
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
AUGUST 6, 2012**

The Board of County Commissioners of Sumner County, Tennessee met in special session on Monday, March 6, 2012, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 6:30 p.m. Present and presiding was the Chairman Merrol Hyde. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

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

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

The Invocation was led by Commissioner Jim Vaughn.

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

Chairman Hyde directed the County Clerk to read the following notice into the record:

**NOTICE OF EMERGENCY SPECIAL CALLED MEETINGS
OF THE
SUMNER COUNTY
BUDGET COMMITTEE AND THE SUMNER COUNTY COMMISSION**

County Executive Anthony Holt, pursuant to T.C.A. Sections 5-5-104 & 5-5-105, hereby calls an **Emergency Special Called Meeting of the Sumner County Commission for Monday, August 6, 2012 at 6:30 p.m. (local time)** at the Sumner County Administration Building, Commission Chambers, 355 North Belvedere Drive, Gallatin, Tennessee 37066.

Prior to that meeting, **An Emergency Special Called Meeting of the Sumner County Budget Committee** is called for **Monday, August 6, 2012 at**

6:00 p.m. (local time) at the Sumner County Administration Building, Commission Chambers, 355 North Belvedere Drive, Gallatin, Tennessee 37066.

The purpose of the special called meetings is to discuss, consider and possibly vote on the following:

Any and all items related to the Sumner County Board of Education 2012-2013 Budgets as well as funding of the same, which may include considering the county property tax rate and/or distribution of the same.

Anyone having an interest, desiring to comment or ask questions concerning the above referenced issues is invited to attend these meetings.

RECOGNITION OF THE PUBLIC

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

The following speakers supported the funding of the Board of Education's budget proposal:

Dan Powell of 124 Legends Drive in Hendersonville
Kevin Edward McPeak of Hidden Lake Drive in Hendersonville
J.J. Norman of 3401 Highway 31-E in Bethpage
Alzenia Walls of 349 Remington Drive in Gallatin and SCEA President
Maria Brewer of 148 Field Crest Circle in Hendersonville
MeriAllen Keuger of 121 Windham Circle in Hendersonville
Sarah Andrews of 1011 Forestpoint in Hendersonville
Jim Hawkins 475 Baypoint Drive in Gallatin
Andy Spears of 106 Sagamore Trail in Hendersonville
Barrett Hampton of 304 Lee Road in Cottontown
Aimee Vance of 363 Sunset Island Trail in Gallatin
Cathy Haley of 204 Cherokee Point in Hendersonville

The speakers who opposed increasing taxes to fund the Board of Education's budget request:

Billy W. Woodard of 211 Opossum Road in Portland
Jim Egan of 126 Bluegrass Drive in Hendersonville

At this point Commissioner Guthrie rose to read correspondence from Commissioner Trisha LeMarbre who could not be present for the meeting. She expressed her support for the school system and a tax increase to fund the Board of Education's budget proposal.

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

Chairman Hyde recognized Commissioner Moser who presented the outcome of the special called Budget Committee at 6:00 p.m. that evening. Commissioner Moser moved, seconded by Commissioner Vaughn to approve the 2012-2013 Board of Education budget with additional funds appropriated in the amount of \$2.2 million from the Capital Projects Fund. He stated that the new appropriation is to fund textbooks and other capital projects, further directing the Board of Education to open schools and to comply with all statutory requirements.

Commissioner Moser requested that County Director of Finance David Lawing present information regarding school funding.

Mr. Lawing showed graphs that depicted increases in General Purpose School Fund appropriations; increases in budgeted local taxes for schools; and increases in enrollment. He provided information on the following:

- Increase in enrollment (1%);
- Increase in the 2012-2013 General Purpose School Fund (2%)
- Increase in Local revenues (4%);
- 2012-2013 General Purpose School Fund appropriations (5%);
- Estimated decrease (20%) General Purpose School Fund unassigned beginning fund balance.

Mr. Lawing used 2010-2011 Tennessee Department of Education data showing the per pupil expenditure (\$8,487), second only to Davidson County.

For 2012-2013 Total School Funding was list as follows:

2011-2012 General Purpose School Budget	\$188,375,680.00
Additional Revenues	3,859,614.00
Estimated Decrease in School Reserves	(2,010,859.00)
General Purpose School Fund Budget	190,224,435.00
Other School Funds (Cafeteria, Federal and Endowment)	\$ 26,843,422.00
School Bus Purchases	1,230,460.00
Roof Replacement	515,000.00
Textbooks	2,200,000.00
School Debt Payments	13.346.267.00
Total Education Appropriations	\$ 234,389,584.00

Mr. Lawing said that budgeted was \$3,473,582.00 for school capital projects, \$2 million of which is to implement the 2012 Financial Management Act/ERP.

