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**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
FEBRUARY 24, 2020**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, February 24, 2020, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Pro Tem Jerry Becker. Also present were the County Clerk Bill Kemp, County Mayor Anthony Holt and County Law Director Leah Dennen and the following Commissioners to wit:

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

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

Baker Ring  
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 Pro Tem Jerry Becker noted that with twenty-two 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. Commissioners Scott Langford and Leslie Schell were absent from the meeting.

The Invocation was led by Bruce Raley, Executive Pastor of First Baptist Church in Hendersonville.

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

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**APPROVAL OF AGENDA**

Without objection, Chairman Pro Tem Becker moved the certificate of recognition before Recognition of the Public. The certificate of recognition honoring Chloe Warren was deferred.

Chairman Pro Tem Becker recognized Commissioner Mansfield who moved, seconded by Commissioner Moe Taylor, to add the originally submitted resolution regarding the second amendment to the agenda under the Legislative Committee report as f.2. The motion carried unanimously.

Commissioner Moe Taylor stated for clarification that Page 17 of the road list was excluded from the packet. The Clerk provided the complete road list on commissioners' desks.

Commissioner Foster moved, and was duly seconded by Commissioner Krueger, to adopt the agenda with the addition and change. 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 January 24, 2020 and recorded in the office of the Clerk, Bill Kemp, were approved by voice vote after Commissioner DeWitt made the motion, seconded by Commissioner Rhodes. Commissioner Krueger abstained from the vote.

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Commissioner Goode read the following resolution into the record.

#### **A RESOLUTION HONORING THE MEMORY OF MASTER PATROL OFFICER SPENCER DANIEL BRISTOL**

**WHEREAS**, Master Patrol Officer Spencer Daniel Bristol passed away in the line of duty on December 30, 2019 and Sumner County suffered an immeasurable loss with his passing; and

**WHEREAS**, Officer Bristol attended Station Camp High School and served in the United States Navy from 2007 to 2012 before joining the Hendersonville Police Department; was later assigned to the Flex and the S.W.A.T Teams, and was recently promoted to Master Patrol Officer where he was greatly instrumental in combatting and controlling the city's drug trade; and

**WHEREAS**, Officer Bristol was a loving husband and a father as well as a selfless and a dedicated individual who had a genuine concern for others and touched countless lives in such a positive way that he will always be remembered and honored for the ultimate sacrifice he made so we can remain safe; and

**WHEREAS**, Officer Bristol's bravery, the devotion to duty, and the love of his community have earned him a place in the hearts and memories of all of us for whom he willingly risked his life to protect and we owe him a debt of gratitude for the sacrifice he made.

**NOW, THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby offer our heartfelt sympathies to the family and the fellow police officers of Master Patrol Officer Spencer Daniel Bristol and honor his life and memory for his selfless and dedicated service to the citizens of Sumner County; and

**BE IT FURTHER RESOLVED** that this resolution is to be spread on the minutes of this body, and the Clerk is to furnish a copy of this resolution to the family of Master Patrol Officer Spencer Daniel Bristol.

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Upon motion of Commissioner Goode, seconded by Commissioner Chris Taylor, the Commission voted unanimously to approve the certificate honoring the memory of Master Patrol Officer Bristol.

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### **RECOGNITION OF THE PUBLIC**

Chairman Pro Tem Becker opened the floor to allow the public to speak concerning any matter on the agenda.

The following spoke in favor of the original resolution as presented by Commissioner Mansfield:

Col. Don Scruggs of Bushs Lane in Gallatin  
Kimberly Hasse of 1246 Smith Thompson Road in Bethpage  
Dawn Lopiccolo of 9020 Fenton Road in Lebanon, Tn  
Brandon Johnson of 555 Rose Cottage Circle in Gallatin  
Scott DeVos of 208 Harris Lane in Gallatin  
Steven Rozek of 110 S. Laurens Way in Hendersonville  
Aimee Lecerf of 100 Spadeleaf Boulevard in Hendersonville  
Brad Plumlee of 635 Bugg Hollow Road in Gallatin  
Kimberly Overton of 211 Hazelwood Drive in Hendersonville  
Mike Conner of 110 Buckhaven Drive in Hendersonville  
Bob Brown of 587 Forest Retreat Road in Hendersonville  
Mary Genung of 1100 Lock 4 Road in Gallatin  
Virginia Hall Plunkett of 395 Devon Chase Hill in Gallatin  
Justin Lee Salter of 187 Lakeside Park Drive in Hendersonville  
Kevin Baigert of 424 A B Wade Road in Portland  
Billy Jones of 6881 Highway 31E in Westmoreland  
Ruth Fennell of 1049 Blue Jay Way in Gallatin  
Cole Eddy of 228 Vintage Circle in Hendersonville  
Jack Chappell of 1758 Long Hollow Pike in Gallatin  
Clark Shifflett of 597 White Road in Portland  
Ethel Carrier of 1072 Lauderdale Lane in Bethpage

