



# SUMNER COUNTY COMMISSION

355 N. Belvedere Drive – Room 111  
Gallatin, Tennessee 37066-5410

## Commissioners

*First District*  
**Mike Akins**  
**Moe Taylor**

*Second District*  
**Billy Geminden**  
**Larry Hinton**

*Third District*  
**Steve Graves**  
**Alan Driver**

*Fourth District*  
**Jerry Foster**  
**Leslie Schell**

*Fifth District*  
**Ben Harris**  
**Baker Ring**

*Sixth District*  
**Jim Vaughn**  
**Kevin T. Pomeroy**

*Seventh District*  
**JoAnne Kemp**  
**Trisha LeMarbre**

*Eighth District*  
**Paul Decker**  
**Merrol N. Hyde**

*Ninth District*  
**Jerry F. Becker**  
**Chris Taylor**

*Tenth District*  
**Paul R. Goode**  
**Caroline S. Krueger**

*Eleventh District*  
**Scott Langford**  
**Bill Taylor**

*Twelfth District*  
**Michael Guthrie**  
**Bob Pospisil**

The following minutes are included in this packet:

**Beer Board.....April 18**

**Budget Committee..... April 11**

**Committee on Committees..... April 18**

**Education Committee..... April 4**

**Emergency Services Committee..... April 4**

**General Operations Committee..... April 11**

**Investment, Purchasing, 2002 Financial Management,**

**2002 Financial Management.....March 21**

**Legislative Committee..... April 11**

**AD HOC**

**Engineering and Architectural Fees Ad Hoc Committee.....April 5**

**MINUTES  
APRIL 18, 2016  
BEER BOARD  
CHAIRMAN, MIKE AKINS**

**Present:**

Mike Akins, Chairman  
Steve Graves, Vice-Chairman  
Moe Taylor  
Bob Pospisil  
Caroline Krueger

**Also Present:**

Leah Dennen, County Attorney  
Erika Porter, County Law Office  
Anthony Holt, County Executive

The regular meeting of the Beer Board was brought to order on Monday, April 18, 2016, at 6:15 p.m. in the Sumner County Administration Building in Gallatin.

Agenda. Upon motion of Comm. Graves, seconded by Comm. Moe Taylor, the Board voted to approve the agenda.

Minutes. Upon motion of Comm. Moe Taylor, seconded by Comm. Pospisil, the Board approved the minutes for January 25, 2015.

Recognition of the Public. There was none.

Beer Applications. The Beer Board considered the following permit application:

- Kevin Luman to operate K and L Market at 3212 Highway 76, Cottontown, TN 37048. The application is for OFF PREMISES only.

County Staff Attorney Erika Porter reported that the distance requirement was not met for K and L Market. The store to Oakmont Elementary School is .91 miles away. However, the measurement from building to building from the closest church is 373 feet, which is under the 500 foot distance requirement.

County Law Director Leah Dennen stated that beer has been sold at the market in the past, but it has been closed for over a year. The law does grandfather in existing markets when the previous owner has been operational within six months of the time of new application.

Comm. Moe Taylor moved, seconded by Comm. Graves, to suspend the rules to allow Kevin Luman to speak. The motion carried and Mr. Luman stated that there have been no church services at that location and it is up for sale.

Ms. Dennen stated that Mr. Luman would have to provide documentation from church officials that it is for sale and the congregation has abandoned the location.

Comm. Graves moved, seconded by Comm. Moe Taylor to defer until the next meeting on May 16. The motion carried.

The Beer Board considered the following permit application:

- Kirsten Mae Matthews to operate Forever and Always at 301Bob Perry Road in Bethpage, TN 37022. The application is for ON PREMISES only.

The location was found to be in compliance with the distance requirement.

Mt. Vernon United Methodist Church was 1.8 miles from the location; Bethpage Elementary Schools was 5.2 miles. Ms. Matthews explained that the location will operate as an event venue that would be used several times a year.

Upon motion of Comm. Moe Taylor, seconded by Comm. Pospisil, the Committee voted unanimously to approve the beer permit application for Forever and Always at 301Bob Perry Road in Bethpage, TN 37022.

Comm. Moe Taylor moved, and was duly seconded by Comm. Graves, to adjourn the meeting at 6:26 p.m.

