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**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
APRIL 15, 2019**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, April 15, 2019, 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 County Executive Anthony Holt and County Law Director Leah Dennen and the following Commissioners to wit:

Jerry F. Becker  
Deanne Dewitt  
Loren S. Echols  
Jerry W. Foster  
Billy Geminden  
Paul R. Goode  
Steve Graves

Michael Guthrie  
Larry Hinton  
Merrol N. Hyde  
Caroline S. Krueger  
Scott Langford  
Jeremy Mansfield  
Justin Nipper  
Gene Rhodes

Baker Ring  
Leslie Schell  
Danny Sullivan  
Chris Taylor  
Moe Taylor  
Luke Tinsley  
Shellie Young Tucker  
Terry Wright

Having a duly constituted quorum, the meeting was opened in due process by Sheriff Sonny Weatherford. Chairman Scott 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. County Clerk Bill Kemp was not present due to a death in the family. Commissioner Alan Driver was not present for the meeting.

The Invocation was led by Pastor Chris Rouse, Faith Church of Gallatin.

The Pledge of Allegiance was led by the County Deputy Clerk, Maria Savage.

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**APPROVAL OF AGENDA**

Chairman Langford noted that the resolution honoring Diane Black was postponed to a later date when she can attend the meeting. Chairman Langford recognized Commissioner Moe Taylor who requested the removal of Resolution 1904-13 from the Consent Agenda. The Chairman placed the resolution under the Budget Committee report as Item 3.

Chairman Langford recognized Commissioner Ring who moved, seconded by Commissioner Becker, for the addition of a resolution to support state legislation opposing robocalls. The motion carried by unanimous voice vote. The Chairman added the matter as Item 3 under Legislative Committee.

Commissioner Foster moved, and was duly seconded by Commissioner Sullivan, to adopt the agenda with the additions and changes. The Commission approved the agenda as amended by unanimous voice vote of the body.

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### **APPROVAL OF MINUTES**

The minutes for the meeting of this body held on March 18, 2019, and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner Moe Taylor made the motion, seconded by Commissioner Echols.

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### **REPORT OF THE CHAIR**

Without objection, Chairman Langford moved Certificates of Recognition before the Recognition of the Public on the agenda.

Chairman Langford recognized Commissioner Becker who read the following resolution into the record:

#### **A RESOLUTION RECOGNIZING APRIL 14 THROUGH APRIL 20 AS NATIONAL PUBLIC SAFETY COMMUNICATORS WEEK**

**WHEREAS**, emergencies can occur at any time that require police, fire, or medical services, and when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

**WHEREAS**, public safety telecommunicators are the first and most critical contact our citizens have with emergency services and the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Sumner County Emergency Communications Center; and

**WHEREAS**, Sumner County Emergency Communications Center serves our citizens daily in countless ways as we place our trust in the public safety communicators not just this week but every day of the year and whose work is invaluable in emergency situations and our health, safety, and well-being are often dependent on the commitment and steadfast devotion of these dedicated men and women who are willing to make sacrifices including working weekends, long shifts and holidays.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body does hereby recognize the week of April 14 through April 20, 2019 to be the National Public Telecommunicators Week in Sumner County in honor of the men and women whose diligence and dedication keep our citizens safe; 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 the

Public Safety Telecommunicators of the Sumner County Emergency Communications Center.

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Upon motion of Commissioner Becker, seconded by Commissioner Krueger, the Commissioner voted unanimously to approve the resolution recognizing the Public Safety Telecommunicators of Sumner County.

