
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
APRIL 15, 2013**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, April 15, 2013, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Merrol Hyde. Also present were the County Clerk Bill Kemp and County Law Director Leah Dennen and the following Commissioners to wit:

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

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

The Invocation was led by Pastor Daniel Gordon, Gallatin Church of Christ.

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

APPROVAL OF AGENDA

Without objection, Chairman Hyde noted the addition of Resolution 1303-13 to approve the litter grant application under the Consent Agenda and the election of two members to the Audit Committee under the Committee on Committees report. Commissioner Akins moved, seconded by Commissioner Skidmore, to adopt the agenda with the additions. The Commission approved the agenda as amended by unanimous voice vote of the body.

APPROVAL OF MINUTES

The minutes for the meeting of this body held on March 18, 2013, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Taylor made the motion, seconded by Commissioner Graves.

RECOGNITION OF THE PUBLIC

Chairman Hyde opened the floor to allow the public to speak concerning any matter on the agenda. With no one wishing to speak, recognition of the public was closed.

REPORT OF THE CHAIR

Chairman Hyde noted that the Veterans Service Report had been included in the Commission packets.

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

**A PROCLAMATION DECLARING
MAY 2, 2013
AS
DAY OF PRAYER
IN SUMNER COUNTY, TENNESSEE**

WHEREAS, prayer has always been a part of American life and many of us rely on prayer for comfort and direction not only for ourselves, but our friends, neighbors, and our country; and

WHEREAS, this year's theme, "Pray for America", reminds us that we should not only give thanks for our great Nation but ask God to provide us guidance, unity, and wisdom to meet our daily challenges; and

WHEREAS, we are proud and thankful to live in the United States of America and to have all the blessings that God has bestowed upon us and pray for our freedom, safety, and well being for today and in the days to come.

NOW, THEREFORE, BE IT PROCLAIMED by County Executive, Anthony Holt, that May 2, 2013 shall be proclaimed a **Day of Prayer** in Sumner County, Tennessee and further that the citizens of our county join with our State and Nation on May 2nd in observation of the sixty-second National Day of Prayer.

Upon motion of Commissioner Matthews, seconded by Commissioner Pospisil, Chairman Hyde declared the resolution declaring a Day of Prayer approved unanimously by the body.

Commissioner Decker read the following resolution into the record:

**A RESOLUTION HONORING PAT CONNER FOR HER TWENTY-SEVEN
YEARS OF SERVICE AS SAFE SCHOOLS, HEALTHY SCHOOLS
COORDINATOR FOR SUMNER COUNTY**

WHEREAS, Mrs. Pat Connor began her work in drug and alcohol prevention education in 1986 as an alcohol and drug prevention educator and was one of the founders of the Just Say No Program in Sumner County and the Sumner County Anti-Drug Coalition; and

WHEREAS, Pat has guided the district in its implementation of many alcohol and drug prevention programs, to include NOAHS Promise, CARE

Teams, the district's anti-bullying programs, UNITY.com afterschool program, Safe Schools initiative, and at-risk programming for students; and

WHEREAS, through Pat's efforts, the school system has been successful in raising millions of dollars in grants to implement programs to support student achievement including 21st Century Community Learning Centers, Lottery For Education Afterschool Programs (LEAPS), Safe Schools Act of 1998, the Safe and Supportive Schools Grant, Youth Empowerment Initiative, Grant to Reduce Alcohol Abuse, and Family Resource Center.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular season on this the 15th day of April 2013, that this body does hereby commend and honor Mrs. Pat Connor for her outstanding and devoted service to the Sumner County; 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 Mrs. Pat Connor.

Upon motion of Commissioner Matthews, seconded by Commissioner Pospisil, Chairman Hyde declared the resolution honoring Mrs. Connor approved unanimously by the body.