Prepared by Maria Savage



BUDGET COMMITTEE MINUTES  
April 11, 2016

MEMBERS PRESENT  
Jerry Foster, Chairman  
Chris Taylor, Vice-Chairman  
Jerry Becker  
Billy Geminden  
Paul Goode  
Kevin Pomeroy  
Bill Taylor  
OTHERS PRESENT  
David Lawing  
Lean Dennen  
Erika Porter  
Kennon Calhoun  
Keith Dennen  
Moe Taylor

- I. CALL TO ORDER by Chairman Foster at 6:30pm in Room 112 of the Sumner County Administration Building in Gallatin, TN.
  - A. Approval of Agenda- Chairman Foster requested IV. E. 2 to be discussed under report of the county executive and the amount requested be removed. Motion to approve amended agenda by Mr. Pomeroy, second by Dr. Taylor, unanimous approval.
  - B. Recognition of Public- None
  - C. Approval of Minutes—March 14, 2016- Motion to approve by Mr. Chris Taylor, second by Mr. Goode, unanimous approval.
- II. REPORT OF THE COMMITTEE CHAIRMAN- Mr. Foster explained that each committee member needs to send Mr. Lawing a schedule with times they can attend budget hearings for the next two to three weeks. Mr. Holt explained he would bring back a proposal for building maintenance and repairs. Mr. Lawing requested that the Capital Projects fund be presented at May's budget meeting so the committee did not have to review it multiple times. Mr. Lawing also requested that the Circuit Court Clerk's budget request be included in the next draft even though she did not meet the March 1<sup>st</sup> deadline. Motion to approve by Mr. Chris Taylor, second by Mr. Geminden, unanimous approval.
  - A. REPORT OF THE COUNTY EXECUTIVE- Mr. Holt explained to the committee he is not requesting funding for the maintenance issues until they are prioritized. Mr. Calhoun explained his proposal.
    - Building needs assessment presentation—Kennon Calhoun Workshop
      - o Buildings Assessment/Budget-Mr. Holt explained he would meet with Mr. Lawing and have a proposal before the budget for FY17 is finalized.
      - o Kennon Calhoun Proposal/Architect fees-
- III. OLD BUSINESS- None
- IV. NEW BUSINESS- Motion to group and approve items IV. A through B. 2 by Mr. Goode, second by Mr. Becker, unanimous approval.
  - A. Education
    1. Budget Amendment
  - B. Appropriations
    1. Westmoreland Library--\$1,273.32 E-rate Rebate for data processing equipment
    2. Capital Projects--\$7,729.75 carryover of FY15 funding for school projects
  - C. Transfers
    1. Inter-budgetary
      - a. Greater than \$2,500- Motion to approve by Mr. Pomeroy, second by Mr. Chris Taylor, unanimous approval.
      - b. \$2,500 or less- Motion to approve by Mr. Goode, second by Mr. Chris Taylor, unanimous approval.

D. Tax Issues

1. Arnold, Timothy and Hellen--\$197 refund- Motion to group and approve items IV. D. 1 through 3 by Mr. Pomeroy, second by Dr. Taylor, unanimous approval.
2. Blue Stripe Holdings--\$9,393 refund
3. Dalamar Homes--\$1,864.10 adequate facilities taxes paid July 2015 and December 2015
4. Delinquent Taxes- Motion to approve by Mr. Pomeroy, second by Mr. Goode, unanimous approval.
5. Tax Pick-up Authorization- Motion to approve by Mr. Chris Taylor, second by Mr. Goode, unanimous approval.

E. Building needs assessment presentation—Kennon Calhoun Workshop

1. Buildings Assessment/Budget- (Discussed under County Executive's Report)
2. Kennon Calhoun Proposal/Architect fees- (Discussed under County Executive's Report)

F. TIF Resolution- Mr. Dennen, Attorney for the Industrial Development Board of the City of Hendersonville, discussed the Village of Indian Lake Development District TIF/2007 Industrial Development Revenue Series Bonds. Mr. Dennen explained the letter of credit from Fifth Third Bank came up for renewal was increased from 1.65% to 3%. At that time, the Industrial Development Board believed it to be advantageous to explore other options. One of the options, the one the board has chosen, is a fixed rate loan offer from First TN Bank at a 2.98% interest rate. This loan would be used to call the existing variable rate bonds and retire them; therefore, moving the financing from variable rate to the fixed rate of 2.98% with a seven year term. The fixed rate loan does not have any limitations or penalties for early payment. It is projected that the loan will be paid off in five years. Motion to approve by Mr. Chris Taylor, second by Mr. Goode, unanimous approval.