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Chairman Langford recognized Commissioner Tucker who read the following resolution into the record:

**A RESOLUTION RECOGNIZING  
APRIL AS NATIONAL FAIR HOUSING MONTH**

**WHEREAS**, promoting that all persons are afforded a right to full and equal housing opportunities in the neighborhoods of their choice through education and awareness is a major goal of the Sumner Association of Realtors; and

**WHEREAS**, the Fair Housing Act, passed in April 1968 immediately following Dr. Martin Luther King's assassination and revised in 1974 and 1988, guarantees that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given access to all housing-related opportunities, including rental and home ownership, and be allowed to make free choices regarding housing locations; and

**WHEREAS**, the Sumner Association of Realtors is committed to uphold the Fair Housing Act and ensure equal opportunity for all citizens to rent, purchase, obtain financing, and enjoy all other housing-related services in the neighborhoods of their choice.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body does recognize the month of April as National Fair Housing Month and commends the diligent and dedicated efforts of the Sumner Association of Realtors and all realtors nationwide to raise awareness to end housing discrimination; 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 the Sumner Association of Realtors.

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Upon motion of Commissioner Tucker, seconded by Commissioner Sullivan, the Commissioner voted unanimously to approve the resolution recognizing April as National Fair Housing Month.

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Lori Atchley, Sumner County Administer of Elections, stated there are not many good places to vote in Hendersonville and Gallatin. She stated that options included paving a new parking lot behind the Administration Building, purchasing a precinct or renting the Gallatin Civic Center. In Hendersonville, she said there are expensive places to rent that could be cost-shared with the City of Hendersonville. The best long-term option may be a voting precinct in the Comer Barn on 31E, if it were renovated.

Chairman Langford, without objection, referred the matter to the scheduled April Budget Hearings.

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### **RECOGNITION OF THE PUBLIC**

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

Sandra Cohen of 304 University Drive in Gallatin stated that an appraisal and land survey should be done on the three acres ( Resolution1904-05) before the purchase of the property. She said there was a need for additional taxes on new development.

John Miller of 104 Pine Drive in Gallatin spoke to the proposed reappraisal process as stated in Resolution 1904-02. He said the Commission has used the reappraisal to raise taxes and that concerned him.

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

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

Chairman Langford directed Deputy Clerk Maria Savage to read the following public notice into the record.

### **PUBLIC NOTICE**

There will be a Public Hearing at the Sumner County Commissioners meeting on Monday, April 15, 2019, at 7:00 p.m. This meeting shall be held at the Sumner County Administration Building in the County Commission Chambers, located at 355 North Belvedere Drive, Gallatin, Tennessee.

This meeting will be to discuss and potentially vote on a change of fees for land disturbance permits. This change would require land disturbance permit fees to be paid for all non-agricultural development activities in the County, regardless of the acreage of the parcel, and would remove the exemption currently applied for parcels over 5 acres. This meeting follows prior discussion and vote by the Planning Commission during the February 26, 2019 meeting.

A copy of this notice is on file at the Sumner County Planning and Stormwater Department in the Sumner County Administration Building located at 355 North Belvedere Drive, Room 202 Gallatin, TN, 37066,

Anyone having any interest or desiring to ask questions concerning this request is invited to attend this meeting or call 615-451-6097.

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Chairman Langford declared the public hearing open. With no one wishing to speak, the public hearing was declared closed.

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Chairman Langford introduced the following resolution:

**1904-01 A RESOLUTION REQUESTING LAND DISTURBANCE PERMIT FEE TO BE PAID FOR ALL NON-AGRICULTURAL CONSTRUCTION ACTIVITIES IN ORDER FOR THE COUNTY TO RECOUP INSPECTION COSTS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body hereby request land disturbance fee to be paid for all non-agricultural construction activities in order for the County to recoup inspection costs, as shown on the attachment herewith.

**BE IT FURTHER RESOLVED** that this resolution serves as the second reading.

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Commissioner Chris Taylor moved, seconded by Commissioner Krueger, to approve the resolution.

The electronic vote was recorded in the following manner:

**Res-1904-01** 4/15/2019 7:38:02 PM  
**YES - 22** **NO - 0** **ABS - 1**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- Y
D Dewitt	- Y	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- Y
J Nipper	- Y	L Echols	- Y	L Hinton	- Y
L Schell	- Y	L Tinsley	- Y	M Guthrie	- Y
M Hyde	- Y	M Taylor	- A	P Goode	- Y
S Graves	- Y	S Tucker	- Y	T Wright	- Y

Chairman Langford declared Resolution 1904-01 approved by the body.

