
**MINUTES
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
OCTOBER 19, 2015**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, October 19, 2015, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Scott Langford. Also present were the County Clerk Bill Kemp, County Executive Anthony Holt and County Law Director Leah Dennen and the following Commissioners to wit:

Mike Akins	Ben Harris	Kevin Pomeroy
Jerry F. Becker	Larry Hinton	Bob Pospisil
Paul Decker	Merrol N. Hyde	Baker Ring
Alan Driver	JoAnne Kemp	Leslie Schell
Jerry W. Foster	Caroline S. Krueger	Bill Taylor
Billy Geminden	Trisha LeMarbre	Chris Taylor
Paul Goode	Scott Langford	Moe Taylor
Steve Graves		Jim Vaughn

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Langford 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 Michael Guthrie was not present for the meeting.

The Invocation was led by Father John Bender, Retired Rector of the Episcopal Church of our Savior.

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

APPROVAL OF AGENDA

Commissioner Schell requested resolution 1510-05 be removed from the Consent Agenda and placed under the Financial Management Committee report. Without objection, Chairman Langford so ordered it. County Law Director Leah Dennen requested the addition of remarks regarding the passing of Register of Deeds Pam Whitaker. Chairman Langford added the matter as Item 5 under Report of Chairman. Commissioner Goode moved, and was duly seconded by Commissioner Pomeroy, to adopt the agenda with the changes. 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 September 21, 2015, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Foster made the motion, seconded by Commissioner Harris.

RECOGNITION OF THE PUBLIC

Chairman Langford opened the floor to allow the public to speak concerning any matter on the agenda. With no one wishing to speak on matters other than the rezoning, recognition of the public was moved to later in the agenda.

REPORT OF THE CHAIR

Without objection, Chairman Langford moved the following resolution forward on the agenda, and County Executive Anthony Holt introduced it:

A RESOLUTION DECLARING NOVEMBER FIRST TO JANUARY THIRTY-FIRST AS HOLIDAYFEST IN SUMNER COUNTY, TENNESSEE

WHEREAS, the holiday season brings joy and hope to us all as we give thanks for many blessings we have and HolidayFest, with many community events, helps us to appreciate the true spirit of the season; and

WHEREAS, Sumner County has been selected to lead the holidays in Tennessee with festive events including Annual Holiday Fashion Show, Tree Lightings, Breakfasts with Santa, Appalachian Christmas Storytelling, St. Nicholas Ball, Boat Parade and Christmas Parades; and

WHEREAS, HolidayFest was established in 2007 and has become a Sumner County holiday tradition which honors community, creativity, literacy, charity, volunteerism and community pride

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015 that this body does hereby proclaim that this year's HolidayFest will begin on November first and continue through January thirty-first and encourages all citizens to participate in these special events to celebrate the spirit of giving for our county.

Upon motion of Commissioner Vaughn, seconded by Commissioner Akins, the Commission voted to approve the resolution by unanimous voice vote.

Chairman Langford noted that the Veterans Service Officer's report was provided for information only.

Chairman Langford directed the Clerk to read the following public notice:

PUBLIC NOTICE

There will be a public hearing at the Sumner County Commission meeting on October 19, 2015 at 7 p.m. This meeting will be held at the Sumner County Administration Building in the County Commission Chambers, located at 355 N. Belvedere Drive, Gallatin Tn.

Robert N. Buchanan III, John Buchanan & Alexander Buchanan (and Co-Executors) the owner, and Orco Investments, Inc., of contractual interests, are requesting to have the property located on/off Long Hollow Pike, Hendersonville, Tn, be zoned from R1A to a low density residential planned unit development. Subject property is located on Tax Map 123, Parcel 37, contains 58.45 acres± contains 111 lots and is zoned R1A.

A copy of this request is located in the Sumner County Planning and Stormwater Department which is located in Room 202 of the Sumner County Administration Building, 355 N. Belvedere Drive, Gallatin, TN 37066.

Anyone having an interest, desiring to comment, or ask questions concerning this request is invited to attend this meeting or call the Sumner County Planning and Stormwater Department at (615)451-6097.

