ownership interests are hereinafter referred to as the "Beneficial Owners." The Beneficial Owners shall not receive the Bonds representing their beneficial ownership interests. The ownership interests of each Beneficial Owner shall be recorded through the records of the DTC Participant from which such Beneficial Owner purchased its Bonds. Transfers of ownership interests in the Bonds shall be accomplished by book entries made by DTC and, in turn, by DTC Participants acting on behalf of Beneficial Owners. SO LONG AS CEDE & CO., AS NOMINEE FOR DTC, IS THE REGISTERED OWNER OF THE BONDS, THE REGISTRATION AGENT SHALL TREAT CEDE & CO., AS THE ONLY HOLDER OF THE BONDS FOR ALL PURPOSES UNDER THIS RESOLUTION, INCLUDING RECEIPT OF ALL PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS, RECEIPT OF NOTICES, VOTING AND REQUESTING OR DIRECTING THE REGISTRATION AGENT TO TAKE OR NOT TO TAKE, OR CONSENTING TO, CERTAIN ACTIONS UNDER THIS RESOLUTION.

Payments of principal, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid by the Registration Agent directly to DTC or its nominee, Cede & Co. as provided in the Letter of Representation relating to the Bonds from the County and the Registration Agent to DTC (the "Letter of Representation"). DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners. The County and the Registration Agent shall not be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants.

In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the County determines that the continuation of the Book-Entry System of evidence and transfer of ownership of the Bonds would adversely affect their interests or the interests of the Beneficial Owners of the Bonds, the County shall discontinue the Book-Entry System with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully registered Bonds to each Beneficial Owner.

THE COUNTY AND THE REGISTRATION AGENT SHALL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO ANY DTC PARTICIPANT OR ANY BENEFICIAL OWNER WITH RESPECT TO (i) THE BONDS; (ii) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DTC PARTICIPANT; (iii) THE PAYMENT BY DTC OR ANY

DTC PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS; (iv) THE DELIVERY OR TIMELINESS OF DELIVERY BY DTC OR ANY DTC PARTICIPANT OF ANY NOTICE DUE TO ANY BENEFICIAL OWNER THAT IS REQUIRED OR PERMITTED UNDER THE TERMS OF THIS RESOLUTION TO BE GIVEN TO BENEFICIAL OWNERS, (v) THE SELECTION OF BENEFICIAL OWNERS TO RECEIVE PAYMENTS IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE BONDS; OR (vi) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC, OR ITS NOMINEE, CEDE & CO., AS OWNER.

The Registration Agent is hereby authorized to take such action as may be necessary from time to time to qualify and maintain the Bonds for deposit with DTC, including but not limited to, wire transfers of interest and principal payments with respect to the Bonds, utilization of electronic book entry data received from DTC in place of actual delivery of Bonds and provision of notices with respect to Bonds registered by DTC (or any of its designees identified to the Registration Agent) by overnight delivery, courier service, telegram, telecopy or other similar means of communication. No such arrangements with DTC may adversely affect the interest of any of the owners of the Bonds, provided, however, that the Registration Agent shall not be liable with respect to any such arrangements it may make pursuant to this section.

The Registration Agent is hereby authorized to authenticate and deliver the Bonds to the original purchaser, upon receipt by the County of the proceeds of the sale thereof and to authenticate and deliver Bonds in exchange for Bonds of the same principal amount delivered for transfer upon receipt of the Bond(s) to be transferred in proper form with proper documentation as hereinabove described. The Bonds shall not be valid for any purpose unless authenticated by the Registration Agent by the manual signature of an officer thereof on the certificate set forth herein on the Bond form.

In case any Bond shall become mutilated, or be lost, stolen, or destroyed, the County, in its discretion, shall issue, and the Registration Agent, upon written direction from the County, shall authenticate and deliver, a new Bond of like tenor, amount, maturity and date, in exchange and substitution for, and upon the cancellation of, the mutilated Bond, or in lieu of and in substitution for such lost, stolen or destroyed Bond, or if any such Bond shall have matured or shall be about to mature, instead of issuing a substituted Bond the County may pay or authorize payment of such Bond without surrender thereof. In every case the applicant shall furnish evidence satisfactory to the County and the Registration Agent of the destruction, theft or loss of such Bond, and indemnity satisfactory to the County and the Registration Agent; and the County may charge the applicant for the issue of such new Bond an amount sufficient to reimburse the County for the expense incurred by it in the issue thereof.

Source of Payment. The Bonds shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County.

Form of Bonds. The Bonds shall be in substantially the following form, the omissions to be appropriately completed when the Bonds are prepared and delivered:  
(Form of Bond)

REGISTERED  
Number \_\_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF TENNESSEE  
COUNTY OF SUMNER  
GENERAL OBLIGATION SCHOOL BOND, SERIES \_\_\_\_\_

Interest Rate:  
\_\_\_\_\_ %

Maturity Date: \_\_\_\_\_, 20\_\_\_\_, 2007

Date of Bond: \_\_\_\_\_, 2007

CUSIP No.:  
866407 \_\_\_\_\_

Registered Owner: Cede & Co.