Sheriff Sonny Weatherford of 117 Smith Street in Gallatin spoke in favor of support of the second amendment.

The following persons spoke in favor of passage of the modified second amendment resolution approved and forwarded by the Legislative Committee:

Ron Shepherd of 637 E. Main Street in Gallatin  
Kristi Cornett of 616 Fowler Ford Road in Portland  
Ben Stuck of 111 Wessington Place in Hendersonville

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

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### **RECESS**

Chairman Pro Tem Becker declared a 10-minute recess at 9 p.m. The Commission reconvened at 9:10 p.m.

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## REPORT OF THE CHAIR

Commissioner Moe Taylor moved, seconded by Commissioner Rhodes, to approve the Sumner County Road List, which was placed on the commissioners' desks. Commissioner Moe Taylor moved, seconded by Commissioner Graves, to amend the resolution to include the addition of page 17 as provided by the Clerk and to change the road name from Ransom Mandrol to Ransom Mandrell on said page. The amendment was approved by unanimous voice vote of the body. The resulting resolution as approved as follows:

### **2002-01 A RESOLUTION APPROVING THE OFFICIAL ROAD LIST OF SUMNER COUNTY AS ATTACHED HEREWITH**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this 24<sup>th</sup> day of February 2020, that this body, upon recommendation of the Road Superintendent and Road Committee, hereby adopts and approves Exhibit A attached herewith as the official Road List of Sumner County; and

**BE IT FURTHER RESOLVED** that this body hereby accepts the correction of spelling of a county road name from Ransom Mandrol to Ransom Mandrell; and

**BE IT FURTHER RESOLVED** that the County Clerk is directed to enter the attached list in the official records of this body.

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Chairman Pro Tem Becker declared the resolution as amended approved unanimously by the body. County Law Director Leah Dennen said the Highway Department has a formal procedure to request a road name change from Emergency 911 Communications.

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Commissioner Ring moved, seconded by Commissioner Goode, to approve the following resolution:

### **2002-02 A RESOLUTION APPROVING THE DEDICATION OF A SIDEWALK EASEMENT TO THE CITY OF GALLATIN ALONG SOUTH FOSTER STREET AT THE SUMNER COUNTY JAIL PROPERTY WITH ENDORSEMENT BY COUNTY MAYOR AND SUMNER COUNTY LAW DIRECTOR**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby authorize the dedication of a sidewalk easement to the City of Gallatin along South Foster Street at the Sumner County Jail property; and

**BE IT FURTHER RESOLVED** that the Law Director and the County Mayor shall endorse the paperwork for the donation.

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Chairman Pro Tem Becker declared the resolution as amended approved unanimously by the body.

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

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### **CONSENT AGENDA**

Chairman Pro Tem Becker introduced the following items on the Consent Agenda, and without objection, pulled 2002-12, regarding the Sheriff's personnel policies, from the Consent Agenda:

**2002-07 A RESOLUTION AUTHORIZING DONATION OF WORN-OUT GREEN UNIFORM PANTS FROM THE SHERIFF'S OFFICE TO CHARITY PURSUANT TO EXISTING POLICIES AND PROCEDURES**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body hereby authorizes the donation of worn-out green uniform pants from the Sheriff's Office to charity, as shown on the attachment; and

**BE IT FURTHER RESOLVED** that the donation of the same is authorized pursuant to existing policies and procedures.

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**2002-08 A RESOLUTION ACCEPTING THE BOND OF THE FINANCE DIRECTOR FOR SUMNER COUNTY, TENNESSEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body hereby accepts the \$100,000.00 bond for Finance Director, David Lawing; and

**BE IT FURTHER RESOLVED** that this bond shall serve for both requirements for the 2002 and 2012 Financial Management Acts.

