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**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
DECEMBER 19, 2022**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on Monday, December 19, 2022, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 7:00 p.m. Present and presiding was the Chairman Merrol N. Hyde. Also present were the County Clerk Carolyn Templeton, County Mayor John C. Isbell and Interim County Attorney Ben Allen, and the following Commissioners to wit:

Jerry Becker  
Robert Brown III  
Terri Boyt  
Shannon Burgdorf  
Dr. Mary Genung  
Benjamin Harris  
Mark Harrison  
Merrol N. Hyde

Deborah Holmes  
Tim Jones  
David Klein  
Dillon Lamberth  
Jeremy Mansfield  
Chrissi Miller  
Terry Moss  
Kevin Pomeroy

Baker Ring  
Darrell Rogers  
Don Schmit  
Matthew Shoaf  
Dr. Jamie Teachenor  
Terry Wright  
J. Wes Wynne

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

The Invocation was led by Commissioner Baker Ring.

The Pledge of Allegiance was led by the County Clerk, Carolyn Templeton.

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**APPROVAL OF AGENDA**

Chairman Hyde stated the Legislative Committee removed Resolution 2212-02, approving the transfer of the Quitclaim Deed of the Cottontown Community Center Property, from the Commission Agenda.

Chairman Hyde recognized Commissioner Ring who requested Resolution 2212-12 be removed from the Consent Agenda and placed on the Regular Agenda. Chairman Hyde moved to the Legislative Committee report.

Chairman Hyde recognized Commissioner Pomeroy who moved, to amend to add a \$5,000.00 non-profit charitable allocation for the Portland Senior Citizen Center, seconded by Commissioner Wynne. Chairman Hyde stated it would need to be approved by a majority vote to add to the agenda without going through committee.

The electronic vote was recorded in the following manner:

Add \$5,000 – Portland Senior Center			12/19 7:06:57 PM		
<b>YES - 15</b>		<b>NO - 8</b>		<b>ABS - 0</b>	
Individual Voting Results					
Becker 21	- N	Boyt 13	- Y	Brown 17	- N
Burgdorf 19	- N	Genung 9	- N	Harris 10	- Y
Harrison 3	- Y	Holmes 12	- Y	Hyde 20	- N
Jones 23	- Y	Klein 6	- Y	Lamberth 4	- Y
Mansfield 16	- Y	Miller 24	- N	Moss 1	- Y
Pomeroy 11	- Y	Ring 8	- N	Rogers 5	- N
Schmit 18	- Y	Shoaf 22	- Y	Sullivan 7	- NP
Teachenor 14	- Y	Wright 2	- Y	Wynne 15	- Y

Chairman Hyde declared the amendment approved by the body and added to the Budget Committee report.

Chairman Hyde recognized Commissioner Shoaf who moved, to amend to add a resolution approving the Judicial Magistrates, seconded by Commissioner Wynne. The Commission unanimously approved to add the resolution to the agenda by voice vote of the body. Chairman Hyde added to the Budget Committee report.

Commissioner Mansfield moved, seconded by Commissioner Ring, to adopt the agenda with the changes. The Commission unanimously approved the agenda as amended by voice vote of the body.

Chairman Hyde introduced the following items on the Consent Agenda:

**CONSENT AGENDA**

**2212-10 A RESOLUTION DOCKETING SUMNER COUNTY BOARD OF EDUCATION SCHOOL FUND BUDGET AMENDMENTS FOR THE FISCAL YEAR 2022-2023**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body does hereby docket in its records the Sumner County Board of Education School Fund Budget Amendments for the fiscal year 2022-2023, as shown on the attachment herewith.