Principal Amount: \_\_\_\_\_ Dollars

FOR VALUE RECEIVED, Sumner County, Tennessee (the "County") hereby promises to pay to the registered owner hereof, hereinabove named, or registered assigns, in the manner hereinafter provided, the principal amount hereinabove set forth on the maturity date hereinabove set forth (or upon earlier redemption as set forth herein), and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on said principal amount at the annual rate of interest hereinabove set forth from the date hereof until said maturity date [or redemption date], said interest being payable on [June 1, 2008], and semi-annually thereafter on the first day of [June] and [December] in each year until this Bond matures [or is redeemed]. Both principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the corporate trust office of Regions Bank, Nashville, Tennessee, as registration agent and paying agent (the "Registration Agent"). The Registration Agent shall make all interest payments with respect to this Bond on each interest payment date directly to the registered owner hereof shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by check or draft mailed to such owner at such owner's address shown on said bond registration records, without, except for final payment, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Any such interest not so punctually paid or duly provided for on any interest payment date shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such defaulted interest shall be payable to the person in whose name this Bond is registered at the close of business on the date (the "Special Record Date") for payment of such defaulted interest to be fixed by the Registration Agent, notice of which shall be given to the owners of the Bonds of the issue of which this Bond is one not less than ten (10) days prior to such Special Record Date. Payment of principal of [and premium, if any, on] this Bond shall be made when due upon presentation and surrender of this Bond to the Registration Agent.

Except as otherwise provided herein or in the Resolution, as hereinafter defined, this Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds of the series of which this Bond is one. One Bond for each maturity of the Bonds shall be issued to DTC and immobilized in its custody. A book-entry system shall be employed, evidencing ownership of the Bonds in \$5,000 denominations, or multiples thereof, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants, as defined in the Resolution, pursuant to rules and procedures established by DTC. So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the County and the Registration Agent shall treat Cede & Co., as the only owner of the Bonds for all purposes under the Resolution, including receipt of all principal of, premium, if any, and interest on the Bonds, receipt of notices, voting and requesting or taking or not taking, or consenting to, certain actions hereunder. Payments of principal, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid directly to DTC or its nominee, Cede & Co. DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners, as defined in the Resolution. Neither the County nor the Registration Agent shall be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants. In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the County determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect its interests or the interests of the Beneficial Owners of the Bonds, the County may discontinue the book-entry system with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully registered Bonds to each Beneficial Owner. Neither the County nor the Registration Agent shall have any responsibility or obligations to any DTC Participant or any Beneficial Owner with respect to (i) the Bonds; (ii) the accuracy of any records maintained by DTC or any DTC Participant; (iii) the payment by DTC or any DTC Participant of any amount due to any Beneficial Owner in respect of the principal of and interest on the Bonds; (iv) the delivery or timeliness of delivery by DTC or any DTC Participant of any notice due to any Beneficial

Owner that is required or permitted under the terms of the Resolution to be given to Beneficial Owners, (v) the selection of Beneficial Owners to receive payments in the event of any partial redemption of the Bonds; or (vi) any consent given or other action taken by DTC, or its nominee, Cede & Co., as owner.

Bonds of the issue of which this Bond is one maturing [June 1, 200\_] through [June 1, 20\_] shall mature without option of prior redemption. Bonds of the issue of which this Bond is one maturing [June 1, 20\_] and thereafter shall be subject to redemption, at the option of the County, in whole or in part, on [June 1, 20\_] or on any date thereafter at the redemption price of par plus accrued interest to the redemption date. If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be designated by the Governing Body, in its discretion, and, if less than all of the Bonds of a maturity shall be called for redemption, the Bonds within the maturity to be redeemed shall be selected as follows:

if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine;

or if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

[Subject to the credit hereinafter provided, the County shall redeem Bonds maturing \_\_\_\_\_ on the redemption dates set forth below opposite the maturity dates, in aggregate principal amounts equal to the respective dollar amounts set forth below opposite the respective redemption dates at a price of par plus accrued interest thereon to the date of redemption. DTC, as securities depository for the series of Bonds of which this Bond is one, or such Person as shall then be serving as the securities depository for the Bonds, shall determine the interest of each Participant in the Bonds to be redeemed using its procedures generally in use at that time. If DTC, or another securities depository is no longer serving as securities depository for the Bonds, the Bonds to be redeemed within a maturity shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall select. The dates of redemption and principal amount of Bonds to be redeemed on said dates are as follows:

<u>Final Maturity</u>	<u>Redemption Date</u>	<u>Principal Amount of Bonds Redeemed</u>
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\*Final Maturity

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such redemption date, the County may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and canceled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the County on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The County shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating

whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.]

Notice of call for redemption, whether optional or mandatory, shall be given by the Registration Agent not less than thirty (30) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for the redemption of any of the Bonds for which proper notice was given. As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant will not affect the validity of such redemption. From and after any redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and if notice has been duly provided as set forth in the Resolution, as hereafter defined.

This Bond is transferable by the registered owner hereof in person or by such owner's attorney duly authorized in writing at the principal corporate trust office of the Registration Agent set forth on the front side hereof, but only in the manner, subject to limitations and upon payment of the charges provided in the Resolution, as hereafter defined, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and interest rate for the same aggregate principal amount will be issued to the transferee in exchange therefor. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the County nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bond shall be overdue. Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in authorized denomination or denominations, upon the terms set forth in the Resolution. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular Record Date or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the notice calling such Bond for redemption has been made, nor during a period following the receipt of instructions from the County to call such Bond for redemption.

This Bond is one of a total authorized issue aggregating \$\_\_\_\_\_ and issued by the County for the purpose of providing funds to (i) finance the acquisition, construction and renovation of various elementary, middle and high school projects located in Sumner County, Tennessee ("the Projects"); (ii) pay legal, fiscal, architectural, administrative and engineering costs incident thereto; (iii) reimbursing the County for prior expenditures for the Projects; and (iv) pay costs incident to the issuance and sale of the Bonds of which this Bond is one, under and in full compliance with the constitution and statutes of the State of Tennessee, including Sections 49-3-1001, et seq., Tennessee Code Annotated, and pursuant to a resolution duly adopted by the Board of County Commissioners of the County on the 17<sup>th</sup> day of September, 2007 (the "Resolution").

This Bond is payable from unlimited ad valorem taxes to be levied on all taxable property within the County. For a more complete statement of the general covenants and provisions pursuant to which this Bond is issued, reference is hereby made to said Resolution.