V. REPORT OF THE FINANCE DIRECTOR

- A. Courthouse and Jail Maintenance Fund update- Mr. Holt informed the committee that only mandatory maintenance work is being performed. He explained no cosmetic work will be performed that is not necessary in order to preserve funds. Mr. Lawing informed the committee he would give an update on the fund in May and June.
- B. FY2017 Budget- The first draft of the FY17 budget document was passed out at the meeting.

VI. ADJOURNMENT- Motion to adjourn at 7:25pm by Mr. Goode, second by Mr. Geminden, unanimous approval.

**COMMITTEE ON COMMITTEES  
MINUTES  
APRIL 18, 2016**

**Present:**

Paul Goode, Chairman  
Caroline Krueger, Vice-Chairman  
JoAnne Kemp  
Trisha LeMarbre  
Baker Ring

**Also Present:**

Leah May Dennen, County Law Director  
Erika Porter, Law Director's Office

The regular meeting of the Committee on Committees was brought to order with an invocation by Comm. LeMarbre on Monday, April 18, 2016, at 6:30 p.m. in the Sumner County Administration Building in Gallatin. Goode Chairman was presiding.

Agenda. Without objection, Chairman Goode removed from consideration the appointments of Don Spitters (Hendersonville) and Richard Cummings on the Board of Equalization. Upon motion of Comm. LeMarbre, and duly seconded by Comm. Krueger, the Committee approved the agenda as amended.

Approval of Minutes Upon motion of Comm. Kemp, and duly seconded by Comm. Ring, the Committee approved the minutes of February 22, 2016.

Public Recognition. There was none.

Report of the Chairman. Chairman Goode had no report other than the items on the agenda.

Report of the County Executive. None

Old Business None

9. New Business Board of Equalization.

Chairman Goode introduced the following expiring two-year terms on the Equalization Board:

Terry Nichols and James Ramsey (County Executive recommendations)  
and Michelle Haynes (Gallatin recommendation)

Upon motion of Comm. LeMarbre, and duly seconded by Comm. Krueger, the Committee voted unanimously to approve the reappointments of Mrs. Haynes, Mr. Nichols and Mr. Ramsey to serve two-year terms on the Equalization Board.

Next Month, May 16, 2016

Solid Waste Board six-year term appointments of the following:  
Mark Bristol (Hendersonville) and Ben Harris (County Commission Gallatin)

Health Board, 4-year terms of the following:  
Andrew Finney (Pharmacist), Jan Alexander (RN) and Dr. Randall Collins  
(Veterinarian)

10. Adjournment. Upon motion of Comm. LeMarbre, and duly seconded by Comm.  
Ring, the Committee adjourned at 6:33 p.m.

Prepared by Maria Savage

**MINUTES  
EDUCATION COMMITTEE  
April 4, 2016**

**Present:**

Trisha LeMarbre, Chairman  
Paul Decker, Vice-Chairman  
Alan Driver  
Billy Geminden  
Michael Guthrie  
Leslie Schell  
Paul Goode

**Also Present:**

Leah Dennen, County Law Director  
Erika Porter, Staff Attorney  
Dr. Del Phillips, Director BOE  
Anthony Holt, County Executive

Chairman LeMarbre brought the meeting of the Education Committee to order with an invocation on Monday, April 4, 2016, at 5:30 p.m. in the Sumner County Administration building in Gallatin. A quorum was present.

Adoption of the Agenda. Without objection, Chairman LeMarbre corrected the agenda item 10B to "Educate and Grow". Upon motion of Comm. Goode, seconded by Comm. Decker, the Committee members approved the agenda by unanimous voice vote.

Minutes of March 7, 2016. Upon motion of Comm. Schell, seconded by Comm. Geminden, the Committee members approved the March 7, 2016, minutes by voice vote. Commissioners Goode and Decker abstained from the vote.

Recognition of the Public. There was none.

Report of the Chairman. Chairman LeMarbre had no report.

Report of County Executive. No report

Report of Director of Schools. Dr. Phillips reported that schools got off to a good start after spring break with several new students enrolled. Mr. Phillips stated that he was hopeful that Hawkins Middle School bids would be available for approval, but the bids were rejected. Six bids were opened with a spread of around \$500,000.00. The low bidder, Leo Rawls of Clarksville bid \$4,042,380. The estimate was \$3.4 million. He said the specifications would be reviewed and the bids let again to try and get the price closer.