**2212-11 A RESOLUTION RESTATING THE POLICY THAT SUMNER COUNTY, TENNESSEE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, SEX, COLOR, RELIGION, NATIONAL ORIGIN, AGE, DISABILITY, VETERAN STATUS OR OTHER ADOPTED FEDERAL CATEGORIES AND SETTING FORTH A GRIEVANCE PROCEDURE FOR REPORTING ALLEGED VIOLATIONS OF SAME**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby restates its policy that Sumner County, Tennessee does not discriminate on the basis of race, sex, color, religion, national origin, age, disability, veteran status or other adopted federal categories; and

**BE IT FURTHER RESOLVED** that this body does hereby set forth the following grievance policy to report alleged violations of same:

Any person who believes that a violation of this policy has taken place shall report same to the DIRECTOR OF HUMAN RESOURCES by mail, by email, or by phone call or in person during regular business hours and a review of the claimed event(s) shall take place within a timely manner and a determination shall be provided in writing to the complaining party.

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**2212-13 A RESOLUTION APPROPRIATING \$17,901.00 FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDS FOR THE SUMNER COUNTY SHERIFF'S OFFICE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby appropriates \$17,901.00 for State Criminal Alien Assistance Program funds for the Sumner County Sheriff's Office, as shown on the attachment herewith.

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Chairman Hyde declared the items on the Consent Agenda, approved unanimously by voice vote of the body upon motion by Commissioner Mansfield, seconded by Commissioner Schmit.

Commissioner Becker called for a point of order for clarification on the required number of votes needed to add an item to the agenda. Commissioner Becker noted in the Rules and Procedures it states a two thirds vote is needed to add an item to the agenda. County Attorney Ben Allen clarified TCA states a majority vote is needed and the Rules and Procedures have been updated.

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**APPROVAL OF MINUTES**

The minutes for the meeting of this body held on November 14, 2022 and recorded in the office of the Clerk, Carolyn Templeton, were approved by voice vote after Commissioner Rogers made the motion, seconded by Commissioner Harrison.

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Without objection, Chairman Hyde moved Certificates of Recognition before Recognition of the Public.

Chairman Hyde introduced the following Proclamation:

**A PROCLAMATION HONORING**

**Merrol Hyde Magnet School  
Boys' Soccer Team**

***The Sumner County Board  
of  
County Commissioners,***

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and congratulate*

***Merrol Hyde Magnet School  
Boys' Soccer Team***

*for making it to the State Playoffs.*

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Upon motion of Commissioner Becker, seconded by Commissioner Holmes, the Commission voted unanimously by voice vote to approve the proclamation honoring Merrol Hyde Magnet School Boys' Soccer Team.

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Chairman Hyde introduced the following Proclamation:

**A PROCLAMATION HONORING**

**Merrol Hyde Magnet School  
Girls' Soccer Team**

***The Sumner County Board  
of  
County Commissioners,***

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and congratulate*

***Merrol Hyde Magnet School  
Girls' Soccer Team***

*for winning the State Championship.*

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Upon motion of Commissioner Becker, seconded by Commissioner Wright, the Commission voted unanimously by voice vote to approve the proclamation honoring Merrol Hyde Magnet School Girls' Soccer Team.

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Chairman Hyde introduced the following Proclamations:

**A PROCLAMATION HONORING**

**George Boyt**

**The Sumner County Board  
of  
County Commissioners,**

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and commend*

**Mr. George Boyt**

*for being a National Semi-Merit Scholarship finalist.*

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**PROCLAMATION HONORING**

**Ryutaro Bath**

**The Sumner County Board  
of  
County Commissioners,**

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and commend*

**Mr. Ryutaro Bath**

*for being a National Semi-Merit Scholarship finalist.*

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**A PROCLAMATION HONORING**

**Jack Seger**

**The Sumner County Board  
of  
County Commissioners,**

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and commend*

**Mr. Jack Seger**

*for being a National Semi-Merit Scholarship finalist.*

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**A PROCLAMATION HONORING**

**Collin Francel**

***The Sumner County Board  
of  
County Commissioners,***

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and commend*

***Mr. Collin Francel***

*for being a National Semi-Merit Scholarship finalist.*

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**A PROCLAMATION HONORING**

**Sophia Bricker**

***The Sumner County Board  
of  
County Commissioners,***

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and commend*

***Ms. Sophia Bricker***

*for being a National Semi-Merit Scholarship finalist.*

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**A PROCLAMATION HONORING**

**Nicholas Keller**

***The Sumner County Board  
of  
County Commissioners,***

*meeting in regular session on this the  
19<sup>th</sup> day of December 2022,  
does hereby honor and commend*

***Mr. Nicholas Keller***

*for being a National Semi-Merit Scholarship finalist.*

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Upon motion of Commissioner Boyt, seconded by Commissioner Miller, the Commission voted unanimously by voice vote to approve the proclamations honoring the National Semi-Merit Scholarship finalists.