This Bond and the income therefrom are exempt from all present state, county and municipal taxes in Tennessee except (a) inheritance, transfer and estate taxes, (b) Tennessee excise taxes on interest on the Bond during the period the Bond is held or beneficially owned by any organization or entity, other than a sole proprietorship or general partnership, doing

business in the State of Tennessee, and (c) Tennessee franchise taxes by reason of the inclusion of the book value of the Bond in the Tennessee franchise tax base of any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee.

It is hereby certified, recited, and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Bond exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the County, does not exceed any limitation prescribed by the constitution and statutes of the State of Tennessee.

IN WITNESS WHEREOF, the County has caused this Bond to be signed by its County Executive with his manual or facsimile signature and attested by its County Clerk with his manual or facsimile signature under an impression or facsimile of the corporate seal of the County, all as of the date hereinabove set forth.

SUMNER COUNTY, TENNESSEE

BY: \_\_\_\_\_  
County Executive

ATTESTED:

\_\_\_\_\_  
County Clerk

Transferable and payable at the  
principal corporate trust office of: Regions Bank  
Nashville, Tennessee

Date of Registration: \_\_\_\_\_

This Bond is one of the issue of Bonds issued pursuant to the Resolution hereinabove described

REGIONS BANK  
Registration Agent

By: \_\_\_\_\_  
Authorized Officer

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns, and transfers unto \_\_\_\_\_, whose address is \_\_\_\_\_ (Please insert Federal Identification or Social Security Number of Assignee \_\_\_\_\_), the within Bond of Sumner County, Tennessee, and does hereby irrevocably constitute and appoint \_\_\_\_\_, attorney, to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed

by a member firm of a Medallion Program acceptable to the Registration Agent.

- END OF BOND FORM -

Levy of Tax. The County, through its Governing Body, shall annually levy and collect a tax upon all taxable property within the County, in addition to all other taxes authorized by law, sufficient to pay principal of, premium, if any, and interest on the Bonds when due, and for that purpose there is hereby levied a direct annual tax in such amount as may be found necessary each year to pay principal and interest coming due on the Bonds in said year. Principal and interest falling due at any time when there are insufficient funds from this tax levy on hand shall be paid from the current funds of the County and reimbursement therefor shall be made out of the taxes hereby provided to be levied when the same shall have been collected. The tax herein provided may be reduced to the extent of any appropriations from other funds, taxes and revenues of the County to the payment of debt service on the Bonds.

Sale of Bonds. The Bonds shall be offered for public sale, as required by law, in one or more series, at a price of not less than par and not greater than 105% of par and accrued interest, if any, as a whole or in part, from time to time, as shall be determined by the County Executive, in consultation with the Finance Director and the County's financial advisor, Wiley Bros.-Aintree Capital, LLC, Nashville, Tennessee (the "Financial Advisor"). The Bonds shall be sold at public sale by physical delivery of bids or by electronic bidding by means of an Internet bidding service as shall be determined by the County Executive in consultation with the Finance Director and the Financial Advisor. The County Executive is authorized to award the Bonds to the bidder whose bid results in the lowest true interest cost to the County, provided the rate on none of the Bonds exceeds 5.50% per annum. The award of the Bonds, or any series thereof, by the County Executive to the lowest bidder shall be binding on the County, and no further action of the Governing Body with respect thereto shall be required. The County Executive, in consultation with the Finance Director and the Financial Advisor, is further authorized to take the following actions:

- (1) designate the series of the Bonds;
- (2) change the dated date of the Bonds or any series thereof, to a date other than the date of delivery;
- (3) change the first interest payment date on the Bonds or any series thereof to a date other than June 1, 2008, provided such date is not longer than twelve months following the dated date of the Bonds or any series thereof, and to adjust the principal and interest payment dates and maturity amounts of the Bonds or any series thereof, provided the total principal amount of all series of the Bonds does not exceed the total amount of Bonds authorized herein and the final maturity date of each series shall not exceed 13 years from the dated date of each series;
- (4) change the County's optional redemption provisions of the Bonds to permit (a) a redemption premium, provided the redemption premium, if any, shall not exceed two percent (2%) of the par amount of the Bonds called for redemption; and (b) the Bonds, or any emission thereof, be issued without option of redemption prior to maturity;
- (5) sell the Bonds or any maturities thereof as Term Bonds with mandatory redemption requirements corresponding to the maturities set forth herein or as otherwise determined by the County Executive, as he shall deem most advantageous to the County; and
- (6) cause all or a portion of the Bonds to be insured by a bond insurance policy issued by a nationally recognized bond insurance company to achieve the purposes set forth herein and to serve the best interests of the County.

The County Executive and the County Clerk are authorized to cause the Bonds to be authenticated and delivered by the Registration Agent to the successful bidder and, together with the Finance Director and the County Trustee, to execute, publish, and deliver all certificates and documents, including an official statement and closing certificates, as they shall deem necessary in connection with the sale and delivery of the Bonds. The County Executive and the County Clerk are authorized to enter into an agreement with the Financial Advisor to provide financial advisory services for the County and services related to the issuance, sale and delivery of the Bonds. The County Executive is authorized to sell the Bonds, or any series thereof, simultaneously with any other bonds or notes authorized by

resolution or resolutions of the Governing Body. The County Executive is further authorized to sell the Bonds, or any series thereof, as a single issue of bonds with any other bonds with substantially similar terms authorized by resolution or resolutions of the Governing Body, in one or more emissions or series as he shall deem to be advantageous to the County and in doing so, the County Executive is authorized to change the designation of the Bonds to a designation other than "General Obligation School Bonds"; provided, however, that the total aggregate principal amount of combined bonds to be sold does not exceed the total aggregate principal amount of Bonds authorized by this resolution or bonds authorized by any other resolution or resolutions adopted by the Governing Body.

