
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
NOVEMBER 16, 2009**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, November 16, 2009, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Merrol Hyde. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

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

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Bob Barker. Chairman Hyde noted that with twenty-three members seated, a simple majority would be by thirteen votes; and that matters requiring a two-thirds vote would be by sixteen votes during this session. Commissioner Hobbs was not present at the meeting.

The Invocation was led by Pastor Gary Stacey Hendersonville Church of God in Hendersonville.

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

APPROVAL OF AGENDA

Chairman Hyde announced the removal of Ulysses Brent and Hunter Henson from the Certificates of Recognition and addition of correspondence under Report of Officials. Commissioner Frank Freels requested the addition of Item 3 under the Legislative Committee for discussion on radar cameras. Commissioner Stone requested an addition under the Budget Committee regarding the Voluntary Tax Act. Commissioner Frank Freels moved, seconded by Commissioner Graves, to adopt the agenda with the additions. The Commission approved the agenda as amended by unanimous voice vote of the body.

APPROVAL OF MINUTES

Chairman Hyde recognized Commissioner Skidmore who spoke in regard to the October Commission meeting during which a commissioner mentioned that she had voted in 2002 for a \$300,000.00 appropriation to the Sumner County Regional Airport Authority. The record reflects that she did not vote for the appropriation.

The minutes for the meeting of this body held on October 19, 2009, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Matthews made the motion, seconded by Commissioner Satterfield. Commissioner Vaughn abstained from the vote.

RECOGNITION OF THE PUBLIC

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

Darrell Johnston of 1403 Shoreside Drive in Hendersonville requested that the Commission pass the bond issue for the benefit of the County.

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

REPORT OF THE CHAIR

County Executive Anthony Holt read the following resolution into the record:

A RESOLUTION HONORING MRS. VIRGINIA DUFFETT

WHEREAS, after forty dedicated years Hendersonville Librarian Mrs. Virginia Duffett, after a lifelong service to the Sumner County library system, is retiring and leaving a void in our library system that will always be noticed; and

WHEREAS, Mrs. Duffett, has directed the Hendersonville Library through enormous growth and change and thereby, it is appropriate that Mrs. Duffett be recognized and commended for her dedication and knowledge provided to the citizens of Sumner County; and

WHEREAS, Mrs. Duffett is admired for her enduring energy, patience and courtesy as well as outstanding organizational skills and she will truly be missed by the many citizens she has helped and by co-workers, who value her friendship and the knowledge she brought to our community.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009 that this body expresses its appreciation and gratitude for the many years of service and dedication of Mrs. Virginia Duffett and this body urges all the citizens of Sumner County to acknowledge the contributions made by Mrs. Virginia Duffett; and

BE IT FURTHER RESOLVED that this resolution is to be read and entered on the minutes of this body so as to make it a permanent part of the records of this body and the Clerk is hereby directed to furnish a copy of this resolution to Mrs. Virginia Duffett.

Upon motion of Commissioner Decker, seconded by Commissioner Matthews, the Commission approved the Certificate of Recognition honoring Mrs. Duffett.

Commissioner Decker read the following resolution into the record:

A RESOLUTION HONORING THE HENDERSONVILLE HIGH SCHOOL COMMANDOS GOLF TEAM AND COACHES CLANCY HALL AND ANDY GILLEY

WHEREAS, the Hendersonville High School Commandos Golf Team for the second year in a row, finished second in the Class AAA State Golf Tournament; and

WHEREAS, in tournament play, Sophomore Carson Jacobs placed fifth, posting a two-round total of 148 (75-73); Senior Trey Tarpley posting a 153 total (77-76); Sophomore Bryan Grisard (77-77) posting a 154 total and along with Senior Kevin Lee (79-75), and Senior Andrew Warner posting a 158 (78-80) and thereby taking the team to this honor; and

WHEREAS, the Hendersonville High School Commandos Golf Team, coached by Clancy Hall and Andy Gilley, played with pride and have brought honor not only to themselves and their team, but to their school and this county.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body does hereby congratulate the Hendersonville High School Commandos Golf Team and Coaches Clancy Hall and Andy Gilley for their outstanding, past and present, seasons; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the Hendersonville High School Commandos Golf Team and Coaches Clancy Hall and Andy Gilley.

Upon motion of Commissioner Decker, seconded by Commissioner Kimbrough, the Commission approved the Certificate of Recognition honoring the Hendersonville High School golf team.

Commissioner Stone read the following resolution into the record:

**A RESOLUTION HONORING
THE MERROL HYDE MAGNET SCHOOL ROBOTICS TEAM
AND TEACHERS MIKE MARSH AND COLLEEN LLOYD**

WHEREAS, the Merrol Hyde Magnet School Robotics Team competed in the Music City BEST (Boosting Engineering Science Technology) Competition and in only its second year of competition, received top honors in the Competition Award and first place in the BEST Award Categories; and

WHEREAS, the Merrol Hyde Magnet School Robotics Team lead by President William Butterworth; Vice-President Stephany Demmler; Oral Presentation Coordinator, Sponsors Coordinator and Booth and Table Coordinator Christie Thiessen; Spirit and Sportsmanship Coordinator and Booth and Table Coordinator Elizabeth Roll; Notebook Editor Andrea Steiner; Treasurer and Sponsors Coordinator Chris Swinea; Secretary Matthew Butera and teachers Mike Marsh and Colleen Lloyd are to be commended on their diligent effort, hard work and accomplishments which have brought honor not only to themselves but to their school and this county; and

WHEREAS, the skills they have learned and advancements made could one day be used to aid others in many ways and for their pioneering efforts they should be commended.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body does hereby congratulate the Merrol Hyde Magnet School Robotics Team and teachers Mike Marsh and Colleen Lloyd for their outstanding achievement; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to the Merrol Hyde Magnet School Robotics Team and teachers Mike Marsh and Colleen Lloyd.

Upon motion of Commissioner Stone, seconded by Commissioner Paul Freels, the Commission approved the Certificate of Recognition honoring the Merrol Hyde Magnet School Robotics Team.