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**2002-09 A RESOLUTION APPOINTING THE JUDICIAL MAGISTRATE OF SUMNER COUNTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body hereby appoints the following individual to the existing roster of persons who serve as Judicial Magistrate:

**Kevin Offitt**

**BE IT FURTHER RESOLVED** that this Judicial Magistrate shall serve a term which begins February 24<sup>th</sup>, 2020 and shall run the remaining period of the present term which ends December 31, 2020, or until a successor is appointed.

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**2002-10 A RESOLUTION ENCOURAGING THE SUPPORT OF LEGISLATION WHICH DIRECTS TENNCARE TO REIMBURSE GROUND AMBULANCE PROVIDERS AT A RATE NOT LESS THAN THE CURRENT MEDICARE FEE SCHEDULE AND ADDING FUNDING TO THE 2020-2021 STATE BUDGET**

**WHEREAS**, with the growth of our great state and the need for more and more services of all kinds, especially emergency medical services and the continuing rising costs of medical care, our agencies are constantly searching for more resources; and

**WHEREAS**, more rural hospitals are being closed and community clinics are being downsized, requiring great needs for ambulance services as first line care of providers and transportation from remote areas; and

**WHEREAS**, Medicaid (TennCare) reimbursement has not increased since inception of the TN Medicaid managed care system; and

**WHEREAS**, Medicare rates do not reflect the actual cost to operate ambulance services and TennCare rates are, in most cases, half of what Medicare provides, forcing limitations of services and placing a greater burden on local agencies and citizens; and

**WHEREAS**, ambulance services throughout the State, in order to meet growing emergency needs and reduce the burden on the local governments and taxpayers need assistance in improving funding for these lifesaving services.

**THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby ask that we show our support for legislation which directs TennCare to reimburse ground ambulance providers at a rate not less than the current Medicare fee schedule; and

**BE IT FURTHER RESOLVED** that this body does hereby pray that our State Representatives and Senators be contacted and encouraged to support legislation which directs TennCare to reimburse ground ambulance providers at a rate not less than the current Medicare fee schedule; and

**BE IT FURTHER RESOLVED** that our delegates also request that the funding for this much needed change be provided within the Governor's FY20/21 budget; and

**BE IT FURTHER RESOLVED**, that though this is increased funding does not cover the full cost of services, it will begin an effort to aid our communities as demand continues to increase for EMS system resources across the state including costs of maintaining staff, equipment and training for pre-hospital emergency medical services, and filling the gap of the reduction in hospitals throughout Tennessee that is rendering EMS systems as the first line of care for many counties; and

**BE IT FURTHER RESOLVED**, that the county clerk shall send copies of this resolution to the members of the General Assembly representing Sumner County.

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**2002-11 A RESOLUTION WHICH DIRECTS THAT THE NEW COURTHOUSE INFORMATION TECHNOLOGY MATTERS WILL BE PLACED UNDER THE DIRECTOR OF THE SUMNER COUNTY INFORMATION TECHNOLOGY DEPARTMENT EXCEPT FOR ITEMS THAT ARE EXCLUSIVE TO THE SUMNER COUNTY SHERIFF'S OFFICE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby direct that the new courthouse information technology matters will be under control of the Sumner County Information Technology Department except items that are exclusive to the Sumner County Sheriff's Office.

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**2002-13 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE SUMNER COUNTY HEALTH DEPARTMENT 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 24<sup>th</sup> day of February 2020, that this body hereby declares various items from the Sumner County Health 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.

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**2002-14 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE HENDERSONVILLE PUBLIC LIBRARY 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 24<sup>th</sup> day of February 2020, that this body hereby declares various items from the Hendersonville Public Library 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.

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**2002-15 A RESOLUTION DECLARING VARIOUS ITEMS FROM THE SUMNER COUNTY SHERIFF'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 24<sup>th</sup> day of February 2020, that this body hereby declares various items from the Sumner County Sheriff's Office 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.

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**2002-16 A RESOLUTION APPROPRIATING \$24,886.00 SCAAP FUNDS GRANT TO PURCHASE STAB-PROOF VESTS FOR CORRECTIONAL OFFICERS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby appropriate \$24,886.00 SCAAP funds grant to purchase stab-proof vests for correctional officers, as shown on the attachment herewith.