Disposition of Bond Proceeds. The proceeds of the sale of the Bonds shall be disbursed as follows:

all accrued interest, if any, shall be deposited to the appropriate fund of the County to be used to pay interest on the Bonds on the first interest payment date following delivery of the Bonds; and

the remainder of the proceeds of the sale of the Bonds shall be deposited with to the County Trustee to be deposited with a financial institution regulated by the Federal Deposit Insurance Corporation or similar federal agency in a special fund known as the "2007B Construction Fund" (the "Construction Fund") to be kept separate and apart from all other funds of the County. The funds in the Construction Fund shall be disbursed solely to pay, or reimburse the County for prior payment of, the costs of the Projects, including necessary legal, accounting, engineering, architectural and fiscal expenses, printing, engraving, advertising and similar expenses, administrative and clerical costs, rating agency fees, Registration Agent fees, bond insurance premiums (if any) and other necessary miscellaneous expenses incurred in connection with Projects or the issuance of the Bonds. Notwithstanding the foregoing, the County Executive may instruct the purchaser of the Bonds to directly pay, on the County's behalf, all or any portion of the costs of issuance of the Bonds. Money in the Construction Fund shall be secured in the manner prescribed by applicable statutes relative to the securing of public or trust funds, if any, or, in the absence of such a statute, by a pledge of readily marketable securities having at all times a market value of not less than the amount in said Construction Fund. Money in the Construction Fund shall be expended only for the purposes authorized by this resolution. Any funds remaining in the Construction Fund after completion of the Projects and payment of authorized expenses shall be used to pay principal of, premium, if any, and interest on the Bonds. Moneys in the Construction Fund shall be invested as directed by the County Executive in such investments as shall be permitted by applicable law. Earnings on investments in the Construction Fund may either be retained in the Construction Fund and used for the same purposes as all other funds in the Construction Fund or paid to the debt service fund to be used to pay interest on the Bonds, as the County Executive in his discretion shall determine.

Official Statement. The County Executive and the County Finance Director are hereby authorized and directed to provide for the preparation and distribution of a Preliminary Official Statement describing the Bonds. After bids have been received and the Bonds have been awarded, the County Executive and County Finance Director shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this resolution as are necessary or desirable to complete it as a final Official Statement for purposes of Rule 15c2-12(e)(3) of the Securities and Exchange Commission. The County Executive and County Finance Director shall arrange for the delivery to the successful bidder on the Bonds of a reasonable number of copies of the Official Statement within seven business days after the Bonds have been awarded for delivery, by the successful bidder on the Bonds, to each potential investor requesting a copy of the Official Statement and to each person to whom such bidder and members of his bidding group initially sell the Bonds.

The County Executive and County Finance Director are authorized, on behalf of the County, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12(b)(1), except for the omission in the Preliminary Official Statement of certain pricing and other information allowed to be omitted pursuant to such Rule 15c2-12(b)(1). The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has

been deemed in final form as of its date by the County except for the omission in the Preliminary Official Statement of such pricing and other information.

Arbitrage. The County recognizes that the purchasers and owners of the Bonds will have accepted them on, and paid therefor a price that reflects, the understanding that interest thereon is excludable from gross income for purposes of federal income taxation under laws in force on the date of delivery of the Bonds. In this connection, the County agrees that it shall take no action which may cause the interest on any of said Bonds to be included in gross income for federal income taxation. It is the reasonable expectation of the Governing Body of the County that the proceeds of the Bonds will not be used in a manner which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, and to this end the said proceeds of the Bonds and other related funds established for the purposes herein set out shall be used and spent expeditiously for the purposes described herein. The Governing Body further covenants and represents that in the event it shall be required by Section 148(f) of the Code to pay any investment proceeds of the Bonds to the United States government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Bonds from becoming taxable. The County Executive and County Clerk, or either of them, are authorized and directed to make such certifications in this regard in connection with the sale of the Bonds as either or both shall deem appropriate, and such certifications shall constitute a representation and certification of the County.

Discharge and Satisfaction of Bonds. If the County shall pay and discharge the indebtedness evidenced by any of the Bonds in any one or more of the following ways, to wit:

By paying or causing to be paid, by deposit of sufficient funds as and when required with the Registration Agent, the principal of and interest on such Bonds as and when the same become due and payable;

By depositing or causing to be deposited with any trust company or financial institution whose deposits are insured by the Federal Deposit Insurance Corporation or similar federal agency and which has trust powers ("an Agent"; which Agent may be the Registration Agent) in trust or escrow, on or before the date of maturity or redemption, sufficient money or Federal Obligations, as hereafter defined, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay or redeem such Bonds and to pay interest thereon when due until the maturity or redemption date (provided, if such Bonds are to be redeemed prior to maturity thereof, proper notice of such redemption shall have been given or adequate provision shall have been made for the giving of such notice);

By delivering such Bonds to the Registration Agent, for cancellation by it;

and if the County shall also pay or cause to be paid all other sums payable hereunder by the County with respect to such Bonds, or make adequate provision therefor, and by resolution of the Governing Body instruct any such escrow agent to pay amounts when and as required to the Registration Agent for the payment of principal of and interest on such Bonds when due, then and in that case the indebtedness evidenced by such Bonds shall be discharged and satisfied and all covenants, agreements and obligations of the County to the holders of such Bonds shall be fully discharged and satisfied and shall thereupon cease, terminate and become void.

If the County shall pay and discharge the indebtedness evidenced by any of the Bonds in the manner provided in either clause (a) or clause (b) above, then the registered owners thereof shall thereafter be entitled only to payment out of the money or Federal Obligations deposited as aforesaid.