Commissioner Decker read the following resolution into the record:

A RESOLUTION HONORING TERRIANNA DOUGLAS FOR HER THIRTY-FIVE-YEAR SERVICE WITH THE SUMNER COUNTY BOARD OF EDUCATION AND HER OUTSTANDING TEACHING ENDEAVORS

WHEREAS, Ms. Terrianna Douglas, who has taught for thirty-five years in the Sumner County School System; and

WHEREAS, Ms. Douglas teaches English and Journalism at Westmoreland High School and for her years of service and guidance to students, she is being honored for her outstanding teaching guidance; and

WHEREAS, Ms. Douglas, through her dedication to the noble profession of teaching, has positively influenced countless students during her tenure and for her efforts, generations of future students be positively affected.

NOW, THEREFORE BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body hereby congratulates and commends Terrianna Douglas for her dedication and outstanding service to the youth of our county; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and the Clerk is to provide a copy of this resolution to Ms. Terrianna Douglas.

Upon motion of Commissioner Taylor, seconded by Commissioner Akins, Chairman Hyde declared the resolution honoring Ms. Douglas approved unanimously by the body.

Commissioner Decker read the following resolution into the record:

A RESOLUTION HONORING DERRI CASH AS THE SUMNER COUNTY, TENNESSEE TEACHER OF THE YEAR, GRADE FIVE

WHEREAS, Derri Cash, who has been a teacher in the Sumner County for the past six years, was recently selected as the 2013 Teacher of the Year and won the overall award on the elementary level; and

WHEREAS, Ms. Cash teaches a fifth grade class at Lakeside Elementary School and, through dedication to the noble profession of teaching, has positively influenced numerous students during her tenure; and

WHEREAS, Ms. Cash has made learning fun, easier and has encouraged her students to succeed, not only in the classroom, but in the challenges of life.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body does hereby commend and congratulate Derri Cash for her dedication and service to this county and for her receipt of this award; and

BE IT FURTHER RESOLVED that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to Ms. Derri Cash.

Upon motion of Commissioner Decker, seconded by Commissioner LeMarbre, Chairman Hyde declared the resolution honoring Ms. Cash approved unanimously by the body.

Commissioner Decker read the following resolution into the record:

A RESOLUTION HONORING DARRELL DUNCAN AS THE SUMNER COUNTY, TENNESSEE TEACHER OF THE YEAR, GRADES NINE THROUGH TWELVE

WHEREAS, Darrel Duncan, who has been a teacher in the Sumner County for the past six years, was recently selected as the 2013 Teacher of the Year for grades nine through twelve; and

WHEREAS, Mr. Duncan teaches U.S. History at Merrol Hyde Magnet School and has positively influenced many students and encouraged them to succeed inside as well as outside of the classroom; and

WHEREAS, Mr. Duncan strives to make learning enjoyable to his students with his ability to relate to all children, making a difference in the lives of all who know him.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body does hereby commend and congratulate Darrell Duncan for his dedication and service to this county and for his receipt of this award; and

BE IT FURTHER RESOLVED that this resolution shall be spread on the minutes of this body and the Clerk is to furnish a copy of this resolution to Mr. Darrell Duncan.

Upon motion of Commissioner Decker, seconded by Commissioner Ring, Chairman Hyde declared the resolution honoring Mr. Duncan approved unanimously by the body.

Commissioner Decker read the following resolution into the record:

A RESOLUTION HONORING KIM HARKREADER AS THE SUMNER COUNTY, TENNESSEE TEACHER OF THE YEAR, GRADES KINDERGARTEN THROUGH FOUR

WHEREAS, Kim Harkreader was recently selected as Sumner County, Tennessee Teacher of the Year for Grades Kindergarten through four; and

WHEREAS, Ms. Harkreader, a graduate of Brigham Young University and Tennessee State University, has been a teacher in Sumner County system for the past ten years; and

WHEREAS, Ms. Harkreader has endeavored to help her students to get a good start in their educational careers and prepare them for future success, and has given countless hours to numerous educational endeavors and has been a positive influence to her young students.