The wall at Beech High School was discussed. Dr. Phillips said the wall was mostly esthetic and he would review the situation.



Dr. Phillips said Ellis Middle School is scheduled to receive a new HVAC, including the air conditioning of the gym. The turning lane at Indian Lake Road was discussed, also. Dr. Phillips stated that he was in discussions with the City of Hendersonville to remove the flashing sign near the school during the summer to facilitate improvements to the turning lane at Ellis.

Old Business. There was none.

#### New Business

##### 10a. Sumner County Board of Education Amendments (for approval).

Upon motion of Comm. Schell, seconded by Comm. Goode, the Committee voted unanimously to approve the Board of Education amendments.

##### 10b. Educate and Grow Scholarship/Resolution.

Chairman LeMarbre stated that she discussed the Educate and Grow program with Jerry L. Faulkner, President of Volunteer State Community College. He raised a question about any remaining funds (approximately \$312,000) the County Commission allocated for this program in 2014. Chairman LeMarbre clarified that the funds were allocated but not appropriated and remain in the Hospital Fund. The County's obligation to fund Educate and Grow scholarship recipients has been met.

Comm. Decker moved, seconded by Comm. Geminden, to make Mr. Faulkner aware that the left over funds would remain in the Hospital Fund. The motion carried by voice vote.

Comm. Schell motioned to adjourn and was duly seconded by Comm. Geminden. The Committee adjourned at 5:44 p.m.

Prepared by Maria Savage

**MINUTES  
EMERGENCY SERVICES COMMITTEE  
APRIL 4, 2016**

**Present:**

Michael Guthrie, Chairman  
Chris Taylor, V. Chairman  
Alan Driver  
Ben Harris  
Moe Taylor  
Jim Vaughn  
Jerry Foster

**Also Present:**

Leah Dennen, County Law Director  
Sheriff Sonny Weatherford  
Keith Douglas, Director EMS  
Anthony Holt, County Executive  
Bill Kemp, County Clerk  
Ken Weidner, EMA Director

Chairman Guthrie called the meeting of the Emergency Services Committee to order with an invocation by Comm. Harris on Monday, April 4, 2016, at 5:00 p.m. in the Sumner County Administration Building. A quorum was present.

Approval of Agenda. Upon motion of Comm. Foster, seconded by Comm. Harris, the Committee unanimously approved the agenda.

Approval of Minutes of February 1, 2016 Upon motion of Comm. Driver, seconded by Comm. Foster, the Committee approved the minutes of February 1, 2016.

Public Comments. There were no comments.

Report from the Chairman Chairman Guthrie had no report.

Report from the County Executive. County Executive Anthony Holt reserved comments to agenda items.

Report from the Sheriff. Sheriff Sonny Weatherford distributed and discussed the March, 2016 financial reports and the Animal Control Division statistics. The jail population was 685 in March.

Sheriff Weatherford answered questions on the excessive number of open positions at the jail. He said jail employees are leaving for other counties that pay more than Sumner County.

Fire Departments. There was no report.

Report from the Emergency Management Agency. There was no report.

Report from the EMS Director.

Mr. Douglas submitted a report on the Sumner County Emergency Medical Services responses and transports. He said collections were on track to exceed projections, and call volume hit another record month. Mr. Douglas reported that the 24-hour unit was transporting around the clock creating a fatigue factor, so he readjusted the shift and converted it to a 12-hour unit without adding personnel. He said that First Call is the only authorized private ambulance carrier allowed to operate in the County to relieve the heavy volume of hospital transports. He said another private ambulance may apply to serve the Sumner County area.

He said that it is increasingly difficult to find part-time EMTs.

Report of the Emergency Management Agency. Ken Weidner, Director of Emergency Management Services, stated that grant money was available if the County had an interest in purchasing new emergency equipment. He said that the County qualifies for Nashville Port grants that are highly competitive and drying up. The grant is a 75/25 match. He presented a brochure, which provided specifications on a Hydratrek, a 8 x8 tracked amphibious unit with water propulsion used in flooding situations. He said it can go places that EMA cannot go with present equipment. The unit and the trailer are around \$114,000.

Comm. Vaughn moved, seconded by Comm. Harris, to direct Mr. Weidner to apply for the grant and bring back the details next month for further review of the funding. The motion carried.

Old Business None

New Business

With a motion by Comm. Moe Taylor and duly seconded, the Committee adjourned at 5:22 pm.