Except as otherwise provided in this Section, neither Federal Obligations nor moneys deposited with the Registration Agent pursuant to this Section nor principal or interest payments on any such Federal Obligations shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal and interest on said Bonds; provided that any cash received from such principal or interest payments on such Federal Obligations deposited with the Registration Agent, (A) to the extent such cash will not be

required at any time for such purpose, shall be paid over to the County as received by the Registration Agent and (B) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable, be reinvested in Federal Obligations maturing at times and in amounts sufficient to pay when due the principal and interest to become due on said Bonds on or prior to such redemption date or maturity date thereof, as the case may be, and interest earned from such reinvestments shall be paid over to the County, as received by the Registration Agent. For the purposes of this Section, Federal Obligations shall mean direct obligations of, or obligations, the principal of and interest on which are guaranteed by, the United States of America, or any agency thereof, obligations of any agency or instrumentality of the United States or any other obligations at the time of the purchase thereof are permitted investments under Tennessee Law for the purposes described in this Section, which bonds or other obligations shall not be subject to redemption prior to their maturity other than at the option of the registered owner thereof.

Continuing Disclosure. The County hereby covenants and agrees that it will provide annual financial information and material event notices if and as required by Rule 15c2-12 of the Securities Exchange Commission for the Bonds. The County Executive is authorized to execute at the Closing of the sale of the Bonds, an agreement for the benefit of and enforceable by the owners of the Bonds specifying the details of the financial information and material event notices to be provided and its obligations relating thereto. Failure of the County to comply with the undertaking herein described and to be detailed in said closing agreement, shall not be a default hereunder, but any such failure shall entitle the owner or owners of any of the Bonds to take such actions and to initiate such proceedings as shall be necessary and appropriate to cause the County to comply with their undertaking as set forth herein and in said agreement, including the remedies of mandamus and specific performance.

Resolution a Contract. The provisions of this resolution shall constitute a contract between the County and the registered owners of the Bonds, and after the issuance of the Bonds, no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner until such time as the Bonds and interest due thereon shall have been paid in full.

Separability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Repeal of Conflicting Resolutions and Effective Date. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution, are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

Commission Chairman recognized Rachel Nichols, Director of Finance, who explained that the resolution is for the funding for Phase 1 of the school construction projects.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	N	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**0709-01      Yes: 24      No: 0      Abs: 0      07:29 PM**

Chairman Thompson declared the resolution approved by the body. Commissioner Hall requested that his vote on Notaries Public be change to no, as reflected above.

**PROPERTY TAX FREEZE**

Chairman Thompson announced that the Commission will be addressing the outcome of a state law that freezes property tax for senior citizens with a certain income level. To do that he formed a coordinating committee comprised of the following persons: Sumner County Trustee Marty Nelson, Assessor of Property John Isbell, Finance Director Rachel Nichols, Commissioner Hall and Commissioner Kimbrough.

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### REPORT FROM COUNTY OFFICIALS

By motion of Commissioner Graves, seconded by Commissioner Akins, 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.

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Chairman Thompson introduced the following resolution:

**0709-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.**

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AMONS, CONNIE J  
ARCHIE, DEBRA SUE  
ARIC, MARY PATRICIA  
BARNES, CAROL DIANE  
BARNES, SCOTTIE KAY  
BRATTON JR, LUTHER  
BRILEY, GINA C  
BUIE, LORI  
CARTER, BRUCE ALLEN  
CARTER, KIMBERLY RENA  
CHILDERS, VICKI DEE  
CUTRELL, JR, CARL WRIGHT  
DETRING, WAYNE

JENNINGS, DIANE JOHNSTON  
KEMNITZ, KAYE CAMPBELL  
KLING, RAMONA LISA  
MCDONALD, ASHLEY CHERI  
MORIN, BRENDA J  
NOLEN, BETTY CUNNINGHAM  
O'HARA, KEVIN R  
O'STEEN, LORA LYNN  
OVERBY, SABRINA LYNNE  
RAY, JANICE Q  
ROBERTSON, JUDITH C  
SAMSEL, SUSAN PATRICIA  
SHELBY, BRENDA WALKER

DIGGS, KAY  
 DUNN, ROBERT DOUGLAS  
 ESCUE, SHARON D  
 EVERETTE, DEBORAH D  
 FITE, JAMES PAUL  
 FORSYTHE, CHRIS  
 FOUTS, BENJAMIN F  
 FOX, ERIC KENDALL  
 FRIZZELL, DEBRAH K  
 GARRETT, CATHERINE L  
 GENTRY, MELINDA GAIL  
 GRIFFIN, NELSON ALEXANDER

SNEED, EDDIE L  
 STOKES, ALICIA  
 STOKES, SHERRY LYNNE  
 STURDIVANT, MARYBETH  
 TATRO, JULIE ANN  
 THORNTON, SUSAN  
 WALL, DAWN FRANCES

Upon motion of Commissioner Holt, seconded by Commissioner England, voting was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	N	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	A	Kimbrough	A
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**0709-NOT      Yes: 21      No: 1      Abs: 2      07:30 PM**

Chairman Thompson declared the election of Notaries Public by the body.  
 Commissioner Hall requested that his vote be shown as no, as reflected above.

## COMMITTEE ON COMMITTEES

### ELECTION OF COMMISSION CHAIRMAN

Commissioner LeMarbre stated that the Committees on Committees nominated County Executive R.J. "Hank" Thompson for re-appointment as Commission Chairman for 2007-08. Commissioner Satterfield nominated Commissioner Stone. Hearing no other nominations, Chairman Thompson declared nominations ceased.

Clerk Kemp stated that Chairman Thompson would be represented by the green button; Commissioner Stone, the white button; and an abstention, the red button.