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**CONSENT AGENDA**

Chairman Langford introduced the following items on the Consent Agenda:

**1904-06 A RESOLUTION FOR 2017 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 2017 property tax roll totaling \$1,084,278.46 (which includes \$5,666.58 for pick-ups); 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 15<sup>th</sup> day of April 2019, that this body does hereby allow the Trustee of Sumner County, Tennessee, a credit in the final settlement of the 2017 property tax roll totaling \$1,084,278.46 due to pick-ups added.

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**1904-07 A RESOLUTION FOR 2017 PROPERTY TAX ROLL  
ERRORS AND RELEASES 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 2017 property tax roll totaling \$625,362.46; and

**WHEREAS**, this amount represents changes due to errors and releases made by the Tax 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 15<sup>th</sup> day of April 2019, that the Trustee of Sumner County, Tennessee, be allowed a credit in the final settlement of the 2017 property tax roll totaling \$625,362.46 due to changes of errors and releases (a list of which is attached).

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**1904-08 A RESOLUTION DOCKETING SUMNER COUNTY BOARD OF  
EDUCATION SCHOOL FUND BUDGET AMENDMENTS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body does hereby docket in its records the Sumner County Board of Education School Fund Budget Amendments, as shown on the attachments herewith.

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**1904-09 A RESOLUTION APPROVING THE FISCAL YEAR 2018-2019  
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 15<sup>th</sup> day of April 2019, that this body does hereby approve the 2018-2019 Sumner County Board of Education General Purpose School Fund budget amendment, as shown on the attachment herewith.

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**1904-10 A RESOLUTION APPROPRIATING \$5,000.00  
FROM GENERAL FUND UNASSIGNED FUND BALANCE  
FOR REQUIRED COMMISSIONER TRAINING**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body hereby appropriates \$5,000 from general fund unassigned fund balance for required commissioner training, as shown on the attachment herewith.

**BE IT FURTHER RESOLVED** that this resolution serves as the second reading.

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**1904-11 A RESOLUTION APPROPRIATING \$1,000 YALSA/DG (YOUNG  
ADULT LIBRARY SERVICES ASSOCIATION/DOLLAR GENERAL) GRANT  
TO THE MILLERSVILLE PUBLIC LIBRARY FOR PURCHASE OF SUPPLIES  
FOR LITERACY KITS AND OUTREACH PROGRAMS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body hereby appropriates \$1,000 YALSA/DG (Young Adult Library Services Association/Dollar General) grant to the Millersville Public Library for purchase of supplies for literacy kits and outreach programs, as shown on the attachment herewith.

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**1904-12 A RESOLUTION ACCEPTING REQUALIFICATION FOR THE  
STATE OF TENNESSEE THREE-STAR PROGRAM**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body does hereby accept the requalification for the State of Tennessee Three-Star Program, as shown on the attachment herewith.

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**1904-14 A RESOLUTION AUTHORIZING TRANSFER OF \$7,420.47  
WITHIN MAJOR CATEGORIES TO PAY OUT COMP TIME FOR THE  
COUNTY EXECUTIVE OFFICE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body hereby authorizes transfer of \$7,420.47 within major categories to pay out comp time for the County Executive Office, as shown on the attachment herewith.

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**1904-15 A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER AND TRASH COLLECTING GRANT FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ACCEPTANCE OF SAID GRANT AND AUTHORIZING 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 \$84,000 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 15<sup>th</sup> day of April 2019, 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.

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**1904-16 A RESOLUTION ACCEPTING BEACON COURT AS A COUNTY ROAD**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body hereby accepts Beacon Court 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.