Prepared by Maria Savage

**MINUTES  
GENERAL OPERATIONS COMMITTEE  
JERRY BECKER, CHAIRMAN  
APRIL 11, 2016**

**Present:**

Jerry Becker, Chairman  
Baker Ring, Vice-Chairman  
Ben Harris  
Larry Hinton  
Caroline Krueger  
Leslie Schell  
Absent: Bob Pospisil

**Also Present:**

Leah Dennen, County Law Director  
Erika Porter, Staff Attorney  
Anthony Holt, County Executive  
Steve Graves, Commissioner

The scheduled meeting of the General Operations Committee was brought to order on Monday, April 11, 2016, at 5:00 p.m. in the Sumner County Administration Building. Comm. Schell gave the invocation and Chairman Becker declared a quorum present to conduct business.

Agenda. Comm. Ring moved to approve the agenda; Comm. Harris seconded the motion, and the Committee approved the agenda.

Minutes. Upon motion of Comm. Schell, seconded by Comm. Hinton, the Committee voted to approve the minutes of March 14, 2016, regular meeting.

Report of Chairman. Chairman Becker commended committee members for their due diligence on the matters before them. He yielded the floor to Comm. Hinton, Chairman of the Engineering and Architectural Ad Hoc Committee who stated the Committee will be reviewing the information collected and drawing conclusions about the process of hiring architects. The next meeting is scheduled for May 3, 2016, at 5:15 p.m.

County Executive. County Executive Anthony Holt reported that the Rogers Group deeded the Comer barn to Sumner County at no charge. He said he hopes to apply for appropriate grants to refurbish the building.

Recognition of the Public. There was none.

9a-f. Surplus Items

Upon motion of Comm. Harris, seconded by Comm. Hinton, the committee voted to group and approve the following requests for disposal of surplus property:

- Surplus various items Sumner County Sheriff's Office
- Surplus various items awarded to the Sumner County Sheriff's Office and thereby being donated to Westmoreland High School
- Surplus various items for the Adult Probation
- Surplus one item for the Election Office

9c. Assessment of Building Needs: Request for Architectural Evaluation of Buildings and Estimate of Probable Construction Cost - presentation by Kennon Calhoun Workshop

Chairman Becker recognized County Executive Anthony Holt who introduced James E. Kennon, Jr., AIA, LEED AP for Kennon/Calhoun Workshop in Nashville. Mr. Kennon presented a Sumner County Facilities Assessment based on a comprehensive list of 32 buildings owned by the County.

The fee for this service was stated at \$224,750.00 (average of \$7,000 in fees per facility) with reimbursable expenses outlined in the agreement.

Mr. Kennon said his team would work with County staff to determine existing problems. Included in the scope of work were professional estimators to ascertain probable costs of upgrades. Also included were site visual inspections by mechanical, electrical and structural engineers. The Agreement offered follow up construction administration were applicable.

Executive Holt stated that in the priorities on the list are the Sumner County Jail, the Juvenile Justice Complex, the Sumner County Administration Building and the Sumner County Courthouse. The Committee discussed buildings that need attention first and those that have a lower priority.

Chairman Becker suggested forwarding this matter to the Budget Committee for consideration during the Fiscal Year 2016-2017 budget cycle.

Comm. Schell suggested that the proposal be amended to limit the scope of work to the top five on the list (as stated by County Executive Holt with the inclusion of the Archives Building). County Executive suggested cherry picking a few more buildings that may need attention, such as the Hendersonville Health Department.

Comm. Hinton moved, seconded by Comm. Krueger, to continue discussion. The motion carried by unanimous voice vote.

Comm. Schell moved, seconded by Comm. Krueger, to request the Executive Holt re-evaluate the proposal taking into consideration the building priorities for Phase I that the Committee discussed and to present the proposal during the budget cycle. The motion carried by unanimous voice vote.

Chairman Becker recognized Commissioner Steve Graves who stated that the rural part of the County does not have much and he requested the Castalian Springs EMS Station #9 be a priority.

Comm. Hinton requested the Mr. Kennon to further classify the proposal into three to four different types of structures. He said this would help the Committee understand the cost better.

The meeting adjourned at 5:32 p.m. after a motion by Comm. Krueger, seconded by Comm. Harris.