NOW THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body does hereby commend Ms. Kim Harkreader for her dedication and outstanding service to the youth of our county; and

BE IT FURTHER RESOLVED that this resolution is to be spread on the minutes of this body and the Clerk is to provide a copy of this resolution to Ms. Kim Harkreader.

Upon motion of Commissioner Decker, seconded by Commissioner Matthews, Chairman Hyde declared the resolution honoring Ms. Harkreader approved unanimously by the body.

REPORT FROM COUNTY OFFICIALS

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

CONSENT AGENDA

Chairman Hyde called for a motion to approve the following items on the Consent Agenda. Commissioner Taylor moved for approval; Commissioner Akins seconded the motion.

1304-06 A RESOLUTION APPROPRIATING \$840.00 AS PASS-THROUGH FUNDS TO PORTLAND LIBRARY FROM DONATIONS TO FURNITURE AND FIXTURES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body hereby appropriates \$840.00 as pass-through funds to Portland Library from donations to furniture and fixtures expense line as shown on the attachment herewith.

1304-07 A RESOLUTION APPROPRIATING \$5,000.00 FROM COUNTY GENERAL UNASSIGNED FUND BALANCE TO GENERAL SESSIONS COURT FOR AUDIO RECORDING EQUIPMENT

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body hereby appropriates \$5,000.00 from County General Unassigned Fund Balance to General Sessions Court for audio recording equipment as shown on the attachment herewith.

1304-08 A RESOLUTION FOR 2011 PROPERTY TAX ROLL PICK-UPS SETTLEMENT

WHEREAS, Section 5-5-124, of the Tennessee Code Annotated, allows the Trustee of Sumner County, Tennessee to obtain credit in final settlement of the 2011 property tax roll totaling \$1,193,330.18; and

WHEREAS, this amount represents changes due to pick-ups added by the Property Assessor of Sumner County, Tennessee, State Board of Equalization, and Assessment Appeal Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body does hereby allow the Trustee of Sumner County, Tennessee, a credit in the final settlement of the 2011 property tax roll totaling \$1,193,330.18 due to pick-ups added.

1304-09 A RESOLUTION ALLOWING THE TRUSTEE'S OFFICE A CREDIT IN THE FINAL SETTLEMENT OF THE 2011 PROPERTY TAX ROLL TOTALING \$145,555.44 DUE TO CHANGES OF ERRORS AND RELEASES

WHEREAS, Section 5-5-124, of the Tennessee Code Annotated, allows the Trustee of Sumner County, Tennessee, to obtain credit in final settlement of the 2011 property tax roll totaling \$145,555.44; and

WHEREAS, this amount represents changes due to errors and releases made by the Property Assessor of Sumner County, Tennessee, State Board of Equalization, and Assessment Appeal Commission;

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body does hereby allow the Trustee of Sumner County, Tennessee, a credit in the final settlement of the 2011 property tax roll totaling \$145,555.44 due to changes of errors and releases (a list of which is attached).

1304-10 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE FINANCE DEPARTMENT AS SURPLUS AND AUTHORIZING DISPOSAL OR SALE OF SAME PURSUANT TO EXISTING POLICIES AND PROCEDURES

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013 that this body does hereby declare various items from the Finance Department as surplus as shown on the attachment; and

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

1304-11 A RESOLUTION ACCEPTING CAMERON WAY AS A COUNTY ROAD

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body hereby accepts Cameron Way as a Class I County Road as shown on the attached data sheet; and

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

1304-12 A RESOLUTION ACCEPTING ACADEMY ROAD FORMERLY HIGHWAY 109 NORTH AS A COUNTY ROAD

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body hereby accepts Academy Road as a Class I County Road as shown on the attached data sheet; and