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**Tax Refunds**

Amon and Andrea Binkley	\$783
Max Medical Solutions	\$293
Phuoc Binh Monastery	\$278

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Chairman Langford declared the items on the Consent Agenda approved upon unanimous voice vote of the body upon motion by Commissioner Ring, seconded by Commissioner Schell.

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**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.

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Chairman Langford introduced the following resolution:

**1904-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.**

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**NOTARIES PUBLIC TO BE ELECTED**

MARY C BAKEY	JUSTIN HAYS
MICHELLE L BINKLEY	LINDSAY HUTCHISON
MINERVA L D BROWN	KERRI JOHNSON
MICHELLE BROWN	SEBRINA C LANE
DOLORES E BROWN	ASHLEY MCLAY
ALEAH CAGLE	MALLORY MOONEYHAN
RAYMOND R CARTER	PAMELA NOLEN
LINDA H CLIFTON	KRISTY M PARSONS
TRAVIS D. COILE	KIMBERLY PENDLETON
MARTHA B DAVIS	JENNIFER PERRY
MARGARET J DEVAUGHN	KIMBERLEY L REED-BRACEY
M ALLEN EHMLING	STEPHANIE RUFO
CHANDLER A EUBANK	SUSAN F SCHULZE
ERIC FITZGERALD	REGINA G SCOTT
BEVERLY S FLETCHER	JOY SHARP

DEVIN FORESTER	SHERRY B. SHIPLEY
EBONY M. FRAZIER	WHITNEY SMITH
KELSIE PAIGE FRYE	WAREN THOMAS
EMILY K GRISARD	REBECCA THOMAS
DIA FAITH HALL	GREGORY D VADNER
STACY MAY HANSEN	CHRISTOPHER L VIGIL
JULIA HARDIN	ANA WEATHERS
NATHAN J HARSH	
	PERSONAL SURETY
	TERESA J BENNETT
	KIMBERLEY N SMITH

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

**Res-1904-NOT** 4/15/2019 7:38:54 PM  
**YES - 23**                      **NO - 0**                      **ABS - 0**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- Y
D Dewitt	- Y	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- Y
J Nipper	- Y	L Echols	- Y	L Hinton	- Y
L Schell	- Y	L Tinsley	- Y	M Guthrie	- Y
M Hyde	- Y	M Taylor	- Y	P Goode	- Y
S Graves	- Y	S Tucker	- Y	T Wright	- Y

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

### COMMITTEE ON COMMITTEES

Commissioner Goode announced the following appointment on the Board of Equalization:

- Radford Garrott, alternate – two-year

Upon motion of Commissioner Goode to approve the appointment of Radford Garrott as an alternate on the Board of Equalization, seconded by Commissioner Becker, the Commission voted unanimously to approve the appointment of Mr. Garrott.

### HIGHWAY COMMISSION

Commissioner Graves reported on the Highway Commission meeting. He said the Highway Department is experiencing additional cost due to new construction.

### EDUCATION COMMITTEE

There was no report from the Education Committee.

### **GENERAL OPERATIONS COMMITTEE**

Commissioner Schell reported that she formed an ad hoc committee to discuss the parking garage for the new justice complex with City of Gallatin officials. Members to serve are Commissioners Schell, Hinton and Goode and City Councilmen Craig Hayes, Jimmy Overton and Shawn Fennell.

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### **EMERGENCY SERVICES COMMITTEE**

There was no report from the Emergency Services Committee.

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### **LEGISLATIVE COMMITTEE**

Chairman Langford recognized Commissioner Ring who introduced the following resolution and moved for approval; Commissioner Goode seconded the motion.