The electronic vote was recorded in the following manner:

Akins	A	Fennell	Y	Cummings	Y
Hall	Y	Graves	A	Satterfield	A
Holt	Y	Matthews	Y	Boyd	Y
England	A	Hendricks	N	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	N	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	A	Freels	Y
Stone	A	Hobbs	A	Pospisil	Y

**ELECTION      Thompson: 15      Stone: 7      Abs: 2      07:35 PM**

Chairman Thompson declared the election of the current chairman.

Commissioner LeMarbre brought forth the nomination of Ragan Hall to serve another term as the Commission Chairman Pro Tem. Hearing no other nominations, Commissioner LeMarbre moved, seconded by Commissioner Matthews, to cease nominations and elect by acclamation Commissioner Hall to serve as County Commission Chairman Pro Tem. The motion carried by voice vote of the body.

---

Commissioner LeMarbre moved to group the remaining appointments, seconded by Commissioner Goode. The motion carried upon voice vote of the body. The appointments were as follows:

- The County Executive's recommended replacement of Archie P. McKinnis to complete the term of Mr. Sloan who resigned.
- Re-appointments of Gail Eller, Rhea Condra and Kenneth Cox to serve on the Sumner County Library Board.
- Board of Tourism recommended the re-appointments of Wally Nicoll and Chris Williams to serve another term.
- Jimmy Anderson and Lillian High agreed to be re-appointed to the Health Education and Housing Facilities Board.
- Ken Cox requested re-appointment to the Regional Library Board. Rhea Condra did not seek a reappointment and her replacement will be brought next month.

Commissioner LeMarbre moved, seconded by Commissioner Matthews, to approve the grouped appointments. The motion carried.

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### HIGHWAY COMMISSION

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

**0709-02                    A RESOLUTION ACCEPTING THE FOLLOWING ROAD  
                                 AS A CLASS 1 COUNTY ROADS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby accepts the following roads as a Class 1 County Roads.

- Orchard Drive, being .20 miles in length beginning at North Center Point Road and ending at dead end cul-de-sac; and
- Birch Lane, being .10 miles in length beginning at Orchard Drive and ending at Larkspur Meadows; and
- Larkspur Meadows (off of Birch Lane), being .16 miles in length beginning at dead end cul-de-sac and ending at dead end cul-de-sac; and

**BE IT FURTHER RESOLVED** that said roads be added to the official Road List.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**0709-02      Yes: 24      No: 0      Abs: 0      07:39 PM**

Chairman Thompson declared the resolution approved by the body.

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### EDUCATION COMMITTEE

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

**0709-03    A RESOLUTION APPROVING A CHANGE ORDER FOR UP TO \$42,000.00  
                 AT THE INDIAN LAKE ELEMENTARY ADDITION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby approves a change order for up to \$42,000.00 at the Indian Lake Elementary School project for changes in electrical service due to inspector requirements; and

**BE IT FURTHER RESOLVED** that this approval is contingent upon the matter being approved by the board of education.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	A
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**0709-03      Yes: 23      No: 0      Abs: 1      07:41 PM**

Chairman Thompson declared the resolution approved by the body.

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### GENERAL OPERATIONS COMMITTEE

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

**0709-04    A RESOLUTION APPROVING THE ARCHITECTURAL PLANS FOR  
                 THE ARCHIVES-STORAGE FACILITY**

**BE IT RESOLVED** by the County Board of Commissioners of Sumner County, Tennessee, meeting in regular session on this 17<sup>th</sup> day of September,

2007 that this body does hereby approve the architectural plans referenced as Option A for the construction of the combined Archives-Storage facility to be located on the property behind the Sumner County Administration Building.

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Commissioner Satterfield moved, seconded by Commissioner England, to amend the resolution to renovate the old Archives Building and give the Archives the entire building. The electronic vote was recorded in the following manner:

Akins	Y	Hall	N	Satterfield	Y
Matthews	N	England	Y	Hendricks	Y
Vaughn	N	LeMarbre	N	Hyde	N
Hughes	N	Kimbrough	N	Goode	N
Skidmore	Y	Stone	Y	Hobbs	Y
Pospisil	N				

**0709-04      Yes: 7              No: 9              Abs: 0              08:15 PM**

Chairman Thompson declared this vote void due to an interruption. The commission voted again on the amendment.

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

Akins	Y	Fennell	N	Cummings	Y
Hall	N	Graves	Y	Satterfield	Y
Holt	N	Matthews	N	Boyd	N
England	Y	Hendricks	Y	Vaughn	N
LeMarbre	N	Moser	N	Decker	N
Hyde	N	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	Freels	N
Stone	Y	Hobbs	Y	Pospisil	N

**0709-04      Yes: 9              No: 15              Abs: 0              08:18 PM**

Chairman Thompson declared the amendment failed to be passed by the body.

The electronic vote was recorded in the following manner:

Akins	N	Fennell	Y	Cummings	Y
Hall	Y	Graves	N	Satterfield	N
Holt	N	Matthews	Y	Boyd	N
England	N	Hendricks	N	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	Freels	Y
Stone	Y	Hobbs	N	Pospisil	Y

**0709-04      Yes: 15              No: 9              Abs: 0              08:29 PM**

Chairman Thompson declared the resolution approved by the body. Commissioner England requested to change his vote to no, as reflected in the vote.

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### EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

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### PUBLIC WORKS COMMITTEE

There was no report from the Public Works Committee.

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### LEGISLATIVE COMMITTEE

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

**0709-05 A RESOLUTION AMENDING THE STANDING RULES AND PROCEDURES OF THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS, RULE III SECTION D(11)(C)**

**BE IT RESOLVED** by the County Board of Commissioners of Sumner County, Tennessee, assembled in regular session on this 17<sup>th</sup> day of September, 2007 that this body does hereby amend the Standing Rules and Procedures of the Sumner County Board of County Commissioners as follows:

- Rule III Section D(11)(c) at the end of the last paragraph to add “(1) Ethics Sub-Committees – Oversees ethical rules and regulations for the Commission. This committee may report directly to the Commission at the Report of the Chair portion of the agenda.
- 

After a voice vote, Commissioner Stone called for a division of assembly. The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**0709-05 Yes: 24 No: 0 Abs: 0 08:34 PM**

Chairman Thompson declared the resolution approved by the body.