Prepared by Maria Savage



INVESTMENT, PURCHASING, 2002 FINANCIAL  
MANAGEMENT, AND 2012 FINANCIAL  
MANAGEMENT COMMITTEES MINUTES  
March 21, 2016

MEMBERS PRESENT  
Leslie Schell, Chairman  
Paul Decker, Vice Chairman  
Judy Hardin  
Anthony Holt  
JoAnne Kemp  
Del Phillips  
Chris Taylor  
OTHERS PRESENT  
David Lawing  
Leah Dennen  
Erika Porter  
Keith Dennen

- I. CALL TO ORDER by Chairman Schell at 5:30pm in Room 112 of the Sumner County Administration Building in Gallatin, TN.
  - A. Invocation- Led by Chairman Schell.
  - B. Approval of Agenda- Motion to approve by Dr. Phillips, second by Ms. Kemp, unanimous approval.
  - C. Recognition of Public-None
  - D. Approval of Minutes—February 22, 2016- Motion to approve by Mr. Taylor, second by Ms. Kemp, motion passes 6-1 with Ms. Hardin abstaining.
- II. REPORT OF THE COMMITTEE CHAIRMAN-None
- III. REPORT OF THE COUNTY EXECUTIVE
  - A. Munis Status Report- Dr. Phillips reported that the 1099 issue has been resolved and they were out by deadline. He also explained that there was a server based issue that happened last Thursday that impacted the schools and the county. Dr. Phillips explained there will be a meeting held on March 23, 2016 to discuss how to resolve this issue.
- IV. REPORT OF THE TRUSTEE- Ms. Nelson reported that collectability on 2015 property taxes are at 94.969%, and 2014 collections are at 98.498%. Ms. Dennen explained the due date for delinquent taxes, before they go to the Clerk and Masters Office, is March 31, 2016. Ms. Nelson also informed the committee her office is only accepting cashier checks, money orders, and cash for property tax payments due to the number of returned checks last year.
- V. REPORT OF THE FINANCE DIRECTOR/PURCHASING AGENT-None
- VI. REPORT OF THE LAW DIRECTOR-None
- VII. OLD BUSINESS
- VIII. NEW BUSINESS
  - A. Investment Committee
    1. Trustee's Report-included in packet.
  - B. Purchasing Committee
    1. Purchase Order Issues
      - (a) County Executive- Mr. Lawing explained the PO policy and stated Mr. Holt has spoken with the requestor regarding this. Mr. Lawing recommended the committee to approve this to be paid. Motion to approve by Mr. Taylor, second by Mr. Decker, unanimous approval.

C. 2002 Financial Management Committee

1. Mr. Dennen, Attorney for the Industrial Development Board of the City of Hendersonville, discussed the Village of Indian Lake Development District TIF/2007 Industrial Development Revenue Series Bonds. Mr. Dennen explained the letter of credit from Fifth Third Bank came up for renewal was increased from 1.65% to 3%. At that time, the Industrial Development Board believed it to be advantageous to explore the possibility of other options. One of the options, the one the board has chosen, is a fixed rate loan offer from First TN Bank at a 2.98% interest rate. This loan would be used to call the existing variable rate bonds and retire them; therefore, moving the financing from variable rate to the fixed rate of 2.98% with a seven year term. The fixed rate loan does not have any limitations or penalties for early payment. It is projected that the loan will be paid off in five years.

D. 2012 Financial Management Committee-No report.

- IX. ADJOURNMENT- Motion to adjourn at 5:55pm by Ms. Kemp, second by Dr. Phillips, unanimous approval.



**MINUTES  
LEGISLATIVE COMMITTEE  
CHRIS TAYLOR, CHAIRMAN  
APRIL 11, 2016**

**Present:**

Chris Taylor, Chairman  
Paul Goode, Vice-Chairman  
Jerry Becker  
Steve Graves  
Jerry Foster  
Michael Guthrie  
Trisha LeMarbre  
Scott Langford, Commission Chairman

**Also Present:**

Erika Porter, Staff Attorney  
Leah Dennen, Law Director  
Anthony Holt, County Executive  
Kim Ark, Grant Writer  
Bill Kemp, County Clerk  
Moe Taylor, Commissioner

Chairman Chris Taylor brought the Legislative Committee meeting to order with an invocation by Comm. Langford on Monday, April 11, 2016, at 5:30 p.m. in the Sumner County Administration Building. A quorum was present.

Approval of Agenda. Comm. Goode moved, Comm. LeMarbre seconded, to approve the agenda. The motion carried.