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**2002-17 A RESOLUTION APPROPRIATING \$442.00 FOR 2020 TSLA TECHNOLOGY GRANT AWARDED TO THE WESTMORELAND PUBLIC LIBRARY FOR DATA PROCESSING EQUIPMENT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body hereby appropriates \$442.00 for 2020 TSLA Technology Grant awarded to the Westmoreland Public Library for data processing equipment, as shown on the attachment herewith.

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**2002-18 A RESOLUTION DOCKETING SUMNER COUNTY BOARD OF EDUCATION SCHOOL FUND BUDGET AMENDMENTS FOR THE FISCAL YEAR 2019-2020**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby docket in its records the Sumner County Board of Education School Fund Budget Amendments for the fiscal year 2019-2020, as shown on the attachment herewith.

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**2002-19 A RESOLUTION APPROVING THE FICAL YEAR 2019-2020 SUMNER  
COUNTY BOARD OF EDUCATION GENERAL PURPOSE SCHOOL FUND  
BUDGET AMENDMENTS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session 24<sup>th</sup> day of February 2020, that this body does hereby approve the 2019-2020 Sumner County Board of Education General Purpose School Fund budget amendments, as shown on the attachment herewith.

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**2002-20 A RESOLUTION DOCKETING HIGHWAY/PUBLIC WORKS FUND  
ANALYSIS FOR THE FISCAL YEAR 2019-2020**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby docket in its records the Highway/Public Works Fund Analysis for the fiscal year 2019-2020, as shown on the attachment herewith.

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**Tax Refunds**

Brian Andreozzi and Sherlyn Todd	\$ 233.00
Danny and Sylvia Andrews	\$ 70.00
Generation Church	\$ 32.00
Cynthia McMurtry	\$ 82.00
Robert and Karen Schimp	\$1,509.00

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Chairman Pro Tem Becker declared the items on the Consent Agenda approved upon unanimous voice vote of the body upon motion by Commissioner Nipper, seconded by Commissioner Echols.

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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



LEAETTA GORIN KELLEY  
LINDA FAY KOWALSKI  
JUSTIN KRISLE  
LAUREN J LONG  
SHELBY GRAE LUNA  
TAMARA N MARSHALL

RODRIGUEZ TURNER  
CHRISTY WALKER  
SHIRLEY WASHINGTON  
WILLIAM G WEAVER JR  
JODIE YOUNG  
MELISSA MATASICK

Upon motion of Commissioner Hinton, seconded by Commissioner Echols, voting was recorded in the following manner:

**Res 2002-NOT**  
**YES - 21**

**NO - 0**

2/24/2020 9:16:32 PM  
**ABS - 0**

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

A Driver	- Y	B Geminden	- Y	B Ring	- Y
C Krueger	- NV	C Taylor	- Y	Chr. Langford	- NP
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	- NP	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 Pro Tem Becker declared the election of Notaries Public by the body.

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### COMMITTEE ON COMMITTEES

Commissioner Goode announced the appointment of the following to the Highway Commission:

- Tom Neal, citizen – recommendation to reappoint

Upon motion of Commissioner Goode, seconded by Commissioner Ring, the Commission voted unanimously to approve the appointment of Mr. Neal to serve on the Highway Commission.

Commissioner Goode announced the following appointment to the Board of Zoning Appeals:

- Maclin Holt – recommendation to reappoint

Upon motion of Commissioner Goode, seconded by Commissioner DeWitt, to approve, the Commission voted unanimously to approve the appointment of Mr. Holt to the Board of Zoning Appeals.

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### HIGHWAY COMMISSION

There was no report from the Highway Commission.

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### EDUCATION COMMITTEE

There was no report from the Education Committee.

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### **GENERAL OPERATIONS COMMITTEE**

There was no report from the General Operations Committee.

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### **EMERGENCY SERVICES COMMITTEE**

There was no report from the Emergency Services Committee.