Chairman Langford declared the public hearing open and the following persons spoke to the rezoning matter:

Opposed to the rezoning for reasons of inadequate infrastructure, stormwater drainage issues and increased traffic:

Ray Baker of 199 The Hollows Court in Hendersonville
Gary Horn of 1605 Newmans Trail in Hendersonville
Ronald Utley of 193 The Hollows Court in Hendersonville
Carolyn Utley of 193 The Hollows Court in Hendersonville
Jon Belcher of 1005 Thorn Hill Court in Hendersonville
Connie ONeill of 2210 New Hope Road in Hendersonville
Vicki Harris of 195 The Hollows Court in Hendersonville
David Shumaker of 204 The Hollows Court in Hendersonville
Harriett Bible of 102 Eliza Street
Randy Fly of 1002 The Hollows Court in Hendersonville
Natalie Crick of 207 The Hollows Court in Hendersonville
Keith Elias of 2910 Long Hollows Pike in Hendersonville

Representing the developer:

Marty Cook of 102 Canterbury Lane in Hendersonville represented Orco Investments Inc. He thanked the residents for their comments and efforts to compromise with the developer. He submitted a packet to commissioners addressing some of the concerns, including size of lots and homes, percentage of green space, sewer and water availability and stormwater drainage. Conditions for approval included funding of a \$30,000.00 study of the watershed area.

Richard Jones of 453 Bay Point Drive in Gallatin introduced himself as the engineering manager for Rogers Engineering Group in Gallatin. His firm has been retained as the design engineer for the project. Upon review of the preliminary plans for the project, Mr. Jones stated that his firm is committed to providing adequate infrastructure for the site.

Chairman Langford declared the public hearing closed and introduced the following resolution. Commissioner Pomeroy moved, seconded by Commissioner Chris Taylor, to approve the following resolution:

1510-01 A RESOLUTION REQUESTING TO REZONE THE ROBERT N. BUCHANAN III, JOHN BUCHANAN & ALEXANDER BUCHANAN (AND CO-EXECUTORS) THE OWNER, AND ORCO INVESTMENTS, INC., OF CONTRACTUAL INTERESTS, PROPERTY LOCATED ON/OFF LONG HOLLOW PIKE, HENDERSONVILLE, TENNESSEE, FROM R1A TO A LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT. SUBJECT PROPERTY IS LOCATED ON TAX MAP 123, PARCEL 37, CONTAINS 58.45 ACRES, WITH 111 LOTS AND IS ZONED R1A

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby rezones the Robert N. Buchanan III, John Buchanan & Alexander Buchanan (and Co-Executors) the owner, and Orco Investments, Inc., of contractual interests, property located on/off Long Hollow Pike, Hendersonville, Tennessee, from R1A to a low density residential planned unit development. Subject property is located on Tax Map 123, Parcel 37, and respectively, containing 58.45 acres, with 111 lots and is zoned R1A, as shown on the attachment herewith.

Commissioner Ring moved, seconded by Commissioner Foster, to refer the rezoning to the Planning Commission for review of the latest offers.

The electronic vote was recorded in the following manner:

REFER BUCHANAN TO PLANNING COMMISSION

Akins	Y	M. Taylor	Y	Geminden	Y
Hinton	Y	Driver	Y	Graves	Y
Foster	Y	Schell	Y	Harris	Y
Ring	Y	Pomeroy	N	Vaughn	N
Kemp	Y	LeMarbre	Y	Decker	Y
Hyde	Y	Becker	Y	C. Taylor	N
Goode	N	Krueger	Y	B. Taylor	Y
Langford	Y	Pospisil	Y		

REFER Yes: 19 No: 4 Abs: 0 08:11 PM

Chairman Langford declared the motion to refer passed by the body.

CONSENT AGENDA

Chairman Langford introduced the following items on the Consent Agenda:

1510-03 A RESOLUTION APPROPRIATING \$60,000.00 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE FOR SALARY LINE ITEMS FOR BENEFITS AND PAYMENTS FOR CHANGING FROM PART-TIME TO FULL-TIME JUDICIAL MAGISTRATES

BE IT RESOLVED that the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby appropriate \$60,000.00 from the General Fund Unassigned Fund Balance for salary line items for benefits and payment for changing from part-time to full-time Judicial Magistrates.

**1510-04 A RESOLUTION APPROPRIATING \$34,417.00 FOR
SAFE ROUTES TO SCHOOLS NON-INFRASTRUCTURE GRANT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body does hereby approve \$34,417.00 for Safe Routes to Schools Non-Infrastructure Grant, as shown on the attachment herewith.

**1510-06 A RESOLUTION APPROPRIATING \$1,248.84 FROM THE E-RATE
REBATE FUNDS RECEIVED BY THE PORTLAND LIBRARY FROM
COMCAST TO THE DATA PROCESSING EQUIPMENT LINE FOR THE
PURCHASE OF COMPUTERS**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby appropriates \$1,248.84 from the E-rate Rebate Funds received by the Portland Library from Comcast to the Data Processing Equipment Line for the purchase of computers, as shown on the attachment herewith.

**1510-07 A RESOLUTION APPROVING THE FISCAL YEAR 2015-2016
SUMNER COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL
FUND BUDGET AMENDMENT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby approves the 2015-2016 Sumner County Board of Education General Purpose School Fund budget amendment, as shown on the attachments herewith.