**1904-02**

#### **RESOLUTION AUTHORIZING A CONTINUOUS TWO (2) YEAR REAPPRAISAL CYCLE**

**WHEREAS**, Tennessee Code Annotated Section 67-5-1601 establishes a general six (6) year reappraisal for updating and equalizing property values for every county in Tennessee for property tax purposes, and

**WHEREAS**, a six (6) year reappraisal program consists of an on-site review of each parcel of real property over a five-year period followed by revaluation of all such property in the year following completion of the review period and includes a current value updating during the third year of the review cycle and sales ratio studies during the second and fifth year of the review cycle, and

**WHEREAS**, Chapter 318 of the 1997 Public Acts provides upon the approval of the assessor and upon the adoption by majority approval vote of the county legislative body, the reappraisal program may be completed by a continuous two (2) year cycle comprised of an on-site review of each real property over a four (4) year period and revaluation of all property pursuant to TCA 67-5-1601, and

**WHEREAS**, the county legislative body of Sumner County understands that by approving a two (2) year reappraisal cycle with a four (4) review cycle, a sales ratio study will not be conducted on the centrally assessed properties and commercial/industrial tangible personal property and equalization by the State Board of Equalization will not be necessary;

**NOW, THEREFORE, BE IT RESOLVED** by the county legislative body of Sumner County, meeting in regular session on this the 15<sup>th</sup> day of April 2019, that:

**PURSUANT** to Tennessee Code Annotated Section 67-5-1601, as amended by Chapter 318 of the 1997 Public Acts, reappraisal shall be accomplished in Sumner County by a continuous two (2) year cycle with a four (4) year on-site review of each parcel of real property beginning 1 July 2019, for tax year 2021.

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Chairman Langford recognized Sumner County Assessor of Property John Isbell who gave a power-point presentation on the pros and cons of different reappraisal cycles. Mr. Isbell stated that he was not in favor of a four-year reappraisal cycle because of the added expense to taxpayers. Mr. Isbell stated that he would continue on a five-year reappraisal cycle as originally proposed, but could not agree to a four or six-year reappraisal cycle. Originally in favor of the innovative, two-year reappraisal cycle, Mr. Isbell said he thought the two-year cycle was a poor fit for Sumner County, because of the current mentality of the Commission and the debt policies that are in place.

Commissioner Moe Taylor moved, seconded by Commissioner Mansfield, to amend the resolution to adopt a five-year reappraisal cycle.

Without objection, Chairman Langford suspended the rules twice to allow Mr. Isbell to take questions from commissioners.

Commissioner Schell moved, Commissioner Goode seconded, to refer Resolution 1904-02 to the Legislative Committee for more discussion and research.

Chairman Langford called for a voice vote of the body. Upon a division of assembly, the Chairman declared the ayes carried (21-2) and declared the resolution referred, noting that Commissioners Mansfield and Moe Taylor voted against the referral to Legislative Committee.

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Chairman Langford recognized Commissioner Ring who introduced the following resolution and moved for approval; Commissioner Schell seconded the motion.

**1904-03 A RESOLUTION IN SUPPORT OF PROPOSED BROADBAND LEGISLATION TO ALLEVIATE REGULATORY BARRIERS TO BROADBAND EXPANSION AND TO URGE THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE TO ENACT NEW LAW OR AMEND EXISTING LAW TO PROMOTE BROADBAND ESPANSION AND CREATE A COMPETITIVE BROADBAND MARKET FOR CONSUMERS**

**WHEREAS**, certain citizens of the state of Tennessee continue to lack affordable access to the essential utility of broadband internet service as defined by the Federal Communications Commission benchmark transmission speed of twenty-five (25) Megabits per second download and three (3) Megabits per second upload; and

**WHEREAS**, students, businesses, and consumers continue to suffer the consequences of regulatory barriers that create a lack of competition among internet service providers and that suppress the expansion of essential broadband internet service to rural areas of the state, including Sumner County, Tennessee; and

**WHEREAS**, all citizens of the state of Tennessee deserve to have access to broadband internet service within a competitively-priced market and have the confidence that the state of Tennessee has defined broadband internet service in terms of transmission speed for consumer protection; and

**WHEREAS**, local communities deserve the freedom to determine their own destiny in terms of providing broadband internet service through public and private utilities, municipal utilities, cooperative utilities, community broadband

initiatives, private business, and other entities through joint ventures and joint ventures with multiple third parties; and