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

1304-13 A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR LITTER AND TRASH COLLECTING GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION, AUTHORIZING THE ACCEPTANCE OF SAID GRANT AND ALLOWING THE COUNTY EXECUTIVE, THE HIGHWAY SUPERINTENDENT AND THE COUNTY LAW DIRECTOR TO EXECUTE THE NECESSARY DOCUMENTS FOR ACCEPTANCE

WHEREAS, the Sumner County Highway Department intends to apply for a Litter and Trash Collecting Grant from the Tennessee Department of Transportation; and

WHEREAS, the contract for the grant will impose certain legal obligations upon the Sumner County Highway Department.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013 that the Highway Superintendent is authorized to apply on behalf of the Sumner County Highway Department for a Litter and Trash Collecting Grant from the Tennessee Department of Transportation; and

BE IT FURTHER RESOLVED, that should said application be approved by the Tennessee Department of Transportation, then the County Executive, the

Highway Superintendent and County Law Director are authorized to execute contracts or other necessary documents which may be required to signify acceptance of the Litter and Trash Collecting Grant by the Sumner County Highway Department.

Tax Refunds

- Cumberland Judgment Recovery \$ 164.00
- Daniel L. Davis etux Afton N. \$ 552.76
- Foxs Pizza Den \$ 254.76

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

Chairman Hyde introduced the following resolution:

1304-NOT

A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARIES PUBLIC POSITIONS AND PERSONAL SURETY GUARANTORS

WHEREAS, according to the law of the State of Tennessee, an individual must apply for the office of notary public in the county of residence, or of their principal place of business; and

WHEREAS, state statute requires personal sureties making bonds for Notaries publics to be approved by the Sumner County Commission; and

WHEREAS, said applicant must be approved by the County Commission assembled; and

WHEREAS, Bill Kemp, Sumner County Clerk, has certified according to the records of his office that the persons named on the attached listing labeled "SUMNER COUNTY NOTARY PUBLIC APPLICATIONS and SURETY GUARANTORS" have duly applied for the positions so sought; and

BE IT FURTHER RESOLVED THAT THIS TAKE EFFECT FROM AND AFTER PASSAGE.

NOTARIES PUBLIC TO BE ELECTED

ALLEN ARTHUR	PATRICIA J KIBBEY
JOHN BATEMAN	TERESA LINDSEY
JAMES CHARLES BOWMAN JR	SUZANNE MECHKOWSKI
JACOB BUTLER	DEBBIE A MITCHELL
MICHELE BUTLER	KATHRYN M MOUNTS
NICOLE L CHADWELL	L NASH
W CHALFIN	AUDRA ORDONEZ
TINA CLAIBORNE	MARCUS D OSBORNE
CHRIS CLINTON	ANNA J PERDUE
EUGENE CONYER	KIMBERLY C PHILLIPS
PATRICIA CRUZ-ARNOLD	LINN PITTENGER
RONALD DURRETT	MICHAELA PROCTER
KENNETH E FLATT II	MELISSA D ROGERS
FRANK B FOX	ALESA S RUTLEDGE

JOHNNY C GARRETT
ANGELA GRAVES
ANNETTA P GREGORY
BETSY R HAWKINS
KATHY D HAYNES
PAMELA L HILTZ
JUDY S HUNTER
KIRSTIE A JOHNSON
KATHY A JONES

NICOLE P SCARBOROUGH
CHARLENE SHELTON
JANET HUCKEBY SHOEMAKER
JO SKIDMORE
HEATHER SMITH
MELISSA WHITED
BELINDA G WILKS
LISA C WILLIAMS
PERSONAL SURETY
MARK A SKIDMORE
ROSA LONG

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

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

1304-NOTARY Yes: 20 No: 0 Abs: 3 07:26 PM

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

COMMITTEE ON COMMITTEES

Commissioner Moser brought forth the names of Commissioner Geminden and Commissioner Graves to serve on the Audit Committee and so moved. Commissioner Frank Freels seconded the motion and the Commission voted unanimously to approve the nominees for election to the Audit Committee.