Clerk Kemp read the following notice into the record:

PUBLIC NOTICE

There will be a Public Hearing before the Sumner County Commission on November 16, 2009, at 7:00 P.M. in the Sumner County Administration Building Commission Chambers located at 355 N. Belvedere Drive in Gallatin, TN.

Wayne and Kathy Lackey are requesting to have their property rezoned from R1A to Commercial 1. Subject property is located at 3106 Hartsville Pike, Castalian Springs, TN. Is on Tax Map 110, Parcel 33, contains 3.51 acres and is zoned R1A.

A copy of this request is on file in the Sumner County Construction and Development Office which is located in Room 202 in the Sumner County Administration Building, 355 N. Belvedere Drive, Gallatin, TN.

Anyone having an interest, desiring to comment or ask questions concerning this request is invited to attend this meeting or call the Sumner County Construction and Development Office at (615) 452-1467.

Chairman Hyde opened the public hearing for anyone wishing to speak.

Chairman Hyde recognized Commissioner Fennell who declared an indirect conflict of interest stating that he would vote his conscience.

He declared the public hearing closed with no one else wishing to speak.

Commissioner Frank Freels moved for approval of the following resolution; Commissioner Vaughn seconded the motion.

**0911-01 A RESOLUTION APPROVING ZONING RECLASSIFICATION OF
PROPERTY AT 3106 HARTSVILLE PIKE, CASTALIAN SPRINGS,
TENNESSEE, CONTAINS 3.51 ACRES AND IS ON TAX MAP 110, PARCEL
33 FROM R1A TO COMMERCIAL 1 AND FOR SITE PLAN APPROVAL**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body hereby approves zoning reclassification of property currently owned by Wayne and Kathy Lackey at 3106 Hartsville Pike, Castalian Springs, Tennessee, contains 3.51 acres and is on tax map 110, parcel 33 from R1A to Commercial 1 and for site plan approval.

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

Clerk Kemp read the following into the record:

PUBLIC HEARING

There will be a Public Hearing before the Sumner County Commission on November 16, 2009 at 7:00 p.m. in the Sumner County Administration Building Commission Chambers, located at 355 N. Belvedere Drive, Gallatin, TN.

The purpose of this public hearing is to discuss and possibly vote on the illicit discharge and connection and storm water management resolution. The purpose of this resolution is to provide for the health, safety, and general welfare of the citizens of Sumner County through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by Federal and State Law.

A copy of this request is on file in the Sumner County Construction and Development Office which is located in Room 202 in the Sumner County Administration Building, 355 N. Belvedere Drive, Gallatin, TN.

Anyone having an interest desiring to comment or ask questions concerning this request is invited to attend this meeting or call the Sumner County Construction and Development Office at (615)452-1467.

Commissioner Goode moved to group and approve following resolutions; Commissioner Frank Freels seconded the motion.

0911-02 A RESOLUTION AMENDING, RE-ENACTING AND RE-ADOPTING THE STORM WATER MANAGEMENT RESOLUTION AND ADOPTING AND ENACTING THE ILLICIT DISCHARGE AND CONNECTION STORM WATER RESOLUTION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body hereby amends, re-enacts and re-adopts the **Sumner County Storm Water Management Resolution** attached herewith as Exhibit A (which is fully incorporated by reference) which sets forth the manner in which storm water is addressed in areas of new development, redevelopment, and significant redevelopment through the course of construction and post-construction to maintain or benefit water quantity, water quality and effects on the quality of life and character of the County; and

BE IT FURTHER RESOLVED that this body does hereby adopt and enact the **Illicit Discharge and Connection Storm Water Resolution** attached herewith as Exhibit B (which is fully incorporated by reference) which sets forth the manner in which regulation of water discharges to the drainage system and the permitting process are addressed.

BE IT FURTHER RESOLVED that Exhibit A and Exhibit B shall take effect immediately, the public welfare requiring it (in file).

Chairman Hyde declared the resolution approved upon voice vote of the body. Chairman Hyde recognized Commissioner Goode who stated that a committee will be created to define the parameters for punitive measures.

Commissioner Kimbrough yielded the floor to the County Law Director Leah Dennen who explained the timeliness and need for the bond issuance.

Commissioner Vaughn moved, seconded by Commissioner Moser, to group Resolutions 0911-03, 0911-04 and 0911-05 for approval.

RESOLUTION NO. 0911-03

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000) 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 9-21-101, et seq., inclusive, Tennessee Code Annotated, as amended, counties in Tennessee are authorized through their respective governing bodies to issue and sell bonds of said counties to finance public works projects; and

WHEREAS, the Board of County Commissioners of Sumner County, Tennessee (the "County") hereby determines that it is necessary and advisable to issue not to exceed \$6,600,000 in aggregate principal amount of general obligation bonds, to be issued in one or more emissions, for the purpose of providing funds to: (i) construct, repair, renovate and equip public safety facilities; (ii) renovate and equip a public library jointly with the City of Portland; (iii) repair and renovate County buildings; (iv) make a grant to one or more local governments or utility districts for the purpose of running water lines to citizens of the County; (v) repair, renovate and equip County school buildings and facilities; (vi) acquire all property, real and personal, appurtenant to the foregoing; (vii) pay legal, fiscal, administrative, architectural and engineering costs incident to all of the foregoing (collectively, the "Projects"); (viii) reimburse the appropriate fund of the County for prior expenditures for the Projects, if applicable; (ix) pay any interfund notes issued by the County, proceeds of which were used for any of the foregoing purposes; and (x) payment of costs incident to the bonds authorized herein; and

WHEREAS, on the date hereof, the Board of Commissioners of the County adopted an Initial Resolution proposing the issuance of not to exceed \$6,600,000 in the aggregate principal amount of general obligation bonds, the proceeds of which shall be used for the purposes hereinabove set forth; and

WHEREAS, the Initial Resolution, together with the notice required by Section 9-21-206, Tennessee Code Annotated, has been published as required by law; and

WHEREAS, it is the intention of the Board of Commissioners of the County to adopt this resolution for the purpose of authorizing not to exceed \$6,600,000 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 there from, 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:

Section 1. Authority. The bonds authorized by this resolution are issued pursuant to Sections 9-21-101, et seq., Tennessee Code Annotated, as amended, and other applicable provisions of law.