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### **LEGISLATIVE COMMITTEE**

Commissioner Ring moved, seconded by Commissioner Echols, to approve the following resolution:

**2002-03 A RESOLUTION DECLARING OUR FIRM SUPPORT IN THE UNITED STATES CONSTITUTION AND THE BILL OF RIGHTS AND THE PROMISES AND COMMITMENTS MADE TO OUR COUNTRY AND EXPRESSING TO OUR STATE DELEGATES THAT WE ARE OPPOSED TO ANY LEGISLATION WHICH WOULD LIMIT THESE RIGHTS**

**WHEREAS**, our country is formed upon the framework of the United States Constitution as well as the Bill of Rights and such is the basis of the freedoms provided to our country; and

**WHEREAS**, these rights prove a safety net that is the support for all rights given to the citizens of our country and this body is greatly opposed to any and all legislation which would limit these rights or attempt to infringe upon them; and

**WHEREAS**, working together, these privileges should not be limited, and this body expressly opposes any effort to limit any other rights given to us by these sacred documents.

**THEREFORE, BE IT RESOLVED** by the Sumner County Board of County Commissioners, meeting in regular session on this the 24<sup>th</sup> day of February 2020 that this body does hereby declare our firm support of the United States Constitution and the Bill of Rights, and the promises and commitments made to our country; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to our Tennessee Delegates to clearly demonstrate that we are opposed to any legislation which would limit these rights.

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Commissioner Foster moved, seconded by Commissioner Mansfield, to substitute the following for Resolution 2002-03:

**RESOLUTION OF THE GOVERNING BODY OF SUMNER COUNTY, TENNESSEE  
DECLARING SUMNER COUNTY, TENNESSEE, A SECOND AMENDMENT  
SANCTUARY COUNTY**

On February 24, 2020 on behalf of the citizens of Sumner County, Tennessee the Sumner County Commission state and accept as true, the following:

**WHEREAS**, the Declaration of Independence states: that people are, "endowed by their Creator with certain unalienable rights, to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed";

**WHEREAS**, John Adams wrote in: A Dissertation on the Canon and Feudal Law (1765): “I say Rights, for such they (the people) have, undoubtedly, antecedent to all earthly government – Rights, that cannot be repealed or restrained by human laws – Rights, derived from the great Legislator of the Universe”;

**WHEREAS**, Natural Law Rights, given to each of us by our Creator are the basis of our Constitution by which they are protected and secured to each of us. Natural Law Rights, including that of self-protection, are guaranteed by our laws, our history, and our traditions;

**WHEREAS**, it is natural tendency of Civil Government to expand beyond the limits of its rightful, Constitutional authority and to usurp powers which have not been given to it through the delegated consent of the governed;

**WHEREAS**, whenever the uses of government are perverted, individual sovereignty is overly endangered or threatened, and all other means of redress are ineffective, the people may, and in fact ought to, enforce the re-establishment of the original constitutional limits of government;

**WHEREAS**, resistance against arbitrary power and oppression is the obligation of every patriot, as not to do so is destructive to the good and happiness of mankind. In fact, it is the duty of the people of Sumner County, Tennessee, through the actions of their lesser magistrates, namely local elected officials and sheriff, to challenge the civil government when and where it exceeds or threatens to exceed its bounds;

**WHEREAS**, the Constitution of the United States is the Supreme Law of our Nation;

**WHEREAS**, the Second Amendment to the Constitution of the United States of America states: “A well-regulated militia being necessary to the security of a Free state, the Right of the people to keep and bear arms shall not be infringed”;

**WHEREAS**, the United States Supreme Court in *Miranda v. Arizona* (1966) stated that “Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them”;

**WHEREAS**, the United States Supreme Court in the *District of Columbia v. Heller* (2008) decision affirmed that the Second Amendment right to keep and bear arms is not connected in any way to service in a militia;

**WHEREAS**, the United States Supreme Court in the *United States v. Miller* (1939) stated that firearms that are part of the ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment;

**WHEREAS**, the Fourteenth Amendment to the Constitution of the United States, Section 1 states: “No State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor deny to any person within its jurisdiction, the equal protection of the laws”;

**WHEREAS**, the United States Supreme Court in the *McDonald v. City of Chicago* (2010) decision affirmed that a Person’s Second Amendment right to keep and bear arms is further secure by the “due process” and the “privileges and immunities” clauses of the Fourteenth Amendment. The decision also protects rights closely related to the Second Amendment, namely the right to manufacture, transfer, accessories and ammunition;

**WHEREAS**, the Tennessee State Constitution Article 1, Section 26 states: “that the citizens of this state have a right to keep and bear arms for their common defense;

but the **Legislature** shall have power, by law, to regulate the wearing of arms with a view to prevent crime”;

**WHEREAS**, the Tennessee State Constitution Article 1, Section 24 states: “that the sure and certain defense of a free people, is a well-regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority”;

**WHEREAS**, the Tenth Amendment to the Constitution of America states: “the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people”;

**WHEREAS**, the United States Supreme Court found in *Prinz v. United States* (1997) that the Federal government cannot compel law enforcement officers of the states to enforce Federal law as it would increase the power of the Federal government far beyond that which the Constitution intends:

**Section 1.** The unalienable right to keep and bear arms, as specified in the Second Amendment to the United States Constitution, the Constitution of Tennessee, and further upheld by subsequent decisions of the United States Supreme Court.