Minutes. Upon motion of Comm. Ring, seconded by Comm. LeMarbre, the Committee voted to approve the March 14, 2016, minutes.

Public Comments. The following spoke against the transportation funding resolution, requesting the Committee not endorse any new taxes:

Laura Baigert 242 A B Wade Road in Portland  
Kevin Baigert 242 A B Wade Road in Portland

With no else wishing to speak, Chairman Taylor closed comments.

Report of Chairman. None

Report of County Executive. County Executive Anthony Holt reported that the Rogers Group deeded the Comer barn to Sumner County with no funds involved. He said he hopes to apply for appropriate grants to refurbish the structure.

Old Business. None

New Business.

9a.Veterans Service Report. Presented for docketing purposes only. Upon motion of Comm. Langford, seconded by Comm. LeMarbre, the Committee voted unanimously to docket the veteran's service report.

10b. Certificates of Recognition. Upon motion of Comm. Becker, seconded by Comm. Goode, the Committee voted to group and approve the following certificates of recognition:

- Kaleb and Trevor Rippy for First State Wrestling Titles
- Beech High School Buccaneers Wrestling Head Coach Jeff Roberts
- Jack Anderson STEM School
- Union STEM and Demonstration School
- Healthy Sumner Proclamation

9b.Resolution of Support for Funding for Transportation needs for the State of Tennessee and for Local Communities.

The Committee considered the following resolution:

**A RESOLUTION OF SUPPORT FOR ENHANCED,  
SUSTAINABLE FUNDING FOR TRANSPORTATION NEEDS FOR  
THE STATE OF TENNESSEE AND FOR LOCAL COMMUNITIES**

**WHEREAS**, transportation in its many forms is the backbone for the economic vitality and quality of life for communities across the State of Tennessee; and

**WHEREAS**, maintaining our vital transportation infrastructure is a critical role shared by federal, state, and local governments; and

**WHEREAS**, the transportation needs of the State of Tennessee and Tennessee communities require more than a one-time allocation of resources; and

**WHEREAS**, the State of Tennessee's funding structure for transportation has not been modified in over a quarter of a century while inflationary pressures and improved vehicle fuel efficiency have lessened the capacity of existing funding sources; and

**WHEREAS**, the State of Tennessee has an opportunity to show leadership in partnering with communities across the state in meeting critical transportation needs through providing much needed planning and sustainable funding assistance;

**NOW THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in special session on this the 18<sup>th</sup> day of April 2016, that this body hereby urges Governor Haslam and the Tennessee General Assembly to take action regarding transportation funding that incorporates the following key components:

1. Identify additional, ongoing State funding for transportation needs that incorporates a mechanism to keep pace with future inflation; and
2. Ensure that the Tennessee Department of Transportation continues to have the discretion to select transportation projects working collaboratively with local communities; and
3. Allow for a local option for dedicated revenue to fund local transportation and transit initiatives; and

**BE IT FURTHER RESOLVED** that a copy of this resolution is to be forwarded by the Law Director to our state delegates.

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Comm. Langford moved, seconded by Comm. Goode, to approve the matter for discussion purposes.

Chairman Chris Taylor recognized County Executive Holt who explained that this resolution is a tool to ask the State to adequately fund transportation needs. He said many other counties are considering this resolution, which originated from the MPO and TDOT.

Without objection, Chairman Chris Taylor recognized Commissioner Moe Taylor who spoke with concern about the resolution and its possible endorsement of a state gas tax.

County Executive Holt explained that Item 3 in the resolution allows for a local option for dedicated revenue to fund local transportation by referendum.

Comm. Goode moved to amend Item 3 of the resolution to state that the voters will decide through referendum on a local option. Comm. Foster seconded the motion and the amendment passed by unanimous voice vote.

The motion as amended carried (5-3) with Commissioners Langford, LeMarbre, Guthrie, Goode and Graves voting in favor; Commissioners Chris Taylor, Becker and Foster voting against the matter.

11a. Zoning Request. None

Adjournment. Upon motion of Comm. Graves and duly seconded, the Committee adjourned at 6:24 p.m.