EDUCATION COMMITTEE

Commissioner Decker reported that school officials presented the school safety audit to the Education Committee this past meeting. He said the bids would be let soon for the project, which will be coming back to the Committee for approval.

Chairman Hyde took a point of personal privilege to recognize Board of Education Chairman Ted Wise.

HIGHWAY COMMISSION

Commissioner Graves reported that the Highway Commission passed two resolutions presented under Consent Agenda

GENERAL OPERATIONS COMMITTEE

There was no report from the General Operations Committee.

EMERGENCY SERVICES COMMITTEE

Commissioner Vaughn stated that Sheriff Sonny Weatherford has hired 13 School Resource Officers and that all of them had been accepted for training into the state police academy.

PUBLIC SERVICES COMMITTEE

There was no report from the Public Services Committee.

LEGISLATIVE COMMITTEE

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

1304-01 A RESOLUTION TO SHOW OUR SUPPORT OF THE RIGHTS OF THE PEOPLE TO KEEP AND BEAR ARMS

WHEREAS, the Constitution of the United States is the highest law in the land and is supreme over any laws passed that conflict with its terms; and

WHEREAS, the Second Amendment of the Constitution of the United States declares one of the many fundamental, unalienable rights guaranteed to citizens of the United States, namely that "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed"; and

WHEREAS, Article I, Section 26 of the Constitution for the sovereign State of Tennessee further protects this fundamental freedom, leaving a right of the legislature to regulate the bearing of arms, but otherwise not permitting that body to infringe upon this right; and

WHEREAS, Sumner County, Tennessee, is a political subdivision of the State of Tennessee and, thus, any action taken by Sumner County or its agents, including the Sheriff of Sumner County, is an action of the State of Tennessee; and

WHEREAS, to that end, among others, the Sumner County Commission members and the Sheriff of Sumner County each took an oath to protect and defend the Constitutions of the United States and of the sovereign State of Tennessee, including but not limited to protecting the aforementioned fundamental rights of the people to keep and bear arms; and

WHEREAS, good citizens from all sides of the political spectrum, even upon disagreeing regarding the extent of the aforementioned rights so enumerated, agree that these rights must be protected and that, further, in their exercise they serve to check the excesses of the government of a free people; and

WHEREAS, there has been certain rhetoric of late, the same part of a national discussion, that if brought to fruition could infringe upon these rights of the people; and

WHEREAS, such rhetoric has been borne out of a recent tragedy, namely a much publicized shooting and murder in Sandy Hook, Connecticut, this

Commission not being unsympathetic to the losses of those families, but at the same time resolved in purpose to protect and defend the rights of the people as per the oaths of its respective members.

NOW, THEREFORE BE IT RESOLVED that the Sumner County Commission hereby supports and requests the legislature of the State of Tennessee to adopt and enact any and all measures as may be necessary to reject and nullify the enforcement of any federal acts, laws, executive orders, rules or regulations in violation of the Second Amendment of the Constitution of the United States and the Constitution of the State of Tennessee; and

BE IT FURTHER RESOLVED, that we call upon the State of Tennessee to adopt and enact any and all measures which would clarify the Sheriff's duty and responsibility to defend the citizens of the State of Tennessee against infringement by the federal government; and

BE IT FURTHER RESOLVED, that this body requests the office of the Law Director to provide a copy of this resolution to our State delegation to show our support for this action.

Commissioner Kimbrough moved, seconded by Commissioner Ring, to amend the resolution to encourage the defense of the 10th amendment and enforcement of the 14th amendment of the United States Constitution in the language of the resolution. Commissioner Kimbrough later said that his intent with the motion was to substitute the second amendment with the 10th and 14th amendments.