**Section 2.** The Right, as originally written and understood, to keep and bear arms for self-defense, personal safety, protection of one’s family, and in defense of one’s community and county.

**Section 3.** The right to manufacture, transfer, purchase, and sell firearms and ammunition designed for those purposes outlined above, rights guaranteed by the United States Constitution and the Constitution of Tennessee.

**FURTHERMORE**, any regulation of the right to keep and bear arms or affiliated firearm rights that violates the Second, Ninth, Tenth, or Fourteenth Amendments of the United States, that violates Article 1, Sections 24 and 26 of the Tennessee Constitution, or that violates numerous related Supreme Court Decisions including those listed above shall be regarded by the people of, on or in Sumner County, Tennessee to be unconstitutional, a transgression of the Supreme Law of the Land and its spirit of individual sovereignty and, therefore by necessity, unenforceable and invalid from the outset.

**MOREOVER**, the criminal misuse of firearms is due to the fact that criminals do not obey laws and this is not a reason to abrogate or abridge the unalienable, constitutionally guaranteed rights of law abiding citizens. The last protectors of the Constitution of the United States are we the People of the United States and our ability to fulfill that role successfully rests on our Second Amendment rights.

**THEREFORE BE IT RESOLVED**, by the Board of County Commissioners of Sumner County, Tennessee government will not authorize or appropriate government funds, resources, employees, agencies, contractors, buildings, detention centers, or offices for the purpose of enforcing or assisting in the enforcement of any element of such acts, laws, orders, mandates, rules or regulation that infringe on the right by the people to keep and bear arms as described and defined in detail above.

**BE IT FURTHER RESOLVED**, by the Board of County Commissioners of Sumner County, Tennessee meeting in Regular Session this 24 day of February, 2020 at the Sumner County Administration Building in Gallatin, Tennessee that Sumner County, Tennessee is officially declared a “Second Amendment Sanctuary County”.

**This resolution shall become effective upon passage, the public welfare requiring it.**

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Commissioner Mansfield moved, seconded by Commissioner Moe Taylor, to amend the amendment to substitute by adding the following clause:

**BE IT FURTHER RESOLVED**, the provisions of this act are hereby declared to be severable, and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this resolution.

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The electronic vote was recorded in the following manner:

**Res severable clause** 2/24/2020 10:09:53 PM  
**YES - 21** **NO - 0** **ABS - 1**

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

A Driver	- Y	B Geminden	- Y	B Ring	- Y
C Krueger	- A	C Taylor	- Y	Chr. Langford	- NP
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	- NP	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 Pro Tem Becker declared the amendment to the amendment passed by the body.

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Commissioner DeWitt moved, seconded by Commissioner Ring, to amend the amendment to substitute the following resolution for the amendment:

RESOLUTION OF THE GOVERNING BODY OF SUMNER COUNTY,  
TENNESSEE DECLARING OUR FIRM SUPPORT FOR THE UNITED STATES  
CONSTITUTION AND BILL OF RIGHTS AND EXPRESSING THAT WE ARE  
OPPOSED TO ANY LEGISLATION WHICH WOULD LIMIT SECOND  
AMENDMENT OR ANY OTHER RIGHTS

WHEREAS, our country is formed upon the framework of the United States Constitution as well as the Bill of Rights and such is the basis of the freedoms provided to our country; and

WHEREAS, the Declaration of Independence states: that people are, “endowed by their Creator with certain unalienable rights...That, to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed”; and

WHEREAS, it is the duty of the people of Sumner County, Tennessee, through the actions of their lesser magistrates, namely local elected officials and sheriff, to challenge the civil government when and where it exceeds or threatens to exceed its bounds; and

WHEREAS, the Second Amendment to the Constitution of the United States states: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, the United States Supreme Court in the District of Columbia v. Heller (2008) decision affirmed that the Second Amendment right to keep and bear arms is not connected in any way to service in a militia; and