Section 2. Definitions. The following terms shall have the following meanings in this resolution unless the text expressly or by necessary implication requires otherwise:

(a) "Bonds" means the not to exceed \$6,600,000 General Obligation Bonds of the County, to be dated the date of issuance, and having such series designation or other dated date as shall be determined by the County Executive pursuant to Section 7 hereof;

(b) "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;

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

(d) "County" means Sumner County, Tennessee;

(e) "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;

(f) "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;

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

(h) "Governing Body" means the Board of County Commissioners of the County;

(i) "Projects" mean (i) constructing, repairing, renovating and equipping public safety facilities; (ii) constructing and equipping a public library jointly with the City of Portland; (iii) repairing and renovating County buildings; (iv) making a grant to one or more local governments or utility districts for the purpose of running water lines to citizens of the County; (v) repairing, renovating and equipping County school buildings and facilities; (vi) acquisition of all property, real and personal, appurtenant thereto; and (vii) payment of legal, fiscal, administrative, architectural and engineering costs incident to all of the foregoing; and

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

Section 3. Authorization and Terms of the Bonds. (a) For the purpose of providing funds to (i) finance the cost of the Projects; (ii) reimburse the appropriate fund of the County for prior expenditures for the foregoing costs, if applicable; (iii) pay costs incident to the issuance and sale of the Bonds; and (iv) pay any interfund notes issued by the County, the proceeds of which were used for the Projects, there are hereby authorized to be issued bonds of the County in the aggregate principal amount of not to exceed \$6,600,000. The Bonds shall be issued in one or more emissions, in fully registered, Book-Entry Form (except as otherwise set forth herein), without coupons, and subject to the adjustments permitted under Section 7, shall be known as "General Obligation Bonds", shall be dated the date of issuance, and shall have such series designation or other dated date as shall be determined by the County Executive pursuant to Section 7 hereof. The Bonds shall bear interest at a rate or rates not to exceed five percent (5%) per annum, payable (subject to the adjustments permitted under Section 7) semi-annually on June 1 and December 1 in each year, commencing June 1, 2010. The Bonds shall be issued initially in \$5,000 denominations or integral multiples thereof, as shall be requested by the original purchaser thereof. Subject to the adjustments permitted pursuant to Section 7 hereof, the Bonds shall mature serially or be subject to mandatory redemption and be payable on June 1 of each year, subject to prior optional redemption as hereinafter provided, either serially or through mandatory redemption, in the years 2012 through 2020, inclusive.

(b) Subject to the adjustments permitted under Section 7 hereof, the Bonds are not subject to optional redemption prior to maturity. If adjustments are made to the redemption provisions as permitted under Section 7 hereof and if less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be selected by the Governing Body in its discretion. If less than all of the Bonds within a single maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) 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

(ii) 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.

(c) 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.

(d) Notice of call for redemption, whether optional (if adjustments are made to the redemption provisions as permitted under Section 7 hereof) 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.

(e) The Governing Body 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.

(f) 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.

(g) 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 therefore 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.

(h) 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.

(i) 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 with the official seal, or a facsimile thereof, of the County impressed or imprinted thereon and attested by the manual or facsimile signature of the County Clerk or his designee.

(j) 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, then the County shall discontinue the Book-Entry System with DTC or, upon request of such original purchaser, deliver the Bonds to the original purchaser in the form of fully registered Bonds, as the case may be. 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. If the purchaser(s) certifies that it intends to hold the Bonds for its own account and has no present intent to reoffer the Bonds, then the County may issue the Bonds fully registered certificated Bonds in lieu of using DTC.

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.

(k) 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.

(l) 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.

(m) 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.

Section 4. Source of Payment. The Bonds shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County. For the prompt payment of principal of, premium, if any, and interest on the Bonds, the full faith and credit of the County are hereby irrevocably pledged.

Section 5. 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 Face of Bond)

REGISTERED	REGISTERED
Number _____	\$ _____
	UNITED STATES OF AMERICA STATE OF TENNESSEE COUNTY OF SUMNER GENERAL OBLIGATION BOND, SERIES _____

Interest Rate: Maturity Date: Date of Bond:

Registered Owner: CEDE & CO.

Principal Amount:

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, 2010], and semi-annually thereafter on the first day of [June] and [December] in each year until this Bond matures [or is redeemed]. The principal hereof and interest hereon are payable in lawful money of the United States of America by check or draft at the principal 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 and maturity amounts 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, maturity amounts, 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 or maturity amounts 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 are not subject to optional redemption prior to maturity.]

[If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be designated by the Board of County Commissioners of the County, in its discretion. If less than all the principal amount of the Bonds of a maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the amount of the interest of each DTC Participant in 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

(ii) 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:

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

*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 therefore. 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) construct, repair, renovate and equip public safety facilities; (ii) renovate and equip a public library jointly with the City of Portland; (iii) repair and renovate County buildings; (iv) make a grant to one or more local governments or utility districts for the purpose of running water lines to citizens of the County; (v) repair, renovate and equip County school buildings and facilities; (vi) acquire all property, real and personal, appurtenant to the foregoing; (vii) pay legal, fiscal, administrative, architectural and engineering costs incident to all of the foregoing (collectively, the "Projects"); (viii) reimburse the appropriate fund of the County for prior expenditures for the

Projects, if applicable; (ix) pay any interfund notes issued by the County, proceeds of which were used for any of the foregoing purposes; and (x) pay costs incident to the issue of Bonds of which this Bond is one, pursuant to Sections 9-21-101 et seq., Tennessee Code Annotated, as amended, and pursuant to a resolution duly adopted by the Board of County Commissioners of the County on the sixteenth day of November, 2009 (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 the Resolution.

This Bond and the income there from 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

BY: _____
County Executive

(SEAL)

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.