Commissioner Goode moved, seconded by Commissioner Decker, to suspend the rules to allow Dr. Del Phillips, Director of Schools, to speak to Mr. Lawing's presentation. Having just seen the data, Dr. Phillips noted that the per pupil expenditure used in the presentation appeared to be misleading and he believed that the student population might eclipse the numbers presented.

Chairman Hyde recognized Commissioner Hughes who moved, seconded by Commissioner Kimbrough, to increase the property tax rate allocation eight cents for the school system and decrease the Capital Projects Fund by the same amount.

The electronic vote was recorded in the following manner:

MOVE \$.08 FROM CAPITAL PROJECT TO SCHOOLS

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

AMEND1 Yes: 8 No: 15 Abs: 0 07:59 PM

Chairman Hyde declared the resolution failed to pass.

Com1missioner Goode moved, seconded by Commissioner Kimbrough, to increase the School General Purpose Fund \$3,165,032 by decreasing the unencumbered funds in the Capital Projects Fund (\$3,165,032); to take \$2.2 million from the Capital Projects Fund for textbooks; and include the estimated \$500,000.00 from the BEP.

Mr. Lawing stated that the total to schools would be \$5,865,000.00 leaving \$308,500.00 in the Capital Projects Fund to pay for the Ellis Middle School roof project.

MOVE \$3M FROM CAPITAL PROJECT FUND

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

AMEND 2 Yes: 7 No: 16 Abs: 0 08:08 PM

Chairman Hyde declared the resolution failed to pass.

Commissioner Frank Freels called for the question. The motion to end debate was recorded electronically in the following manner:

END DEBATE

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

QUESTION Yes: 6 No: 17 Abs: 0 08:10 PM

Chairman Hyde declared the resolution failed to pass.

Commissioner Decker moved, seconded by Commissioner Utley, to raise the property tax with the following distribution: 10 cents for schools and four cents for County General Fund.

The electronic vote was recorded in the following manner:

INCREASE TAX RATE \$.10 SCHOOLS \$.04 GENERAL

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

AMEND 3 Yes: 7 No: 16 Abs: 0 08:37 PM

Chairman Hyde declared the resolution failed to pass.

Commissioner Pospisil called for the question but deferred to other speakers.

Commissioner Harris moved, seconded by Commissioner Ring, to cut the pay of County Commissioners and the Board of Education.

REMOVE COMMISSIONER AND SCHOOL BOARD PAY

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

AMEND 4 Yes: 8 No: 14 Abs: 1 08:49 PM

Chairman Hyde declared the resolution failed to pass.

The vote on Commissioner Moser's original motion was recorded electronically in the following manner:

APPROVE BUDGET COMMITTEE RESOLUTION

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

BUDGET Yes: 14 No: 9 Abs: 0 08:52 PM

Chairman Hyde declared the all budgets approved of the Sumner County Board of Education. The resulting resolution was prepared as follows:

**1208S-01 A RESOLUTION APPROPRIATING FUNDS FOR THE 2012-2013
GENERAL PURPOSE SCHOOL FUND BUDGET IN THE AMOUNT OF
\$190,224,435.00 PLUS APPROPRIATING AN ADDITIONAL ONE TIME SUM OF
\$2,200,000.00 IN THE CAPITAL PROJECT BUDGET TO FUND CAPITAL ITEMS
ALREADY SET FORTH IN THE PROPOSED EDUCATION GENERAL PURPOSE
BUDGET; REQUIRING THAT THE BOARD OF EDUCATION APPROVE ALL
BUDGETS TO MEET THESE ASSIGNED AMOUNTS AND RETURN THESE
BUDGETS TO THIS BODY PURSUANT TO STATUTORY REQUIREMENTS; AND
REQUIRING THAT THE BOARD OF EDUCATION OPEN SCHOOLS
IMMEDIATELY OR THIS BODY TAKE WHATEVER ACTION IS NECESSARY TO
GUARANTEE THAT ALL STATUTORY OBLIGATIONS BE MET AND SCHOOLS
BE REOPENED**

BE IT RESOLVED by the Sumner County Board of County Commissioners, meeting in special session on this the 6th day of August , 2012 that this body does hereby appropriate funds for the 2012-2013 general purpose school fund budget in the amount of \$190,224,435.00; and

BE IT FURTHER RESOLVED that this body also appropriates an additional one time sum of \$2,200,000.00 in the capital project budget to fund capital items already set forth in the proposed education general purpose budget, which shall be chosen by the Board of Education; and

BE IT FURTHER RESOLVED that the Board of Education shall approve all 2012-2013 budgets to meet these assigned amounts and return these budgets to this body pursuant to statutory requirements; and

BE IT FURTHER RESOLVED that the Board of Education shall re-open schools immediately or this body will take whatever action is necessary to guarantee that all statutory obligations be met and schools be reopened.

Chairman Hyde declared the Commission meeting adjourned at 9:15 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on _____