---

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

**0709-06 A RESOLUTION NAMING ANN WHITESIDE, SUMNER COUNTY HUMAN RESOURCES DIRECTOR, AS THE FEDERAL TITLE VI PROGRAM COORDINATOR**

**WHEREAS**, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance; and

**WHEREAS**, Sumner County complies with all program requirements of these laws, rules, and regulations.

**NOW, THEREFORE, BE IT RESOLVED**, by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body does hereby, as part of its continued compliance with Federal Title VI Regulations, affirm its previous declarations except to name Sumner County Human Resources Director, Ann Whiteside, as the Title VI Program Coordinator.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

**0709-06            Yes: 23            No: 0            Abs: 0            08:35 PM**

Chairman Thompson declared the resolution approved by the body. Commissioner Freels did not record a vote.

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#### **BUDGET COMMITTEE**

Commissioner Moser introduced the following resolution and moved for approval. Commissioner Akins seconded the motion. Commissioner Moser noted that this is the second reading on this resolution.

**0708-17    A RESOLUTION APPROPRIATING A CONTRIBUTION OF \$1,000.00 TO AMAZING GRACE AND TO THE WESTMORELAND SENIOR CITIZENS CENTER FROM THE COUNTY GENERAL FUND RESERVE FOR NON-PROFIT FUNDING**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007, that this body hereby appropriates a contribution of \$1,000.00 to Amazing Grace and to the Westmoreland Senior Citizens Center from the County General Fund Reserve (101-39000) to the Contributions Account (101-58508-316) for non-profit funding.

---

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	A	Graves	Y	Satterfield	Y
Holt	A	Matthews	A	Boyd	Y
England	Y	Hendricks	Y	Vaughn	N
LeMarbre	N	Moser	N	Decker	A
Hyde	Y	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	Freels	N
Stone	Y	Hobbs	Y	Pospisil	N

**0708-17            Yes: 12            No: 8            Abs: 4            08:38 PM**

Chairman Thompson declared the resolution failed by the necessary majority vote on the second reading.

---

Commissioner Moser introduced the following resolution and moved for approval. The motion was duly seconded.

**0709-07 A RESOLUTION DECLARING THE OLD ARCHIVES BUILDING AS SURPLUS AND ASKING THE COUNTY EXECUTIVE AND THE GENERAL OPERATIONS COMMITTEE TO OVERSEE THE BEST MANNER TO FACILITATE THE SALE OF THIS PROPERTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body does hereby declare the old archives building as surplus county property and asking the County Executive and the General Operations Committee to oversee the best manner to facilitate the sale of this property.

---

Commissioner England moved, seconded by Commissioner Skidmore, to refer the resolution to the General Operations Committee.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	N	Cummings	Y
Hall	N	Graves	Y	Satterfield	Y
Holt	N	Matthews	N	Boyd	Y
England	Y	Hendricks	Y	Vaughn	N
LeMarbre	Y	Moser	N	Decker	N
Hyde	N	Hughes	N	Kimbrough	N
Goode	N	Skidmore	Y	Freels	N
Stone	Y	Hobbs	Y	Pospisil	N

**0709-07 Yes: 11 No: 13 Abs: 0 08:41 PM**

Chairman Thompson declared the motion failed to pass.

---

After discussion, the electronic vote on the main motion was recorded in the following manner:

Akins	N	Fennell	Y	Cummings	Y
Hall	Y	Graves	N	Satterfield	N
Holt	Y	Matthews	Y	Boyd	N
England	N	Hendricks	N	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	N	Freels	N
Stone	Y	Hobbs	N	Pospisil	Y

**0709-07 Yes: 15 No: 9 Abs: 0 08:47 PM**

Chairman Thompson declared the resolution failed to pass by the necessary two-thirds vote to declare surplus property.

---

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

**0709-08 A RESOLUTION APPROPRIATING \$100,000.00 FROM THE GENERAL FUND RESERVE TO THE HAY ASSISTANCE PROGRAM**

**WHEREAS**, drought has greatly hurt the farmers of our area, creating a need for nutritional hay for local farm animals; and

**WHEREAS**, these farmers, so effected by the drought, can pay the cost of hay, but not the transportation costs.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body in coordination with various local groups as well as the Tennessee Agricultural Extension Office will coordinate and facilitate a Hay Assistance Program for county farmers; and

**BE IT FURTHER RESOLVED** that this body does hereby appropriate up to \$100,000.00 from the County General Fund Reserve to cover the cost of transporting the hay to our county; and

**BE IT FURTHER RESOLVED** that this is an emergency appropriation and made for public good.

---

Upon motion of Commissioner Moser, seconded by Commissioner Holt, the Commission voted to suspend the rules to hear from those in support of the hay assistance program. Chairman Thompson recognized State Senator Diane Black and State Representative Mike McDonald who encouraged the Commission to pass Resolution 0709-08. Rep. McDonald stated that the severe drought has caused an economic hardship on the farming community in Sumner County. He further stated that to be fair the hay would be used in Sumner County, only, and the program would be administered by knowledgeable farmers.

Commissioner Akins, Cummings, Graves and Holt declared an indirect conflict of interest. Because of a direct conflict of interest, Commissioner Freels stated he would not be voting.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Stone	Y
Hobbs	Y	Pospisil	Y		

**0709-08      Yes: 23      No: 0      Abs: 0      09:16 PM**

Chairman Thompson declared the resolution approved by the body.