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### RECOGNITION OF THE PUBLIC

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

Randall Pomeroy of 116 Long Hollow Way, Hendersonville expressed his support for Resolution 2212-03 and asked the Commission to vote in favor of the resolution to give residents the gift of peace by prohibiting eminent domain from being used to seize private property to be used for public use.

Dwight Dixon of 1914 Liberty Lane, Gallatin stated he is not against progress but is against a greenway in residents back yards.

Jeff Goad of 1117 Upper Station Camp Creek Road, Cottontown voiced his support for Resolution 2212-03 and asked the Commission to support this resolution.

Penny Wicker of 221 Bugg Hollow Road, Gallatin spoke in favor of Resolution 2212-03.

Clark Wright of 205 County House Road, Cottontown asked the Commission to vote in support of Resolution 2212-03.

Joanna Daniels of 152 N Shadowhaven Way, Hendersonville spoke in support of Resolution 2212-03 and asked the Commission to vote yes. She spoke against Resolution 2212-07 and questioned what would happen to the newly added LEAP schools once ESSER funding ends in 2024. She also questioned and advised caution to the content taught in the after school programs.

J.K. Brister of 1489 Upper Station Camp Creek Road, Cottontown spoke against the seizure of private property and in support of Resolution 2212-03.

Kevin Baigert of 424 AB Wade Road, Portland thanked County Attorney Ben Allen for his service to the county. He expressed his support of private property rights. He also spoke against Resolution 2212-07 and the expense of a training conference hosted by NAA. He asked the Commission to deny or send back to the Education Committee. He submitted written public service commentary from Sumner Taxpayers Alliance which is on file in the County Clerk's office.

Susie Robinson of 2695 Long Hollow Pike, Hendersonville spoke in support of Resolution 2212-03 and asked the Commission to support resolution.

Ruth Fennell of 1049 Blue Jay Way, Gallatin spoke in favor of Resolution 2212-03.

Katie Brown of 17 Timberline Drive, Hendersonville, Assistant Director of Schools for Student Support, spoke on behalf of Resolution 2212-07. She clarified that the training conference in question is no longer the conference that will be attended. She explained that LEAP funding is from unclaimed lottery winnings and is meant to provide enrichment opportunities to students that wouldn't necessarily have access to them.

With no one else wishing to speak on regular agenda items, recognition of the public was closed.

### REPORT OF THE CHAIR

Chairman Hyde noted that the Veterans Service Officer's report was provided for information only and the Financial Statement Memo is included in packet.

Chairman Hyde introduced the following resolution:

**2212-01 A RESOLUTION DOCKETING HIGHWAY/PUBLIC WORKS FUND ANALYSIS FOR THE FISCAL YEAR 2021-2022**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 13<sup>th</sup> day of December 2021, that this body does hereby docket in its records the Highway/Public Works Fund Analysis for the fiscal year 2021-2022, as shown on the attachment herewith.

No action taken; docketing purposes only.

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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 Hyde recognized Commissioner Brown who began asking Katie Brown, Assistant Director of School for Student Support about the training conference for LEAP site managers.

Commissioner Pomeroy called for a point of order, out of order to question Ms. Brown at this time. Chairman Hyde directed Commissioner Brown to hold questions until discussion of resolution.