**WHEREAS**, Tennessee does not currently define broadband internet service in terms of transmission speed or delivery medium; and

**WHEREAS**, the Broadband Accessibility Act of 2017, Public Chapter 228 prioritizes the awarding of grant funding through the Tennessee Department of Economic and Community Development for geographic areas having less than ten (10) Megabits per second download speed and one A(1) Megabits per second upload speed, rendering certain geographic areas served by fixed terrestrial internet service, meeting the above transmission speed threshold, ineligible for grant funding for fiber-to-the-premises broadband internet service expansion; and

**WHEREAS**, the Broadband Accessibility Act of 2017, Public Chapter 228 authorizes the Tennessee Department of Economic and Community Development to prioritize the awarding of the state grant funding for broadband projects that are not designated to receive federal or other state grant funding, further limiting the available funding for broadband internet service expansion; and

**WHEREAS**, certain communities within the state of Tennessee may have access to transmitted fixed terrestrial internet service with transmission speeds as low as ten (10) Megabits per second download speed and one (1) Megabits per second upload speed; and

**WHEREAS**, internet capable municipal utilities that may be able to provide competitively-priced broadband internet service to rural consumers are currently restricted to their established service areas by T.C.A. § 7-52-103; and

**WHEREAS**, municipalities, municipal utilities, counties, and cooperative utilities may be prohibited from forming business relationships to provide broadband internet service with multiple third parties by T.C.A. § 7-59-316; and

**WHEREAS**, electric cooperative utilities may be restricted from providing broadband internet service on their own or by joint venture within or without their established service area with multiple third parties by T.C.A. § 65-25-105; and

**WHEREAS**, T.C.A. § 7-59-305 may disqualify applicants for franchise authority that have provided fiber-to-the-premises for at least 1,000 customers for a period of one year prior to the application for a state-issued franchise.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 15, 2019, recommends that:

**SECTION 1:** That the General Assembly of the State of Tennessee is urged to make new law, or amend existing law to:

a. Enable local citizens of the state of Tennessee to determine their own destiny for expanding broadband internet service by removing regulatory barriers that limit municipalities, cooperatives, counties, municipal electric utilities, and other utility services from expanding broadband internet service; and

b. Define broadband internet service in terms of transmission speed and delivery medium, with the minimum transmission speed of twenty-five (25)

Megabits per second download and twenty-five (25) Megabits per second upload (symmetrical) and the delivery medium as wireline access; and

c. Authorize utilities, municipalities, counties, electric cooperatives, private businesses, and municipal electric utilities to provide broadband internet services through joint ventures and with joint ventures with multiple third parties to create a more competitive marketplace for consumers to purchase internet services; and

d. Make broadband expansion grant funding available to service providers that provide minimum transmission speeds of twenty-five (25) Megabits per second download and twenty-five (25) Megabits upload (symmetrical), delivered by wireline access, for geographic areas already having access to transmission speeds of ten (10) Megabits per second download and one (1) megabits per second upload; and

e. Authorize municipal and cooperative electric utilities to provide internet service within and without their established service areas on their own or by joint venture or other business relationship with one or more third parties; and

f. Authorize the Tennessee Department of Economic and Community Development to award grants for broadband expansion to qualified entities under the provisions of the Broadband Accessibility Act of 2017 that may already be receiving, or eligible to receive, other state or federal grants for broadband expansion.

**SECTION 2:** In considering the amendment or passage of such proposed legislation as described above, that the General Assembly of the state of Tennessee give deference to proposed legislation by State Senator Ferrell Haile in the form of Senate Bills 489, 490, and 494, and corresponding House Bills 821, 820, and 819.

**SECTION 3:** That upon approval of this resolution and its signing, the Sumner County Board of County Commissioners directs the County Clerk to mail a copy of this resolution to Sumner County's State Representatives and State Senator and transmit an electronic copy to the Tennessee County Clerks Association for distribution to other county legislative bodies in Tennessee for their consideration.