The electronic voting was recorded in the following manner:

INCLUDE 10TH AND 14TH AMENDMENTS

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

1304-01.1 Yes: 22 No: 0 Abs: 1 07:34 PM

Chairman Hyde declared the resolution approved by the body

Commissioner Goode moved, seconded by Commissioner LeMarbre, to amend the resolution to keep the parts of the resolution that have to do with the Second Amendment up until the second topic begins and to make that section a different resolution. Commissioner Goode later clarified that his motion would delete the last three paragraphs and separate resolutions for the other issues or refer them to Legislative Committee for further review.

The electronic voting was recorded in the following manner:

REMOVE LAST THREE PARAGRAPHS

Akins	N	Taylor	N	Geminden	N
Graves	N	Satterfield	N	F. Freels	N
Matthews	N	Harris	N	Ring	Y
Brown	Y	Vaughn	N	LeMarbre	Y
Moser	N	Decker	Y	Hyde	N

Hughes	Y	Kimbrough	Y	Goode	Y
Skidmore	N	P. Freels	N	Stone	N
Guthrie	N	Pospisil	N		

1304-01.2 Yes: 7 No: 16 Abs: 0 07:47 PM

Chairman Hyde declared the Motion failed to pass.

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

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

1304-01 Yes: 20 No: 3 Abs: 0 07:47 PM

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

1304-01 A RESOLUTION TO SHOW OUR SUPPORT OF (1) THE RIGHTS OF THE PEOPLE TO KEEP AND BEAR ARMS (2) TO DEFEND THE TENTH AMENDMENT AND (3) TO ABIDE BY THE FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION

WHEREAS, the Constitution of the United States is the highest law in the land and is supreme over any laws passed that conflict with its terms; and

WHEREAS, the Second Amendment of the Constitution of the United States declares one of the many fundamental, unalienable rights guaranteed to citizens of the United States, namely that "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed"; and

WHEREAS, the Tenth Amendment of the Constitution of the United States declares that power not delegated to the United States nor prohibited by the States are reserved to the States or the people; and

WHEREAS, the Fourteenth Amendment of the Constitution of the United States declares, among other things, that all citizens should be given full and equal benefits of all laws; and

WHEREAS, Article I, Section 26 of the Constitution for the sovereign State of Tennessee further protects this fundamental freedom, leaving a right of the legislature to regulate the bearing of arms, but otherwise not permitting that body to infringe upon this right; and

WHEREAS, Sumner County, Tennessee, is a political subdivision of the State of Tennessee and, thus, any action taken by Sumner County or its agents, including the Sheriff of Sumner County, is an action of the State of Tennessee; and

WHEREAS, to that end, among others, the Sumner County Commission members and the Sheriff of Sumner County each took an oath to protect and defend the Constitutions of the United States and of the sovereign State of Tennessee, including but not limited to protecting the aforementioned fundamental rights of the people to keep and bear arms; and

WHEREAS, good citizens from all sides of the political spectrum, even upon disagreeing regarding the extent of the aforementioned rights so enumerated, agree that these rights must be protected and that, further, in their exercise they serve to check the excesses of the government of a free people; and

WHEREAS, there has been certain rhetoric of late, the same part of a national discussion, that if brought to fruition could infringe upon these rights of the people; and

WHEREAS, such rhetoric has been borne out of a recent tragedy, namely a much publicized shooting and murder in Sandy Hook, Connecticut, this Commission not being unsympathetic to the losses of those families, but at the same time resolved in purpose to protect and defend the rights of the people as per the oaths of its respective members.

NOW, THEREFORE BE IT RESOLVED that the Sumner County Commission hereby supports and requests the legislature of the State of Tennessee to adopt and enact any and all measures as may be necessary to reject and nullify the enforcement of any federal acts, laws, executive orders, rules or regulations in violation of the Second Amendment of the Constitution of the United States and the Constitution of the State of Tennessee; and

BE IT FURTHER RESOLVED, that we call upon the State of Tennessee to adopt and enact any and all measures which would clarify the Sheriff's duty and responsibility to defend the citizens of the State of Tennessee against infringement by the federal government; and

BE IT FURTHER RESOLVED, that this body requests the office of the Law Director to provide a copy of this resolution to our State delegation to show our support for this action.