Section 6. 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 therefore 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.

Section 7. Sale of Bonds. (a) The Bonds shall be offered for public sale, as required by law, in one or more emissions, at a price of not less than ninety-nine percent (99%) nor more than one-hundred three percent (103%) of par, plus accrued interest, as a whole or in part from time to time as shall be determined by the County Executive, in consultation with the County's Director of Finance and Wiley Bros. – Aintree Capital, LLC, Nashville, Tennessee, the County's financial advisor in connection with the issuance of the Bonds (the "Financial Advisor"). The Bonds, or any emission thereof, shall be sold at public sale by physical delivery of bids or by electronic bidding means of an Internet bidding service as shall be determined by the County Executive, in consultation with the County's Director of Finance and the Financial Advisor.

(b) If the Bonds are sold in more than one emission, the County Executive is authorized to cause to be sold in each emission an aggregate principal amount of Bonds less than that shown in Section 3 hereof for each emission, so long as the total aggregate principal amount of all emissions issued does not exceed the total aggregate of Bonds authorized to be issued herein.

(c) The County Executive is further authorized, in consultation with the County's Director of Finance and the Financial Advisor:

(1) to change the dated date of the Bonds or any emission thereof, to a date other than the date of issuance;

(2) to specify the series designation of the Bonds, or any emission thereof;

(3) to change the first interest payment date on the Bonds or any emission thereof to a date other than June 1, 2010, provided that such date is not later than twelve months from the dated date of such emission of Bonds;

(4) to adjust the principal and interest payment dates and determine maturity or mandatory redemption amounts of the Bonds or any emission thereof, provided that (A) the total principal amount of all emissions of the Bonds does not exceed the total amount of Bonds authorized herein, and (B) the final maturity date of each emission shall be not later than the end of the eleventh fiscal year following the fiscal year of its emission;

(5) to permit optional redemption provisions of the Bonds, provided that the premium amount to be paid on Bonds or any emission thereof does not exceed two percent (2%) of the principal amount thereof;

(6) to sell the Bonds, or any emission thereof, or any maturities thereof as Term Bonds with mandatory redemption requirements as determined by the County Executive, as he shall deem most advantageous to the County; and

(7) to 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 and to enter into agreements with such insurance company with respect to any emission of Bonds to the extent not inconsistent with this Resolution.

(d) The County Executive, in consultation with the County's Director of Finance and the Financial Advisor, is authorized to sell the Bonds, or any emission thereof, simultaneously with any other bonds or notes authorized by resolution or resolutions of the Governing Body. The County Executive, in consultation with the County's Director of Finance and the Financial Advisor, is further authorized to sell the Bonds, or any emission 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 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.

(e) The County Executive, in consultation with the County's Director of Finance and the Financial Advisor, is authorized to award the Bonds, or any emission thereof, in each case to the bidder whose bid results in the lowest true

interest cost to the County, provided the rate or rates on the Bonds does not exceed five percent (5%) per annum. The award of the Bonds 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 form of the Bond set forth in Section 5 hereof, shall be conformed to reflect any changes made pursuant to this Section 7 hereof.

(f) The County Executive and County Clerk, or either of them, are authorized to cause the Bonds, in book-entry form (except as otherwise permitted herein), to be authenticated and delivered by the Registration Agent to the successful bidder and 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 County Clerk are hereby authorized to enter into a contract with the Financial Advisor, for financial advisory services in connection with the sale of the Bonds.

(g) No Bonds, nor any emission thereof, shall be issued hereunder until twenty (20) days have elapsed following the publication of the Initial Resolution, during which no legally sufficient petition protesting the issuance of the Bonds has been filed with the County Clerk.

Section 8. Disposition of Bond Proceeds. The proceeds of the sale of the Bonds shall be disbursed as follows:

(a) 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;

(b) the remainder of the proceeds of the sale of the Bonds shall be deposited with a financial institution regulated by the Federal Deposit Insurance Corporation or similar federal agency in a special fund with respect to each emission known as the Construction and Acquisition Fund, with such series designation as shall be determined by the County Executive, in consultation with the County's Director of Finance (the "Construction Fund"), to be kept separate and apart from all other funds of the County. The County shall disburse funds in each Construction Fund to pay costs of issuance of the Bonds, including necessary legal, accounting and fiscal expenses, printing, engraving, advertising and similar expenses, administrative and clerical costs, Registration Agent fees, bond insurance premiums, if any, and other necessary miscellaneous expenses incurred in connection with the issuance and sale of the Bonds. The remaining funds in each Construction Fund shall be disbursed solely to pay the costs of the Projects, to reimburse the County for Project costs and to pay any interfund notes issued for Project costs. Money in each 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 each Construction Fund shall be expended only for the purposes authorized by this resolution. Any funds remaining in a Construction Fund after completion of the Projects and payment of authorized expenses shall be paid to the County Trustee and shall be used to pay principal of and interest on the Bonds. Moneys in each Construction Fund shall be invested at the direction of the County Trustee in such investments as shall be permitted by applicable law. To the extent permitted by applicable law, earnings from such investments shall be deposited in such Construction Fund or shall be deposited to the County's debt service fund on direction of the Director of Finance, subject to any modification by the Governing Body.

Section 9. Official Statement. The County Executive, the County's Director of Finance and the County Clerk, or any of them, working with Wiley Bros. – Aintree Capital, LLC, Nashville, Tennessee, the County's financial advisor, are hereby authorized and directed to provide for the preparation and distribution, which may include electronic distribution, of a Preliminary Official Statement describing the Bonds. After bids have been received and the Bonds have been awarded or sold, the County Executive, the County's Director of Finance and the County Clerk, or any of them, 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, the County's Director of Finance and the County Clerk, or any of them, 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, the County's Director of Finance and the County Clerk, or any of them, 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.

Notwithstanding the foregoing, no Official Statement is required to be prepared if the Bonds are purchased by a purchaser that certifies that such purchaser intends to hold the Bonds for its own account and has no present intention to reoffer the Bonds.