**1510-08 A RESOLUTION AUTHORIZING AN APPROPRIATION OF
\$21,800.00 FOR ADDITIONAL DGA GRANT FUNDING FOR THE
HEALTH DEPARTMENT**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby authorizes an appropriation of \$21,800.00 for additional DGA Grant Funding for the Health Department, as shown on the attachment herewith.

**1510-09 A RESOLUTION APPROPRIATING \$5,000.00 FROM GENERAL
FUND UNASSIGNED FUND BALANCE FOR AIR QUALITY CONSULTANT
FEE**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body does hereby appropriate \$5,000.00 from General Fund

Unassigned Fund Balance for Air Quality Consultant Fee, as shown on the attachment herewith.

1510-10 A RESOLUTION APPROPRIATING \$3,450.00 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO REPLACE WIDE FORMAT PRINTER OF THE ASSESSOR OF PROPERTY

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body does hereby appropriate \$3,450.00 from the General Fund unassigned fund balance to replace wide format printer of the Assessor of Property, as shown on the attachment herewith.

1510-11 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE HIGHWAY 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 19th day of October, 2015, that this body does hereby declare the items from the Highway 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.

1510-12 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE COUNTY EXECUTIVE'S OFFICE AS SURPLUS PROPERTY 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 19th day of October, 2015, that this body hereby declares various items from the County Executive's Office as surplus, as shown on the attachments; and

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

1510-13 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE TRUSTEE'S OFFICE 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 19th day of October, 2015, that this body does hereby declare various items from the Trustee's Office as surplus, as shown on the attachment herewith; and

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

**1510-14 A RESOLUTION ACCEPTING NORTH NIKKI DRIVE
AS A COUNTY ROAD**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby accepts North Nikki Drive as a Class I County Road, as shown on the attachment herewith; and

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

**1510-15 A RESOLUTION ACCEPTING TRACEY LANE
AS A COUNTY ROAD**

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby accepts Tracey Lane as a Class I County Road, as shown on the attachment herewith; and

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

Tax Refund

John and Janelle Campbell	\$411.00
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Chairman Langford declared the items on the Consent Agenda approved upon unanimous voice vote of the body with motion by Commissioner Foster, seconded by Commissioner Pospisil.

Chairman Langford called for a moment of silence to honor the memory of Pam Whitaker, Register of Deeds. He explained the charge of the Commission to appoint a replacement for Ms Whitaker within 120 days. The appointee will serve until the August, 2016 election.

Commissioner Akins moved, seconded by Commissioner Pomeroy, to have the election for the Register of Deeds on November 16, 2015, during the regular County Commission meeting. The motion carried unanimously by voice vote.

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.

Chairman Langford introduced the following resolution:

1510-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 ELECTION

JANICE E ATKINSON	SARAH LAFLEUR
LINDSEY AVERETTE	REBECCA M LAWLESS
CATINA BARRETT	HILLARY MAY
SCOTT D BARRICKMAN	BONNIE K MCCLENDON
MARK C CLARK	DEBRA A MORTON
TERRI LYNN COMPTON	CONNIE R PERRIGO
JULIE CRAGUE	CLAY PHILLIPS
MISTY JILL DENNISON	CONNIE F RAMSEY
KAREN DICKERSON	VICTOR J RODRIGUEZ
SHELBY LYNN DYKES	TRISHA RYAN
DEBORAH D EVERETTE	A NICOLE SLAUGHTER
CHRIS GEORGE	BETH ANN SMITH
NICOLE GODINEZ	J. K SMITH
YOVONNE HAYES	JENNIFER S TAPIA
AMANDA R HOLLANDSWORTH	HOLLY R TAYLOR
GINA R HUFFMAN	ALAN S TENGE
CAROLYN D INGRUM	TRACIE J VAUGHN
SCOTT JENKINS	BARBARA J WEILBACHER
SAMIKA LOUISE JENNINGS	ALICIA WILSON
PAULA JOHNSON	ADAM DOUGLAS YORK
TINA KELLEY	BETH A KIRBY

PERSONAL SURETY
RICHARD A TOMPKINS

LAWRENCE RAY WHITLEY

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

Akins	Y	M. Taylor	Y	Geminden	Y
Hinton	Y	Driver	Y	Graves	Y
Foster	Y	Schell	Y	Harris	Y
Ring	Y	Pomeroy	Y	Vaughn	A
Kemp	Y	LeMarbre	Y	Decker	Y
Hyde	Y	Becker	Y	C. Taylor	Y
Goode	Y	Krueger	Y	B. Taylor	Y
Langford	Y	Pospisil	Y		

1510-NOTARIES Yes: 22 No: 0 Abs: 1 08:20 PM

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

COMMITTEE ON COMMITTEES

Commissioner Goode stated that each commissioner received a list of future appointments prepared by the Law Director's office.