Chairman Hyde introduced the following resolution:

**2212-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**, Carolyn Templeton, 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.**

SHERYL ALEXANDER	JOHN C LONG
SHIRLEY O ANDERSON	JAMIE MAJORS
CAROL R BELL	CAROL MARKHAM
LISA S BELLAR	SARA MARTIN
TERI L BOTSKO	KELLY MAUPIN
PAIGE BRAZZELL	MADISYN MCFERRIN
WILLIAM CORNELIUS BREEDLOVE III	ALISSA METCALF
CAROLINE BROWN	ASHLEY R OSBORNE
CHERYL L BROWN	PAMELA D PERRY
ELIZABETH R BUCZYNSKI	BRAYHAM RAMOS ISLAS
QUINCY DANIELLE BURNS	ALISSA RIOUX
BILLY L CLARK	TAMARA J SCHIERMEIER
PATRICIA CRANDALL	J SCHMITTOU
DETRICH FUTCH	KIM SITLER
AMANDA GRIFFITH	ALYSSA SOTO
MARLA R GUINN	LEIGH SPIERS
JENNIFER HERRIOTT	LYNDSEY JESPERSON STEEN
DAWN A HICKSON	BRITTANY SUMMERS
MARY LAUREN HILL	PENNY TUCKER
GINA E HUTSON	SHERILYN VALENTIN
ERIK D JESSE	AMY C VANTREASE
KHRIS JOHNSON	CLARISSA VIERS
BEVERLY A JONES	SABIAN VILLARREAL
CHARLES A JOSEPH	OLIVIA VIS
LYNETTE JUDD	ROBERT WOODS
ALYSSA LAYHEW	LANCE A WRAY

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

2212-NOT				12/19 8:24:09 PM	
<b>YES - 23</b>		<b>NO - 0</b>		<b>ABS - 0</b>	
Individual Voting Results					
Becker 21	- Y	Boyt 13	- Y	Brown 17	- Y
Burgdorf 19	- Y	Genung 9	- Y	Harris 10	- Y
Harrison 3	- Y	Holmes 12	- Y	Hyde 20	- Y
Jones 23	- Y	Klein 6	- Y	Lamberth 4	- Y
Mansfield 16	- Y	Miller 24	- Y	Moss 1	- Y
Pomeroy 11	- Y	Ring 8	- Y	Rogers 5	- Y
Schmit 18	- Y	Shoaf 22	- Y	Sullivan 7	- NP
Teachenor 14	- Y	Wright 2	- Y	Wynne 15	- Y

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

### COMMITTEE ON COMMITTEES

Commissioner Mansfield clarified that the Attorney for the City of Gallatin confirmed there is not a conflict with Pascal Jouvence appointment to the Music City Executive Airport Authority while serving as a City of Gallatin Councilman. The Airport Authority does not meet the legal definition of a public office.

Commissioner Mansfield announced the following appointments and moved to group and approve, seconded by Commissioner Pomeroy.

#### Solid Waste Board 6-year term:

- Gary Zhou to replace Mark Bristol, resigned/moved – term expired May ‘22
- Jerry W. Harris to replace J. Bruce Rainey – term expired May 222
- Scott McElyea to replace Fred Qualls – term expired May 2022

Chairman Hyde declared the appointments of Gary Zhou, Jerry W. Harris and Scott McElyea to the Solid Waste Board approved unanimously by voice vote of the body.

Commissioner Mansfield announced the following appointments and moved to group and approve, seconded by Commissioner Shoaf.

#### Ethics Committee 1-year term:

- Robert Brown to replace Scott Langford, ex commissioner
- Chrissi Miller to replace Larry Hinton, ex commissioner
- Jeremy Mansfield to replace Caroline Krueger, ex commissioner
- Pastor Todd Alexander (citizen) to replace Kathryn Strong
- Gina Carpenter (citizen) to replace James Ramsey

Chairman Hyde declared the appointments of Robert Brown, Chrissi Miller, Jeremy Mansfield, Todd Alexander and Gina Carpenter to the Ethics Committee approved unanimously by voice vote of the body.

Commissioner Mansfield announced the following appointment and stated Committee on Committee moved forward a negative recommendation. Commissioner Harrison moved to approve the appointment, seconded by Commissioner Lamberth.