Section 10. Tax Matters. The County recognizes that the purchasers and owners of the Bonds will have accepted them on, and paid therefore 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 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, the County's Director of Finance and County Clerk, or any of them, are authorized and directed to make such certifications in this regard in connection with the sale of the Bonds as any or all of them shall deem appropriate, and such certifications shall constitute a representation and certification of the County.

Section 11. 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:

(a) 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;

(b) 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);

(c) 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 therefore, 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.

Section 12. 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.

Section 13. Reasonably Expected Economic Life. The "reasonably expected economic life" of the Projects within the meaning of Sections 9-21-101 et seq., Tennessee Code Annotated, is greater than eleven (11) years.

Section 14. Qualified Tax-Exempt Obligations. The Governing Body hereby designates the Bonds, or any emission thereof, as "qualified tax-exempt obligations", to the extent the Bonds, or any emission thereof, may be so designated, within the meaning of and pursuant to Section 265 of the Internal Revenue Code of 1986, as amended.

Section 15. 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.

Section 16. 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.

Section 17. 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.

Adopted and approved this sixteenth day of November, 2009.

County Executive

ATTEST:

County Clerk

Ayes _____ Nays _____ Abstain _____ APPROVED REJECTED

STATE OF TENNESSEE)

SUMNER)

I, William Kemp, certify that I am the duly qualified and acting County Clerk of Sumner County, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of November 16, 2009 of the governing body of the County; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to not to exceed \$6,600,000 General Obligation Bonds of said County.

WITNESS my official signature and seal of said County this _____ day of _____, 200_.

County Clerk

RESOLUTION NO. 0911-04

A RESOLUTION AUTHORIZING THE ISSUANCE OF INTERFUND CAPITAL OUTLAY NOTES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000) OF SUMNER COUNTY, TENNESSEE; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID NOTES; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE NOTES.

WHEREAS, the Board of County Commissioners (the "Governing Body") of Sumner County, Tennessee (the "County") has determined that it is necessary and desirable to provide funds to (i) construct, repair, renovate and equip Public safety facilities; (ii) renovate, expand and equip a public library jointly with the City of Portland; (iv) repair and renovate County buildings; (v) make a grant to one or more local governments or utility districts for the purpose of running water lines to citizens of the County; (vi) repair, renovate and equip County school buildings and facilities; (vii) acquire all property, real and personal, appurtenant thereto; and (viii) pay legal, fiscal, administrative, architectural and engineering costs incident to all of the foregoing (collectively, the "Projects"); and

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

WHEREAS, the Governing Body finds that it is advantageous to the County to authorize the issuance of interfund capital outlay notes to finance the costs of the Projects;

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

Section 1. For the purpose of providing funds to finance the (i) costs of the Projects, (ii) acquisition of all property, real and personal, appurtenant to the foregoing; and (iii) payment of legal, fiscal, administrative, architectural and engineering costs incident to the foregoing, the County Executive of the County is hereby authorized to issue interfund capital outlay notes (the "Notes") in accordance with Section 9-21-604, Tennessee Code Annotated, as amended, in a principal amount not to exceed Six Million Six Hundred Thousand Dollars (\$6,600,000). The Notes shall be issued on behalf of the County's General Capital Project Fund. The Notes shall be purchased with monies in the County's General Debt Service Fund. The Notes shall be designated "2009 Interfund Capital Outlay Notes", or such other designation as shall be determined by the County Executive; shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; may be issued in multiple emissions; shall be in denomination(s) as shall be determined by the County Executive; shall be issued at not less than 100% of par value and accrued interest; shall bear interest at a rate agreed upon between the County Executive and County Trustee, including a rate of 0%; and may have such other terms as may be permitted by applicable law.

Section 2. The Notes shall mature not later than six months after the date of issuance and the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Projects, which is hereby certified by the Governing Body to be equal to or greater than the final maturity of the notes authorized herein and any extensions thereof.

Section 3. The Notes, or any emission thereof, shall be subject to redemption, in whole or in part, at any time, at the principal amount thereof and accrued interest thereon to the date of redemption, without a premium.

Section 4. The Notes shall be repaid to the General Debt Service Fund from the General Capital Project Fund with the proceeds of general obligation bonds anticipated to be issued by the County. The Notes shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County. The full faith and credit of the County are hereby irrevocably pledged to the payment of the Notes. The tax herein provided may be reduced to the extent of any appropriations from the funds described above to the payment of debt service requirements of the Notes.

Section 5. The Notes shall be executed in the name of the County and bear the manual signature of the County Executive of the County and the manual signature of the County Clerk with the County seal affixed thereon; and shall be payable as to principal and interest at the office of the County Trustee of the County or any such paying agent duly appointed by the County Executive of the County. Proceeds from the sale of the Notes shall be deposited in the General Capital Project Fund and used for the purposes described in Section 1.

Section 6. The Notes shall be in substantially the form attached hereto.

Section 7. The Notes shall not be issued until receipt of the State Director of Local Finance's written approval for the issuance of the Notes.

Section 8. It is reasonably expected that the County will reimburse itself for certain expenditures made by it in connection with the Projects by issuing tax-exempt bonds. The expenditures will be made from the General Capital Project Fund with the proceeds of the Notes, and reimbursement will be made to the General Debt Service Fund and, in turn, the General Capital Project Fund. This resolution shall be placed in the minutes of the Governing Body and shall be

and estate taxes and except as otherwise provided under the laws of 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 Note exist, have happened and have been performed in due time, form and manner as required by the Constitution and the laws of the State of Tennessee, and that the amount of this Note, together with all indebtedness of the County, does not exceed any constitutional or statutory limitation thereon, and that this Note is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, the County has caused this Note to be executed in the name of the County by the manual signature of the County Executive of the County and attested by the manual signature of the County Clerk of the County with the seal of the County affixed hereto.

COUNTY EXECUTIVE

COUNTY CLERK

Transferable and payable at the
office of:

County Trustee of Sumner County, Tennessee

Gallatin, Tennessee

Date of Authentication:

This Note is one of the issue of Notes issued pursuant to the Resolution hereinabove described.