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

**1304-02 A RESOLUTION IN SUPPORT OF HOUSE BILL 381/SENATE BILL
523 INCREASING CLASS C AND D BUSES OPERATING IN THE 16TH AND
17TH
YEAR OF SERVICE FROM 200,000 MILES TO 250,000 MILES TO REMAIN
ELIGIBLE FOR OPERATION**

WHEREAS, the Tennessee General Assembly will soon be considering House Bill 381/Senate Bill 523 which would increase Class C and D buses operating in the 16th and 17th years of service from 200,000 miles to 250,000 miles to remain eligible for operation; and

WHEREAS, the Board of County Commissioners for Sumner County finds that this would create a substantial savings to the residents of Sumner County in the operation and replacement costs of Class C and D buses in the county schools; and

WHEREAS, the Board of County Commissioners for Sumner County finds that it is in the best interest of the residents of Sumner County to urge their legislators to support House Bill 381/Senate Bill 523.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sumner County to urge their legislators, to support House Bill 381/Senate Bill 523 which changes the mileage that Class C and D buses operating in the 16th and 17th year of service must have to remain eligible for operation by a local education or contracted provider from less than 200,000 miles to less than 250,000 miles; and

BE IT FURTHER RESOLVED that the Office of the Law Director shall immediately forward this resolution to our state legislative delegation for their consideration.

The electronic voting was recorded in the following manner:

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

1304-02 Yes: 23 No: 0 Abs: 0 07:49 PM

Chairman Hyde declared the resolution approved by the body

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

1304-03 A RESOLUTION EXPRESSING OUR OPPOSITION, TO OUR STATE DELEGATES TO ANY BILLS CREATING CONVENIENCE VOTING CENTERS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013, that this body does express to our state delegation, the opposition of this body to HB703/SB907 or any bills creating convenience voting; and

BE IT FURTHER RESOLVED that the office of the Law Director is to forward a copy of this resolution to our state delegates.

After discussion, the electronic voting was recorded in the following manner:

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

1304-03 Yes: 14 No: 9 Abs: 0 07:49 PM

Chairman Hyde declared the resolution approved by the body.

RULES AND PROCEDURES

There was no report from the Rules and Procedures Committee.

FINANCIAL MANAGEMENT COMMITTEE

Commissioner Frank Freels stated that the Financial Management Committee will bring a plan to the Commission next month about moving the Board of Education employees to the County.

BUDGET COMMITTEE

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

1304-04 A RESOLUTION APPROPRIATING \$\$30,800.25 FROM PREVIOUSLY DESIGNATED FUNDS FOR THE FUNDING OF THE FISCAL YEAR 2013 VOLUNTEER STATE SCHOLARSHIP PAYMENTS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013 that this body does hereby appropriating \$30,800.25 from previously designated funds for funding for the fiscal year 2013 Volunteer State Scholarships as shown on the attachment herewith.

Commissioner Stone corrected the resolution to re-state the appropriation amount as \$30,800.25 instead of \$28,644.25, as noted above in the corrected resolution.

The electronic voting was recorded in the following manner:

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

1304-04 Yes: 23 No: 0 Abs: 0 08:08 PM

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

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

1304-05 A RESOLUTION APPROPRIATING UP TO \$57,000.00 FROM CAPITAL FUNDS FOR COUNTY PHONE SYSTEM REPAIRS AND RENOVATION

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2013 that this body does hereby appropriate up to \$57,000.00 from capital funds for the county phone system repairs and renovation.

The electronic voting was recorded in the following manner:

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

1304-05 Yes: 23 No: 0 Abs: 0 08:09 PM

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

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 8:10 p.m.

BILL KEMP, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Maria A. Savage

Approved on _____