#### Regional Planning Commission:

- J. Wes Wynne to replace Gene Rhodes, ex commissioner

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

Appt. to Regional  
Planning Commission

12/19 8:33:42 PM

**YES - 8**

**NO - 15**

**ABS - 0**

Individual Voting Results

Becker 21	- Y	Boyt 13	- N	Brown 17	- N
Burgdorf 19	- N	Genung 9	- N	Harris 10	- Y
Harrison 3	- Y	Holmes 12	- N	Hyde 20	- N
Jones 23	- N	Klein 6	- N	Lamberth 4	- Y
Mansfield 16	- N	Miller 24	- N	Moss 1	- Y
Pomeroy 11	- Y	Ring 8	- Y	Rogers 5	- N
Schmit 18	- N	Shoaf 22	- N	Sullivan 7	- NP
Teachenor 14	- N	Wright 2	- N	Wynne 15	- Y

Chairman Hyde declared the appointment of J. Wes Wynne failed to carry.

Commissioner Mansfield announced the following appointment and moved for approval, seconded by Commissioner Schmit.

E-911 Board:

- Ben Harris, Commissioner

Chairman Hyde declared the appointment of Ben Harris to the E-911 Board approved unanimously by voice vote of the body.

Commissioner Mansfield announced the following appointment and stated Committee on Committees moved forward a negative recommendation. Commissioner Ring moved for approval, seconded by Commissioner Lamberth.

- Alan Driver, citizen

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

E-911 Alan Driver				12/19 8:41:51 PM	
<b>YES - 8</b>		<b>NO - 15</b>		<b>ABS - 0</b>	
Individual Voting Results					
Becker 21	- Y	Boyt 13	- N	Brown 17	- N
Burgdorf 19	- N	Genung 9	- N	Harris 10	- Y
Harrison 3	- Y	Holmes 12	- N	Hyde 20	- N
Jones 23	- N	Klein 6	- N	Lamberth 4	- Y
Mansfield 16	- N	Miller 24	- N	Moss 1	- N
Pomeroy 11	- Y	Ring 8	- Y	Rogers 5	- N
Schmit 18	- N	Shoaf 22	- Y	Sullivan 7	- NP
Teachenor 14	- N	Wright 2	- N	Wynne 15	- Y

Chairman Hyde declared the appointment of Alan Driver failed to carry.

Commissioner Mansfield announced the following appointment and moved for approval, seconded by Commissioner Schmit.

- Terry Wright to replace Michael Guthrie ex commissioner

Chairman Hyde declared the appointment of Terry Wright to the E-911 Board approved unanimously by voice vote of the body.

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**EDUCATION COMMITTEE**

There was no report from the Education Committee.

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### **HEALTH AND EMERGENCY SERVICES COMMITTEE**

There was no report from the Health and Emergency Services Committee.

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### **GENERAL OPERATIONS COMMITTEE**

There was no report from the General Operations Committee.

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### **HIGHWAY COMMITTEE**

There was no report from the Highway Committee.

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### **LEGISLATIVE COMMITTEE**

Commissioner Mansfield introduced the following resolution and moved for approval; seconded by Commissioner Pomeroy.

**2212-03 A RESOLUTION APPROVING A PRIVATE ACT FOR THE COUNTY OF SUMNER, TENNESSEE WHICH WOULD AUTHORIZE PROHIBITING EMINENT DOMAIN FROM BEING USED TO ACQUIRE PRIVATELY OWNED REAL PROPERTY FOR PARKS, TRAILS, PATHS, OR GREENWAYS FOR WALKING, RUNNING, HIKING, BICYCLING, OR EQUESTRIAN USE UNLESS THE PRIVATELY OWNED REAL PROPERTY IS PARALLEL TO, RUNS DIRECTLY ALONG THE LENGTH OF, AND EXTENDS IN THE SAME DIRECTION AS A HIGHWAY, ROAD, OR STREET**

**WHEREAS** Eminent domain must not be used to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use unless the privately owned real property is parallel to, runs directly along the length of, and extends in the same direction as a highway, road, or street, and applies to the following entities with the power to condemn in Tennessee:

1. Airport authorities under T.C.A. § § 42-3-108-42-3-109; 42-3-204;
2. County airports under T.C.A. § 42-5-103;
3. County electric plants under T.C.A. § 7-52-105;
4. County industrial parks under T.C.A. § 13-16-203;
5. County levees under T.C.A. § 69-4-105;
6. County public transportation systems under T.C.A. § 7-56-106;
7. County public works projects under § 9-21-107;
8. County railroad systems under T.C.A. § 7-56-207;
9. County recreational land under T.C.A. § 11-24-102;
10. County schools under title 49, chapter 6, part 20;
11. County solid waste sites under T.C.A. § 68-211-919;
12. Electric power districts under T.C.A. § §7-83-303; 7-83-305;
13. Hospitals under T.C.A. § 29-16-126;
14. Housing authorities under T.C.A. § § 13-20-104; 13-20-108-13-20-109; 13-20-212;
15. Light, power, and heat companies under T.C.A. § 65-22-101;
16. Municipal drainage ditches under T.C.A. § 7-35-101;
17. Municipal electric plants under T.C.A. § 7-52-105;
18. Municipal gas systems under T.C.A. § 7-39-303;
19. Municipal industrial parks under T.C.A. § 13-16-203;

20. Municipal - mayor - aldermanic under T.C.A. § 6-2-201;
21. Municipal - city manager under T.C.A. § 6-33-101;
22. Municipal parks under title 7, chapter 31, part 1;
23. Municipal public transportation systems under T.C.A. § 7-56-106;
24. Municipal public works projects under § 9-21-107;
25. Municipal recreational systems under § 11-24-102;
26. Municipal schools under title 49, chapter 6, part 20;
27. Municipal sewers under § 7-35-101;
28. Municipal solid waste sites under T.C.A. §68-211-919;
29. Municipal streets under title 7, chapter 31, part 1;
30. Municipal utilities under § 7-35-101;
31. Municipal water systems under § 7-35-101;
32. Pipeline companies under T.C.A. §65-28-101; and
33. Solid waste authorities under § 68-211-908.

**WHEREAS** prohibiting the use of eminent domain to acquire privately owned real property for parks, trails, paths, or greenways for walking, running, hiking, bicycling, or equestrian use does not apply upon written agreement between the owner of the real property and a:

1. Planned unit development;
2. Homeowner's association; or
3. Business or related entity.

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby approves this private act; and

**THEREFORE, BE IT RESOLVED** that this resolution shall be forwarded to our state delegates for passage by the General Assembly.

**BE IT FURTHER RESOLVED** this act takes effect upon becoming law, the public welfare requiring it, and applies to the exercise of eminent domain on or after the effective date of this act.

During discussion, Commissioner Ring questioned if the Commission has the authority to include municipalities and moved to amend to remove items one and thirteen through thirty-three, leaving items two through eleven; seconded by Commissioner Harrison.

Commissioner Teachenor requested the items asked to be removed be read aloud. Chairman Hyde directed Commissioner Ring to read the items aloud.

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

2212-03 Amend			12/19 9:00:13 PM
<b>YES - 1</b>	<b>NO - 22</b>	<b>ABS - 0</b>	
Individual Voting Results			
Becker 21 - N	Boyt 13 - N	Brown 17 - N	
Burgdorf 19 - N	Genung 9 - N	Harris 10 - N	
Harrison 3 - N	Holmes 12 - N	Hyde 20 - N	
Jones 23 - N	Klein 6 - N	Lamberth 4 - N	
Mansfield 16 - N	Miller 24 - N	Moss 1 - N	
Pomeroy 11 - N	Ring 8 - Y	Rogers 5 - N	
Schmit 18 - N	Shoaf 22 - N	Sullivan 7 - NP	
Teachenor 14 - N	Wright 2 - N	Wynne 15 - N	

Chairman Hyde declared the amendment failed to carry.