COUNTY TRUSTEE OF SUMNER COUNTY, TENNESSEE

By: _____

County Trustee

RESOLUTION NO. 0911-05

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000) GENERAL OBLIGATION BONDS OF SUMNER COUNTY, TENNESSEE

BE IT RESOLVED by the Board of County Commissioners of Sumner County, Tennessee (the "County") that for the purpose of providing funds to: (i) construct, repair, renovate and equip public safety facilities; (ii) renovate and equip a public library jointly with the City of Portland; (iii) repair and renovate County buildings; (iv) make a grant to one or more local governments or utility districts for the purpose of running water lines to citizens of the County; (v) repair, renovate and equip County school buildings and facilities; (vi) acquire all property, real and personal, appurtenant to the foregoing; (vii) pay legal, fiscal, administrative, architectural and engineering costs incident to all of the foregoing (collectively, the "Projects"); (viii) reimburse the appropriate fund of the County for prior expenditures for the Projects, if applicable; (ix) pay any interfund notes

The electronic vote was recorded in the following manner:

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

0911-03,04,05 Yes: 19 No: 2 Abs: 1 07:30 PM

Chairman Hyde declared Resolutions 0911-03, 0911-04 and 0911-05 approved by the body.

REPORT FROM COUNTY OFFICIALS

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

Chairman Hyde introduced the following resolution:

0811-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.

BLACKBURN, TABATHA ANN

PATTERSON, BRENDA ANN

CHARLTON, REBECCA	PIPPIN, AMY LEE
CLAUNCH, JR., THOMAS RAY	RAYMER, JUDY BULLION
CLINE, RANDALL PAUL	REICH, ROBERT AURELIO
FARMER, JAYDIE OSBORN	SCHULER, AMY JO
FOUTS, LINDA SCHULTZ	SMITH, MARGOT LEAH
GOATS, PATSY LYNN	SUDDUTH, SANDI
GODDARD, MELISSA G.	TARPLEY SR, HARRY A
GREGORY, RON	THACKXTON, RAMONA GAIL
HANNING, LORI ANN	WEIS, TAMARA VANESSA
HARPER, JOAN GREGORY	WELCH III, NEWTON GENTRY
HOBBS, DAMON WALLACE	WEST, TONI ANN
HUGGINS, ELIZABETH CASTLE	WHITE, STEPHANIE APRIL
HUNTER, LAURA PAPUCHIS	WHITTAKER, GREG A
LAWSON, DEBBIE LYNN	WILLOUGHBY, BRADLEY MICHAEL
NEUMAIR, AUDREA C	WING, KATHY LYNN
	YATES, JAMES ANTHONY

PERSONAL SURETY
BYARS, ANN H
DENNEN, LEAH MAY
SAVAGE, MARIA A
SOUTHERN, TONY

Upon motion of Commissioner Vaughn, seconded by Commissioner Graves, voting was recorded in the following manner:

Akins	Y	Fennell	Y	Utley	Y
Graves	Y	Satterfield	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
P. Freels	Y	Stone	A	Pospisil	Y

0911-NOTARY Yes: 20 No: 0 Abs: 1 07:31 PM

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

CORRESPONDENCE

Clerk Kemp read correspondence from Sandra Ridings Boyd who thanked the Commission for their expression of sympathy during her time of loss.

COMMITTEE ON COMMITTEES

Commissioner LeMarbre brought forth action taken by the Committee on Committees as follows:

Commissioner LeMarbre moved, seconded by Commissioner Pospisil, to approve the Board of Construction Appeals Alternates, Larry Brown and Ted Williams, for reappointment to a one-year term. The motion carried.

Commissioner LeMarbre moved, seconded by Commissioner Pospisil, to approve Joe Matthews to serve on the Sumner County Records Commission replacing James A. England who resigned. The motion carried.

HIGHWAY COMMISSION

There was no report from the Highway Commission.

EDUCATION COMMITTEE

There was no report from the Education Committee.

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

There was no report from the Emergency Services Committee.

PUBLIC WORKS COMMITTEE

There was no report from the Public Works Committee.

LEGISLATIVE COMMITTEE

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

0911-06 A RESOLUTION RESCINDING ACTIONS AND ESTABLISHING NEW PROCEDURES REGARDING THE APPOINTMENT OF MEMBERS OF THE SUMNER COUNTY REGIONAL PLANNING COMMISSION AND ADOPTING NEW PROCEDURES

WHEREAS, the **Sumner County Regional Planning Commission** (“the Planning Commission”), was created to address the vast areas of our county that had no ties to the numerous cities and to provide representation to the countless citizens that did not have a voice in planning and zoning issues and various matters that effected their property values and uses; and

WHEREAS, even though previous resolutions by this body, called the organization by the name “regional planning commission”, it never operated as an organization which set or oversaw planning issues within city limits and the various and diverse cities of our county created separate and distinct municipal planning commissions to address the land use concerns of the cities and their citizens: and

WHEREAS, over the last several years, the Planning Commission has grown tremendously in the number of members, while the sections of land it was to serve has decreased greatly through annexation, land use plans and arrangements with cities to address concerns in their planning regions; and

WHEREAS, it is the desire of this body to rescind the old resolutions addressing membership of the old body and establish a new Sumner County Regional Planning Commission to better serve the needs of all of Sumner County and its citizens.

THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009 that this body does hereby rescind any and all of its previous actions prior to this meeting concerning the appointment of members and establishment of the number of members as well as the terms of office of the Sumner County Regional Planning Commission; and

BE IT FURTHER RESOLVED that pursuant to the terms and conditions of this resolution, The Sumner County Regional Planning Commission wishes to better address the needs of the county and its citizens through the re-creation of the Sumner County Regional Planning Commission in the manner set forth below:

1. **Organization:**

The Planning Commission shall be organized as a (9) nine-member Body ("New Formula") and this resolution shall reconfigure the make up of the Regional Planning Commission and rescind any previous conflicting resolutions passed by the body.