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Chairman Langford recognized Commissioner Moe Taylor who requested the inclusion of a thank you note to State Legislators for a grant given to the North Central Telephone Cooperative to provide additional broadband in northern Sumner County. Chairman Langford agreed to express appreciation to legislators for making the grant possible.

Chairman Langford declared the Resolution 1904-03 approved unanimously by voice vote of the body.

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Chairman Langford recognized Commissioner Ring who introduced the following resolution and moved for approval; Commissioner Schell seconded the motion.

**1904-17 A RESOLUTION ENCOURAGING THE GENERAL ASSEMBLY TO PASS LEGISLATION TO CEASE “ROBOCALLS” AND COMPUTER-GENERATED TELEPHONE CALLS AND TEXTS**

**WHEREAS**, Computer technology has created numerous ways that allow citizens telephones to be attacked by countless unwanted “robocalls” and computer-generated contacts; and

**WHEREAS** these attacks can lead to fraud, wasted time and illegal activities that prey on all segments of society; and

**WHEREAS** the citizens of Sumner County and all of Tennessee deserve to be protected from the constant stream of attacks from these “robocalls” by appropriate legislation.

**THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15th day of April, 2019 that this body does hereby encourage the Tennessee General Assembly to support and pass legislation which would cease or limit “robocalls” and computer generated attacks on telephones; and

**BE IT FURTHER RESOLVED**, that this body does direct the Law Director’s office to send a copy of this resolution to our elected officials in the Tennessee General Assembly.

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Chairman Langford declared the resolution approved unanimously by voice vote of the body.

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**FINANCIAL MANAGEMENT COMMITTEE**

There was no report from the Financial Management Committee.

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**BUDGET COMMITTEE**

Chairman Langford recognized Commissioner Chris Taylor who introduced the following resolution and moved for approval; Commissioner Goode seconded the motion.

**1904-04 A RESOLUTION APPROPRIATING UP TO \$112,450 FROM LOCAL CAPITAL PROJECTS RESTRICTED FUND BALANCE TO THE HENDERSONVILLE LIBRARY FOR GEOTHERMAL REPAIRS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019,

that this body hereby appropriates up to \$112,450 from local capital projects restricted fund balance to the Hendersonville Library for geothermal repairs, as shown on the attachment herewith.

**BE IT FURTHER RESOLVED** that this resolution waives the second reading.

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The electronic vote was recorded in the following manner:

**Res-1904-04** 4/15/2019 8:23:21 PM  
**YES - 23**                      **NO - 0**                      **ABS - 0**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- Y
D Dewitt	- Y	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- Y
J Nipper	- Y	L Echols	- Y	L Hinton	- Y
L Schell	- Y	L Tinsley	- Y	M Guthrie	- Y
M Hyde	- Y	M Taylor	- Y	P Goode	- Y
S Graves	- Y	S Tucker	- Y	T Wright	- Y

Chairman Langford declared Resolution 1904-04 approved by the body.

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Chairman Langford recognized Commissioner Chris Taylor who introduced the following resolution and moved for approval; Commissioner Goode seconded the motion.

**1904-05 A RESOLUTION APPROPRIATING UP TO \$460,000 FROM LOCAL CAPITAL PROJECTS RESTRICTED FUND BALANCE TO INCLUDE SURVEY AND APPRAISAL FOR THE PURCHASE OF THREE (3) ACRES BEHIND THE SUMNER COUNTY ADMINISTRATION BUILDING**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body does hereby appropriate up to \$460,000 from local capital projects restricted fund balance to include survey and appraisal for the purchase of three (3) acres behind the Sumner County Administration Building.

**BE IT FURTHER RESOLVED** that this resolution waives the second reading.

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Commissioner Mansfield moved, seconded by Commissioner Moe Taylor, to refer the matter to General Operations Committee to survey and appraise the property before approving funding.