**MINUTES  
ENGINEERING AND ARCHITECTURAL FEES  
AD HOC COMMITTEE  
LARRY HINTON, CHAIRMAN  
APRIL 5, 2016**

Present:  
Larry Hinton, Chairman  
Paul Decker  
Chris Taylor  
Absent:  
Caroline Krueger  
Kevin Pomeroy

Also Present:  
Erika Porter, Staff Attorney  
Leah Dennen, County Law Director  
Thomas L. Anderson, Architect and Contractor

The meeting of the Engineering and Architectural Fees Ad Hoc Committee was brought to order with an invocation by Comm. Chris Taylor on Tuesday, April 5, 2016, at 5:15 p.m. in the Sumner County Administration Building. Chairman Hinton declared a quorum present to conduct business.

Minutes. Comm. Decker moved, seconded by Comm. Chris Taylor, to approve the minutes of February 2, 2016. The motion carried.

Report of the Chairman. Chairman Hinton stated that this is the fourth meeting. He requested the Clerk to prepare a packet of the minutes for the committee to review. He asked committee members to consider and share any conclusions and recommendations as to a path forward.

7a. Old Business. None

8a. New Business.

Chairman Hinton recognized Thomas L. Anderson, Licensed Architect and Licensed General Contractor, located in Goodlettsville. An another architect in Mr. Anderson's group designed the new Millersville Library.

Besides certifications in siltation and OSHA compliance, Mr. Anderson stated that he had designed more than 220 churches and that many commercial buildings. On many of the projects he served as the General Contractor, as well.

Mr. Anderson that his group finished work recently on the Cornerstone Church for whom he functioned as an owner representative. He outlined his responsibilities regarding as follows:

- Help come up with a general sense of the initial program to get to the architect interview process
- To facilitate and help determine the best choice of architect once the interview process begins
- Assist in site selection and analysis to help determine the degree of difficult site work involved
- Review of contract documents as to planned specifications and identify opportunities for value engineering (Mr. Anderson emphasized that with an owner representative there is no shared earnings of the costs saved. As a result of using an owner representative, any substitutions in the plans are not driven exclusively by cost at the expense of quality.)

- Attends all meetings where the owner should be present
- The owner representative keeps a log book and reports back to the owner
- Part of the job of this individual is to help select the general contractor, weighing the pros and cons of each bidder.
- Review of all the add-ons and deducts of the contractors and to determine if it is necessary to rebid the job
- Review the construction schedule to determine if project is on schedule and, if not, how can the project get back on schedule
- Photographic record and possibly cameras on the job to observe the work
- More aware of OSHA compliance
- Check on the schedule of values that a contractor puts down in order to get paid for work performed. He said some contractors front load the project with expensive items in order to get paid more in the beginning. Checking and matching the percentage of work completed with the contractor's payment request are vital to a successful project.
- Mr. Anderson said knowing that someone is watching the project encourages fairness.
- Review the payment submittals and okay payments
- Regarding change orders, the owner representative would put together a price and submit it to the owner before the contractor submits his documents as a point of comparison. Mr. Anderson stated it is helpful to have someone to price change orders in line with industry standards using the most recent edition of the Means Cost Data and the Nashville City Index.
- Upon completion of the job, the owner would get a copy of the project manual
- Owner representatives check the quality of the products used on the job and inspect for proper installation
- With the punch list and throughout the project, as needed, he would call in other professional to review the project.
- Mr. Anderson pointed out that it is valuable to hire someone as owner representative who has a broad scope of experience

Mr. Anderson took questions from the Committee. What would normally be the case is that an architect puts together planned specifications that are expensive documents. Then the project is put out to bid and a contractor selected. Design-build is led by the contractor who hires the architect at a lower price. The fee is reduced because the architect provides a scaled-down version of the design. He said that either method is useful under varying circumstances. For smaller projects he would recommend design-build. Large projects need an architect driving the design.

He said the fee charged by an owner representative depends on the size of the project and its complexity. He stated that, for example, the fee charged on a \$14 million project was about 1 and a quarter percent. Smaller jobs or renovation projects can run upwards of 10 percent. He pointed out that the state has regulated fees for architects on its building programs.

Mr. Anderson stated that each project scenario is different and requires a different assessment of the architectural rate. What architects consider are three things when designing a project - size, quality and funding in some combination to arrive at the best outcome.

Mr. Hinton said he wants the architect to feel some amount of pressure to come in at a reasonable price. He further stated it may be that the design-build approach, in which the contractor brings his own team including the architect, may lower the architectural fees. He noted that the County is prohibited by law from bidding architectural services,

Chairman Hinton set the next meeting for Tuesday, May 3, 2016 at 5:15 p.m.

Chairman Hinton declared the meeting adjourned at 6:25 p.m.

Prepared by Maria Savage