---

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

**0709-09 A RESOLUTION APPROPRIATING UP TO \$1,050,000.00 TO THE BOARD OF EDUCATION FOR THE PURCHASE OF THIRTY-FIVE (35) ACRES FOR THE PROPOSED DRAKES CREEK MIDDLE AND ELEMENTARY SCHOOLS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body does hereby appropriate up to \$1,050,000.00 to the Board of

Education from the October 2007 bond issue for the purchase of thirty-five (35) acres of park property from the City of Hendersonville for the proposed Drakes Creek middle and elementary schools.

---

Upon motion of Commissioner Hughes, seconded by Commissioner Goode, the Commission voted to suspend the rules and allow Board of Education Chairman Mike Fussell to speak. He reported on negotiations with the City of Hendersonville to reduce the price of the land. Commissioners Hyde, LeMarbre and Skidmore declared an indirect conflict of interest.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**0709-09      Yes: 24      No: 0      Abs: 0      09:41 PM**

Chairman Thompson declared the resolution approved by the body.

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### CONSENT AGENDA

Commissioner Moser introduced the following resolutions and moved for approval of the Consent Agenda. Commissioner Holt seconded the motion.

**0709-10    A RESOLUTION APPROPRIATING \$25,000.00 FROM THE SELF INSURANCE FUND RESERVE TO THE SALARY-SECRETARY ACCOUNT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby appropriates \$25,000.00 from the Self Insurance Fund Reserve Account (263-39000) to the Salary Secretary Account (101-52900-161).

---

**0709-11    A RESOLUTION APPROPRIATING \$414.00 FROM SALE OF MAPS TO THE OFFICE SUPPLIES ACCOUNT OF THE TAX ASSESSOR**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby appropriates \$414.00 from the Sale of Maps Account (101-44140) to the Office Supplies Account (52300-435) of the Assessor of Property's office for funds generated through sales and maps as shown on the attachment herewith.

---

**0709-12    A RESOLUTION APPROPRIATING \$4,395.87 FROM OTHER LOCAL REVENUE TO THE CAPITAL OUTLAY ACCOUNT OF THE OFFICE OF THE TAX ASSESSOR**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September,

2007 that this body hereby appropriates \$4,395.87 from the Other Local Revenue Account (101-44990) to the Capital Outlay Account (101-52310-799) of the Office of the Tax Assessor from sale of surplus property as shown on the attachment herewith.

---

**0709-13 A RESOLUTION APPROPRIATING \$9,000.00 AS PASS-THRU FUNDS FROM THE JUVENILE SERVICES GRANT ACCOUNT TO THE GRANT EXPENSES ACCOUNT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby appropriates \$9,000.00 as pass-thru funds from the Juvenile Services Grant Account (101-46110) to the Grant Expenses Account (101-54240-599) as shown on the attachment herewith.

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**0709-14 A RESOLUTION APPROPRIATING \$17,357.51 FROM THE LIBRARY FUND RESERVE TO THE GALLATIN LIBRARY-VARIOUS ACCOUNTS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby appropriates \$17,357.51 from the Library Fund Reserve Account (101-35111) to the Gates Foundation Account (56510-597-101) and the Technology Grant Account (56510-799-101) as shown on the attachment herewith.

---

**0709-15 A RESOLUTION ACCEPTING THE DESIGNATED DONATION OF FUNDS AND APPROPRIATING THE \$150,000.00 FROM THE DONATIONS ACCOUNT TO THE STATION CAMP GREENWAY ACCOUNT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby accepts the designated donation of funds and appropriates the \$150,000.00 from the Donations Account (171-44170) to the Station Camp Greenway Account (171-91150-724) as shown on the attachment herewith.

---

**0709-16 A RESOLUTION APPROPRIATING \$8,962.00 FROM EXCESS FUNDS LEFT IN VARIOUS CAPITAL OUTLAY FUNDS FOR THE AUDIT SPACE TO BE USED BY THE STATE AUDITORS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby appropriates \$8,962.00 from various excess funds left in capital outlay funds for the audit space renovations to be used by the state auditors.

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**0709-17      A RESOLUTION DECLARING VARIOUS ITEMS AS SURPLUS  
AND AUTHORIZING DISPOSAL 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 17<sup>th</sup> day of September, 2007 that this body does hereby declare the items as surplus as shown on the attachments; and

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

---

**0709-18                      A RESOLUTION APPROVING THE BOND OF  
TEENA VINCENT, PUBLIC ADMINISTRATOR  
FOR SUMNER COUNTY, TENNESSEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 17<sup>th</sup> day of September, 2007 that this body hereby approves the bond of Teena Vincent, Public Administrator, Sumner County, Tennessee.

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**PROPERTY TAX REFUNDS**

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

1. Tax Refund Cresent Enterprises \$682.01 Property Tax Collections
2. Tax Refunds Donnie C Pruitt \$124.26 Property Tax Collections

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Hall	Y	Graves	Y	Satterfield	Y
Holt	Y	Matthews	Y	Boyd	Y
England	Y	Hendricks	Y	Vaughn	Y
LeMarbre	Y	Moser	Y	Decker	Y
Hyde	Y	Hughes	Y	Kimbrough	Y
Goode	Y	Skidmore	Y	Freels	Y
Stone	Y	Hobbs	Y	Pospisil	Y

**CONSENT              Yes: 24              No: 0              Abs: 0              09:41 PM**

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

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**ADJOURNMENT**

Upon motion of Commissioner Vaughn, and duly seconded, to adjourn, Chairman Thompson declared the Commission meeting adjourned at 9:43 p.m.

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BILL KEMP, CLERK

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R.J. "HANK" THOMPSON, CHAIRMAN

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MINUTE BOOK SIXTEEN  
SEPTEMBER 17, 2007

Prepared by Maria A. Moser  
Approved on \_\_\_\_\_

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