County Law Director Leah Dennen stated that if the property is under the stated value or the survey does not equal three acres, then the purchase will not proceed. She said the Planning Director volunteered to walk the property to look for other issues. Ms. Dennen stated she will do a purchase agreement for Commission approval because of the controversy.



The electronic vote on the motion to refer to General Operations Committee was recorded in the following manner:

4/15/2019 8:41:02 PM

**Res-Refer1**  
**YES - 2                      NO - 20                      ABS - 1**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- N	B Ring	- N
C Krueger	- N	C Taylor	- N	Chr. Langford	- N
D Dewitt	- N	D Sullivan	- N	G Rhodes	- N
J Becker	- N	J Foster	- N	J Mansfield	- Y
J Nipper	- N	L Echols	- N	L Hinton	- A
L Schell	- N	L Tinsley	- N	M Guthrie	- N
M Hyde	- N	M Taylor	- Y	P Goode	- N
S Graves	- N	S Tucker	- N	T Wright	- N

Chairman Langford declared the motion to refer failed to pass.

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Chairman Langford recognized County Executive Anthony Holt who Spoke in favor of Resolution 1904-05.

Commissioner Sullivan called for the question. Commissioner Schell seconded the motion.

The electronic vote on the call for the question was recorded in the following manner:

4/15/2019 8:51:59 PM

**Res-Question1**  
**YES - 16                      NO - 5                      ABS - 0**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- Y	B Ring	- Y
C Krueger	- N	C Taylor	- Y	Chr. Langford	- Y
D Dewitt	- NV	D Sullivan	- Y	G Rhodes	- Y
J Becker	- N	J Foster	- Y	J Mansfield	- N
J Nipper	- Y	L Echols	- Y	L Hinton	- Y
L Schell	- Y	L Tinsley	- N	M Guthrie	- Y
M Hyde	- Y	M Taylor	- N	P Goode	- Y
S Graves	- NV	S Tucker	- Y	T Wright	- Y

Chairman Langford declared the question approved by the body.

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The electronic vote was recorded in the following manner:

4/15/2019 8:52:26 PM

**Res-1904-05**  
**YES - 20                      NO - 2                      ABS - 1**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- Y
D Dewitt	- Y	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- N
J Nipper	- Y	L Echols	- Y	L Hinton	- Y
L Schell	- Y	L Tinsley	- A	M Guthrie	- Y
M Hyde	- Y	M Taylor	- N	P Goode	- Y
S Graves	- Y	S Tucker	- Y	T Wright	- Y

Chairman Langford declared Resolution 1904-05 approved by the body.

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Chairman Langford recognized Commissioner Chris Taylor who introduced the following resolution and moved for approval; Commissioner Goode seconded the motion.

**1904-13 A RESOLUTION APPROVING \$300,000 TRANSFER OF FUNDS FROM GENERAL PURPOSE SCHOOL FUNDS TO FEDERAL PROJECTS FUND**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 15<sup>th</sup> day of April 2019, that this body hereby approves \$300,000 transfer of funds from general purpose school funds to federal projects fund, as shown on the attachment herewith.

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The electronic vote was recorded in the following manner:

**Res-1904-13** 4/15/2019 8:54:10 PM  
**YES - 23**                      **NO - 0**                      **ABS - 0**

Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)

A Driver	- NP	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- Y
D Dewitt	- Y	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- Y
J Nipper	- Y	L Echols	- Y	L Hinton	- Y
L Schell	- Y	L Tinsley	- Y	M Guthrie	- Y
M Hyde	- Y	M Taylor	- Y	P Goode	- Y
S Graves	- Y	S Tucker	- Y	T Wright	- Y

Chairman Langford declared Resolution 1904-13 approved by the body.

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**ADJOURNMENT**

Chairman Langford declared the Commission meeting adjourned at 9:00 p.m. upon motion of Commissioner Goode and duly seconded.

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BILL KEMP, CLERK

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SCOTT LANGFORD, CHAIRMAN

Prepared by Maria A. Savage  
Approved on \_\_\_\_\_

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