WHEREAS, the Fourteenth Amendment to the Constitution of the United States states: "No State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States;...nor deny to any person within its jurisdiction, the equal protection of the laws"; and

WHEREAS, the Tennessee State Constitution Article 1, Section 26 states: "that the citizens of this state have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime"; and

WHEREAS, the Tenth Amendment to the Constitution of America states: "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

WHEREAS, any regulation of the right to keep and bear arms or affiliated firearm rights that violates the Second, Tenth, or Fourteenth Amendments of the United States Constitution or that violates Article 1, Section 26 of the Tennessee Constitution, shall be regarded by the people of or in Sumner County, Tennessee to be unconstitutional; and

WHEREAS, the criminal misuse of firearms is due to the fact that criminals do not obey laws and this is not a reason to abrogate or abridge the inalienable, constitutionally guaranteed rights of law-abiding citizens.

THEREFORE BE IT RESOLVED, by the Sumner County Board of County Commissioners, meeting in regular session on this the 24<sup>th</sup> day of February 2020, will not comply with extra-constitutional actions from any government that infringes on the right by the people to keep and bear arms as described and defined in detail above; and

BE IT FURTHER RESOLVED that we recognize that Tennessee citizens, militia, military, and law enforcement have the responsibility to defend their liberties against enemies, both foreign and domestic; and

BE IT FURTHER RESOLVED that we recognized that the primary purpose of the Second Amendment is to keep and bear arms to protect our freedoms; and

BE IT FURTHER RESOLVED that this body does hereby declare our firm support in the United States Constitution and the Bill of Rights, and the rights and commitments made to our country; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to our Tennessee Delegates to clearly demonstrate that we are opposed to any legislation that would limit these rights.

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Commissioner Ring moved, seconded by Commissioner Krueger, to refer all three resolutions to the Legislative Committee.

The electronic vote was recorded in the following manner:

<b>Refer1</b>				2/24/2020 10:27:43 PM	
<b>YES - 3</b>		<b>NO - 19</b>		<b>ABS - 0</b>	
<b>Individual Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)</b>					
A Driver	- N	B Geminden	- N	B Ring	- Y
C Krueger	- Y	C Taylor	- N	Chr. Langford	- NP
D Dewitt	- N	D Sullivan	- N	G Rhodes	- N
J Becker	- N	J Foster	- N	J Mansfield	- N
J Nipper	- N	L EchoIs	- N	L Hinton	- Y
L Schell	- NP	L Tinsley	- N	M Guthrie	- N
M Hyde	- N	M Taylor	- N	P Goode	- N
S Graves	- N	S Tucker	- N	T Wright	- N

Chairman Pro Tem Becker declared the motion to refer failed to pass.

Commissioner Krueger stated there was a typographical error on the "THEREFORE BE IT RESOLVED" paragraph of Commissioner DeWitt's resolution with a duplicate of "will not", which was stricken from the amendment to the amendment with the agreement of the one making the motion and the one seconding it.

The electronic vote on the amendment to the amendment was recorded in the following manner:

<b>DeWitt Resolution</b>				2/24/2020 10:38:10 PM	
<b>YES - 9</b>		<b>NO - 13</b>		<b>ABS - 0</b>	
<b>Individual Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)</b>					
A Driver	- N	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- NP
D Dewitt	- Y	D Sullivan	- N	G Rhodes	- Y
J Becker	- N	J Foster	- N	J Mansfield	- N
J Nipper	- N	L EchoIs	- Y	L Hinton	- Y
L Schell	- NP	L Tinsley	- N	M Guthrie	- N
M Hyde	- N	M Taylor	- N	P Goode	- Y
S Graves	- N	S Tucker	- N	T Wright	- N

Chairman Pro Tem Becker declared the amendment to the amendment failed to be passed by the body.

Commissioner Driver called for the question to end debate on the amendment after speaking on the matter.

Commissioner Moe Taylor called for a point of order stating that a speaker cannot speak on a given subject then immediately afterward call for the question to end debate. The Chairman Pro Tem Becker agreed with Commissioner Moe Taylor.

Commissioner Sullivan called for the question on the amendment. The motion was seconded by Commissioner Hinton.