Chairman Goode introduced the appointment to the Civil Service Board (chosen by employees). Upon motion of Commissioner Goode, seconded by Commissioner Ring, the Commission voted unanimously to approve Sally Wade Brown (County Executive recommendation) to replace Tip Martin on the Civil Service Board.

Chairman Goode introduced the appointment to the Planning Commission - Regional, Four-Year Term. Upon motion of Commissioner Goode, seconded by Commissioner LeMarbre, the Commission voted unanimously to re-appoint Luther Bratton (County Executive recommendation) to serve a four-year term on the Planning Commission as a citizen appointment in Zone 5 area of Portland.

Chairman Goode introduced the appointment to the Zoning Board of Appeals, noting that the Committee deferred the appointment until next month.

Commissioner Goode noted the following appointments for next month: Board of Construction Appeals to re-appoint Larry Brown, alternate, one-year term and Shawn Utley, alternate, one-year term. (County Executive recommendation to re-appoint both).

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.

LEGISLATIVE COMMITTEE

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

**1510-02 A RESOLUTION AUTHORIZING A GIFT TO
CHIEF DEPUTY JEFF PUCCINI OF HIS SERVICE WEAPON AND BADGE
AS ADDITIONAL COMPENSATION FOR HIS SERVICES
RENDERED TO SUMNER COUNTY**

WHEREAS, after over three decades of public service, which includes a total of twenty-eight years with the Sumner County Sheriff's Office, Chief Deputy Jeff Puccini is retiring in good standing from the Sumner County Sheriff's Office; and

WHEREAS, based upon his outstanding service and with the recommendation of the Sheriff, this body amends previous resolutions and actions to allow for presentation of the weapon and badge to Chief Deputy Puccini.

NOW, THEREFORE, BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body hereby authorizes the gift to Chief Deputy Jeff Puccini of his service weapon, (Glock model 23, serial number MAD-960) and badge as additional compensation for his outstanding commitment and service to the citizens of Sumner County.

The electronic vote was recorded in the following manner:

Akins	Y	M. Taylor	Y	Geminden	Y
Hinton	Y	Driver	Y	Graves	Y
Foster	Y	Schell	Y	Harris	Y
Ring	Y	Pomeroy	Y	Vaughn	Y
Kemp	Y	LeMarbre	Y	Decker	Y
Hyde	Y	Becker	Y	C. Taylor	Y
Goode	Y	Krueger	Y	B. Taylor	Y
Langford	Y	Pospisil	Y		

1510-02 Yes: 23 No: 0 Abs: 0 08:23 PM

Chairman Langford declared the resolution approved by the body.

FINANCIAL MANAGEMENT COMMITTEE

Commissioner Schell introduced the following resolution and moved, seconded by Commissioner Goode, for approval with an amendment to change the appropriated amount from \$300,000.00 to \$350,000.00 as reflected in the following resolution.

1510-05 A RESOLUTION APPROPRIATING UP TO \$350,000.00 FOR THE SUMNER COUNTY COURTHOUSE AND JUVENILE BUILDING HVAC PROJECT AND MOLD REMEDIATION COSTS FROM THE 2015 BOND FUNDS

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 19th day of October, 2015, that this body does hereby approve up to \$350,000.00 for the Sumner County Courthouse and Juvenile Building HVAC project and mold remediation costs from the 2015 Bond Funds, as shown on the attachment herewith.

The electronic vote was recorded in the following manner:

Akins	Y	M. Taylor	Y	Geminden	Y
Hinton	Y	Driver	Y	Graves	Y
Foster	Y	Schell	Y	Harris	Y
Ring	Y	Pomeroy	N	Vaughn	Y
Kemp	A	LeMarbre	Y	Decker	Y
Hyde	Y	Becker	Y	C. Taylor	Y
Goode	Y	Krueger	Y	B. Taylor	Y
Langford	Y	Pospisil	Y		

1510-05 Yes: 21 No: 1 Abs: 1 08:25 PM

BUDGET COMMITTEE

There was no report from the Budget Committee.

ADJOURNMENT

Chairman Langford declared the Commission meeting adjourned at 8:25 p.m. upon motion of Commissioner Pospisil, seconded by Commissioner Pomeroy.

BILL KEMP, CLERK

SCOTT LANGFORD, CHAIRMAN

Prepared by Maria A. Savage
Approved on _____

MINUTE BOOK TWENTY
OCTOBER 19, 2015