2. **Transition Period:**

- a. All presently seated members of the Planning Commission shall remain seated until the expiration of their present term either by time, resignation or removal from office. (A copy of the present membership of the Planning Commission is attached herewith as Exhibit One.)
- b. In the event that a member leaves office before the expiration of his or her present term, the seat and its term, in that form, ceases to exist immediately and membership and the term shall be established under the new formula with a new term starting at that time.

3. **Compensation:**

Effective immediately, all members of the Planning Commission who are to be compensated are to be paid \$100.00 per month for expenses for attendance of all called and special meetings as well as study sessions.

4. **Election:**

Any members elected after the passage of this resolution shall be chosen by the County Executive using the New Formula and then confirmed by the County Commission as set forth pursuant to state law.

5. **Zones:**

- a. The County shall be divided into five zones that better represent the overall county and areas which are not covered by municipal planning.
- b. The new membership shall be composed of the following members and described as follows (Also shown on the attached Map included herewith as Exhibit Two):
 - i. **One citizen member from Zone One.**

Zone One shall be described as follow:

 - o Wolf Hill Ridge Road to East Sumner County Line and Trousdale County Line
 - o Trousdale County Line
 - o Trousdale County Line/Sumner County Line South to Wilson County Line to Campsite Road

- Campsite Road to Corp Line Southeast to Sumner County and Davidson County Line.

ii. One citizen member from Zone Two.

Zone Two shall be described as follow:

- Lower Station @ Jenkins Lane South to Highway 31-E
- Highway 31-E North to Bridge @ Old Hickory Lake
- Follow Lake to Wilson County Line
- Follow South Sumner County @ Corp Line to
- Davidson County Line to Center Point Road

iii. One citizen member from Zone Three.

Zone Three shall be described as follow:

- Davidson County Line to Center Point
- Center Point to Goshentown Road
- Goshentown Road to New Shackle Island Road
- New Shackle Island Road to Drakes Creek
- Drakes Creek to Anderson Road
- Anderson Road to Jenkins Lane
- Jenkins Lane to Lower Station
- Lower Station to Long Hollow Pike
- Long Hollow Pike follow Station Camp Creek to Liberty Lane

iv. One citizen member from Zone Four.

Zone Four shall be described as follow:

- Robertson County Highway 31W to McMurtry Road
- McMurtry Road to Hogan's Branch
- Hogan's Branch to Sandy Valley Road
- Sandy Valley Road to Brinkley Branch Road
- Brinkley Branch Road to Upper Station
- Upper Station to Liberty Lane
- Liberty Lane to Highway 25
- Highway 25 to Collier Lane
- Collier Lane to Highway 109
- Highway 109 North to South Tunnel Road
- South Tunnel Road to Old Dobbins Pike
- Old Dobbins Pike to Bush's Lane
- Bush's Lane to Dry Fork
- Dry Fork to Rock Bridge
- Rock Bridge to Red Tuttle

v. One citizen member from Zone Five.

Zone Five shall be described as follow:

- Wolf Hill Ridge Road @ Trousdale County Line
- Wolf Hill Road to Hwy 31-E
- Hwy 31-E South to Mt. Vernon Road
- Mt. Vernon Road to Red Tuttle Road
- Red Tuttle Road to Rock Bridge Road
- Rock Bridge Road to Womack Road
- Womack Road to Dobbins Pike
- Dobbins Pike to A. B. Wade Road
- A. B. Wade Road across old Gallatin Road to Hwy 109
- Boiling Springs Road to Brandy Hollow
- Brandy Hollow Road to Wilson Road
- Wilson Road to Penny Morris
- Penny Morris to Dink Rut

- o Dink Rut to Highway 76
- o Hwy 76 to Hwy 25
- o Hwy 25 to Robertson County Line
- o All Land laying North
- vi. **One At-Large Citizen member chosen from an unincorporated area of the County (This member cannot reside within the city limits of any city in the County)**
- vii. **One County Commissioner**
- viii. **One County Commissioner**
- ix. **One County Commissioner**

c. Once populated by the New Formula, there can be no more than two members (citizen member and county commissioner) from any one of the Zones. (Until all members are appointed pursuant to the New Formula, this requirement does not have to be met with existing members, however, must be followed with the appointment of any new members.)

6. Terms:

- a. The term of any member designated from the County Commission shall be coterminous with such member's then term as a member the County Commission.
- b. The terms of Citizen Members shall be four (4) years.

7. Obligations & Duties:

The Planning Commission, during the transition period and as well as when operating under the New Formula shall have any and all statutory responsibilities of the previous Regional Planning Commission and as set forth by state law.

BE IT FURTHER RESOLVED that any previous resolutions of this body, in conflict with this resolution, are hereby repealed.

BE IT FURTHER RESOLVED that in the event that any portion of this resolution is declared illegal or invalid the remaining portions shall remain valid and in effect.

BE IT FURTHER RESOLVED that this resolution shall become effective upon passage, the public welfare requiring it.

The electronic vote was recorded in the following manner:

Akins	Y	Fennell	Y	Cummings	Y
Utle	Y	Graves	Y	Satterfield	Y
F. Freels	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	P. Freels	Y
Stone	Y	Pospisil	Y		

0911-06 Yes: 23 No: 0 Abs: 0 07:35 PM

Chairman Hyde declared the resolution approved by the body.

NO COMMITTEE TO STUDY RADAR CAMERAS

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

0911-18 Yes: 7 No: 16 Abs: 0 07:40 PM

Chairman Hyde declared the motion failed to be approved by the body.

BUDGET COMMITTEE

Commissioner Stone introduced the following resolution and moved for approval.
Commissioner Utley seconded the motion.

0911-08 A RESOLUTION APPROPRIATING \$2,183,020.00 TO THE BOARD OF EDUCATION FROM 2007 BOND FUNDS FOR PORTLAND EAST MIDDLE SCHOOL RENOVATIONS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body hereby appropriates \$2,183,020.00 to the Board of Education from 2007 bond funds for Portland East Middle School Renovations as shown on the attached document.