The electronic vote was recorded in the following manner:

<b>Question1</b>				2/24/2020 10:47:02 PM	
<b>YES - 19</b>		<b>NO - 3</b>		<b>ABS - 0</b>	
<b>Individual Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)</b>					
A Driver	- Y	B Geminden	- Y	B Ring	- Y
C Krueger	- Y	C Taylor	- Y	Chr. Langford	- NP
D Dewitt	- Y	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- N
J Nipper	- Y	L EchoIs	- Y	L Hinton	- Y
L Schell	- NP	L Tinsley	- Y	M Guthrie	- Y
M Hyde	- Y	M Taylor	- N	P Goode	- Y
S Graves	- Y	S Tucker	- Y	T Wright	- N

Chairman Pro Tem Becker declared the question on whether to end debate passed by the body.

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The electronic vote was recorded in the following manner:

<b>Replace Resolution</b>				2/24/2020 10:48:21 PM	
<b>YES - 17</b>		<b>NO - 5</b>		<b>ABS - 0</b>	
<b>Individual Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)</b>					
A Driver	- Y	B Geminden	- Y	B Ring	- N
C Krueger	- N	C Taylor	- N	Chr. Langford	- NP
D Dewitt	- N	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- Y
J Nipper	- Y	L EchoIs	- N	L Hinton	- Y
L Schell	- NP	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 Pro Tem Becker declared the amendment to substitute a resolution passed by the body.

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The electronic vote was recorded in the following manner:

<b>Res 2002-03</b>				2/24/2020 10:56:41 PM	
<b>YES - 18</b>		<b>NO - 4</b>		<b>ABS - 0</b>	
<b>Individual Voting Results (Yes-Y; No-N; Abstain-A; Not Voting-NV; Not Present-NP)</b>					
A Driver	- Y	B Geminden	- Y	B Ring	- N
C Krueger	- N	C Taylor	- Y	Chr. Langford	- NP
D Dewitt	- N	D Sullivan	- Y	G Rhodes	- Y
J Becker	- Y	J Foster	- Y	J Mansfield	- Y
J Nipper	- Y	L EchoIs	- N	L Hinton	- Y
L Schell	- NP	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 Pro Tem Becker declared the resolution as substituted and amended passed by the body.

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## FINANCIAL MANAGEMENT COMMITTEE

Chairman Pro Tem stated that there was a Policy Subcommittee that met this evening.

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### BUDGET COMMITTEE

Commissioner Chris Taylor moved, seconded by Commissioner Foster, to approve the following:

**2002-04 A RESOLUTION APPROPRIATING \$45,000.00 FLOW THROUGH FUNDING FROM CITY OF PORTLAND FOR USE ON 2018 CDBG WATERLINE PROJECT PER CITY ORDINANCE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body hereby approves \$45,000.00 flow through funding from City of Portland for use on 2018 CDBG Waterline Project per City Ordinance, as shown on the attachment herewith.

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Chairman Pro Tem Becker declared the resolution passed unanimously by the body.

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Commissioner Chris Taylor moved, seconded by Commissioner Foster, to approve the following:

**2002-05 A RESOLUTION APPROPRIATING UP TO \$100,000.00 FROM THE CAPITAL PROJECTS FUND AS DETAILED ON THE ATTACHED FOR THE ENGINEERING OF THE SELF-ENCLOSED LIBERTY CREEK PARK, A PLAN FOR THE SELF-ENCLOSED LIBERTY CREEK PARK, AND TO SATISFY ANY CRITERIA NEEDED FOR STATE PARK GRANTS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 24<sup>th</sup> day of February 2020, that this body does hereby appropriate up to \$100,000 from the capital projects fund as detailed on the attached, for the engineering of the self-enclosed Liberty Creek Park, a plan for the self-enclosed Liberty Creek Park, and to satisfy any criteria needed for state park grants.

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Chairman Pro Tem declared the resolution approved upon voice vote of the body. Commissioners Moe Taylor and Mansfield abstained from the vote.

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**ADJOURNMENT**

Chairman Pro Tem Becker declared the Commission meeting adjourned at 11:00 p.m. upon motion of Commissioner Moe Taylor, seconded by Commissioner Graves.

\_\_\_\_\_  
BILL KEMP, CLERK

\_\_\_\_\_  
JERRY BECKER, CHAIRMAN PRO TEM

Prepared by Maria A. Savage

Approved on \_\_\_\_\_

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