Commissioner Hughes moved, seconded by Commissioner Goode, to amend the motion to reduced the architect's fee from \$143,500 to \$89,451.00. He also moved a reduction in the technology fee in the amount of \$100,000.00.

The electronic vote was recorded in the following manner:

AMEND APPROPRIATION TO \$2,028,971.00

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

0911-08.1 Yes: 20 No: 3 Abs: 0 07:43 PM

Chairman Hyde declared the amendment approved by the body.

Commissioner Kimbrough moved for a procedural amendment stating that approval of the project is subject to reconciliation of the bond issue proceeds with the Board of Education and County Finance Director to reflect sufficient funds for the project.

The electronic vote was recorded in the following manner:

AMEND TO RECONCILE BOND ACCOUNT WITH SCHOOL BOARD

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	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	P. Freels	Y
Stone	Y	Pospisil	Y		

0911-08.2 Yes: 23 No: 0 Abs: 0 07:47 PM

Chairman Hyde declared the amendment approved by the body.

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

Akins	Y	Fennell	Y	Cummings	Y
Utley	Y	Graves	Y	Satterfield	Y
F. Freels	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	P. Freels	Y
Stone	Y	Pospisil	Y		

0911-08 Yes: 23 No: 0 Abs: 0 07:48 PM

Chairman Hyde declared the resolution approved by the body. The resulting resolution was recorded as follows:

0911-08 A RESOLUTION AMENDING \$2,028,971.00 TO THE BOARD OF EDUCATION FROM 2007 BOND FUNDS FOR PORTLAND EAST MIDDLE SCHOOL RENOVATIONS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body hereby appropriates \$2,028,971.00 to the Board of Education from 2007 bond funds for Portland East Middle School Renovations as shown on the attached document.

BE IT FURTHER RESOLVED that this appropriation is subject to reconciliation of county finance records with Board of Education records and confirming that there are appropriate funds to cover this appropriation.

VOLUNTARY TAX ACT

Chairman Hyde recognized County Finance Director David Lawing who reported that zero revenues have been receipted under the Voluntary Tax Act.

CONSENT AGENDA

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

0911-09 A RESOLUTION APPROVING THE CONVEYANCE OF AN UNDEVELOPED RIGHT-OF-WAY IN THE TWIN VALLEY SUBDIVISION BETWEEN LOTS 5 & 6

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009 that this body approves the conveyance of Sumner County's interest (if any) to Mark Seida by Quit Claim Deed of an undeveloped right-of-way lying as shown on the plat of Twin Valley Subdivision (PB 5, PG 34 ROSCT) between lots 5 & 6 of said subdivision.

0911-10 A RESOLUTION APPROVING THE PILOT AGREEMENT BETWEEN SUMNER COUNTY AND MCKENDREE LAMBUTH AT GALLATIN, INC.

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that the Pilot Agreement attached hereto and incorporated herein by and between Sumner County, Tennessee and McKendree Lambuth at Gallatin, Inc. is hereby approved; and

BE IT FURTHER RESOLVED the County Executive and the Law Director are authorized to sign said document, attached herewith as Exhibit A, on behalf of Sumner County.

0911-11 A RESOLUTION APPROPRIATING AN ADDITIONAL \$500.00 FROM THE COUNTY GENERAL FUND TO THE WESTMORELAND SENIOR CITIZEN CENTER

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009 that this body does hereby appropriate an additional \$500.00 to the Westmoreland Senior Citizen Center from the county general fund.

Approved 1st Reading-October 19, 2009

0911-12 A RESOLUTION APPROPRIATING \$750.00 FROM OTHER STATE REVENUE TO SALARY FIELD REPRESENTATIVE FOR TCA DESIGNATION TO THE ASSESSOR OF PROPERTY DEPARTMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body hereby appropriates \$750.00 from other State Revenue to Salary Field Representative for TCA Designation to the Assessor of Property Department as shown on the attached document.

0911-13 A RESOLUTION APPROPRIATING \$900.00 AS PASS-THROUGH FUNDS FROM GHSGO GRANT TO ADVERTISING ACCOUNT FOR THE SHERIFF'S OFFICE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November,

2009, that this body does hereby appropriate \$900.00 from GHSO Grant to Advertising Account for the Sheriff's Office as shown on the attached document.

0911-14 A RESOLUTION APPROPRIATING \$15,028.00 AS PASS-THROUGH FUNDS FROM JAG GRANT TO DATA PROCESSING EQUIPMENT ACCOUNT FOR THE SHERIFF'S OFFICE

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body does hereby appropriate \$15,028.00 from JAG Grant to Data Processing Equipment Account for the Sheriff's Office as shown on the attached document.

0911-15 A RESOLUTION APPROPRIATING \$316,521.00 AS PASS-THROUGH FUNDS FROM THE HOMELAND SECURITY GRANT ACCOUNT TO THE GRANT EXPENSE ACCOUNT WITHIN THE DEPARTMENT OF EMERGENCY MANAGEMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009 that this body hereby appropriates \$316,521.00 from the Homeland Security Grant Account to the Grant Expense Account within the department of Emergency Management as shown on attached document.

0911-16 A RESOLUTION APPROPRIATING \$16,138.41 TO THE GALLATIN LIBRARY FROM THE CITY OF GALLATIN FOR COMPUTERS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009, that this body hereby appropriates \$16,138.41 to the Gallatin Library from the city of Gallatin for computer equipment as shown on the attached document.

0911-17 A RESOLUTION APPROVING EMPLOYMENT POLICY EXEMPTIONS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 16th day of November, 2009 that this body does hereby approve the following employment exemptions which provide no budgetary changes yet are an exemption to the policies of this body:

Election commission – allow employee replacement and a blanket exemption for the hiring of part-time election workers.

PROPERTY TAX REFUNDS

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

- Mt. Calvary Baptist Church – 2 requests for total of \$703.95
- Church of Christ Portland - \$15.38

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

Chairman Hyde stated that the Sumner County Council of Governments recognized Commissioner Decker as Legislator of the Year. Sheriff Bob Barker was also recognized for his service.

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 8:00 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on _____