After discussion, the electronic vote for Resolution 2212-03 was recorded in the following manner:

2212-03			12/19 9:07:37 PM
<b>YES - 23</b>	<b>NO - 0</b>	<b>ABS - 0</b>	
Individual Voting Results			
Becker 21 - Y	Boyt 13 - Y	Brown 17 - Y	
Burgdorf 19 - Y	Genung 9 - Y	Harris 10 - Y	
Harrison 3 - Y	Holmes 12 - Y	Hyde 20 - Y	
Jones 23 - Y	Klein 6 - Y	Lamberth 4 - Y	
Mansfield 16 - Y	Miller 24 - Y	Moss 1 - Y	
Pomeroy 11 - Y	Ring 8 - Y	Rogers 5 - Y	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y	

Chairman Hyde declared Resolution 2212-03 approved unanimously by the body.

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Commissioner Mansfield introduced the following resolution and moved for approval; seconded by Commissioner Rogers:

**2212-04 A RESOLUTION SETTING THE REGULAR MEETINGS OF THE SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS DURING THE 2023 CALENDAR YEAR**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby sets its regular meetings at 7:00 p.m. (local time) at the Sumner County Administration Building, 355 North Belvedere Drive, Gallatin, Tennessee, on the following dates in 2023:

Monday, January 23, 2023 (4 <sup>th</sup> Monday)	Monday, July 17, 2023 (3 <sup>rd</sup> Monday)
Monday, February 27, 2023 (4 <sup>th</sup> Monday)	Monday, August 21, 2023 (3 <sup>rd</sup> Monday)
Monday, March 20, 2023 (3 <sup>rd</sup> Monday)	Monday, September 18, 2023 (3 <sup>rd</sup> Monday)
Monday, April 17, 2023 (3 <sup>rd</sup> Monday)	Monday, October 16, 2023 (3 <sup>rd</sup> Monday)
Monday, May 15, 2023 (3 <sup>rd</sup> Monday)	Monday, November 27, 2023 (4 <sup>th</sup> Monday)
Monday, June 26, 2023 (4 <sup>th</sup> Monday)	Monday, December 18, 2023 (3 <sup>rd</sup> Monday)

**BE IT FURTHER RESOLVED** that this body shall consider at such meetings all matters which may properly be considered at regular meetings of this body; and

**BE IT FURTHER RESOLVED** that the County Clerk is directed to have published the required notice of this resolution.

Commissioner Becker moved, seconded by Commissioner Lamberth, to amend to change the November 2023 date from November 20, 2023 to November 13, 2023. After discussion, Commissioner Becker changed his motion to amend to change the meeting date from November 20, 2023 to November 27, 2023. Commissioner Lamberth agreed to the change.

The electronic vote to amend the November 2023 meeting date was recorded in the following manner:

2212-04 Amend			12/19 9:13:29 PM
<b>YES - 16</b>	<b>NO - 7</b>	<b>ABS - 0</b>	

Individual Voting Results

Becker 21 - Y	Boyt 13 - Y	Brown 17 - N
Burgdorf 19 - Y	Genung 9 - Y	Harris 10 - Y
Harrison 3 - Y	Holmes 12 - N	Hyde 20 - N
Jones 23 - N	Klein 6 - N	Lamberth 4 - Y
Mansfield 16 - N	Miller 24 - N	Moss 1 - Y
Pomeroy 11 - Y	Ring 8 - Y	Rogers 5 - Y
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y

Chairman Hyde declared the amendment approved by the body.

The electronic vote for Resolution 2212-04, as amended, was recorded in the following manner:

2212-04		12/19 9:14:24 PM
<b>YES - 21</b>	<b>NO - 2</b>	<b>ABS - 0</b>
Individual Voting Results		
Becker 21 - Y	Boyt 13 - Y	Brown 17 - Y
Burgdorf 19 - Y	Genung 9 - Y	Harris 10 - Y
Harrison 3 - Y	Holmes 12 - Y	Hyde 20 - Y
Jones 23 - Y	Klein 6 - Y	Lamberth 4 - Y
Mansfield 16 - N	Miller 24 - N	Moss 1 - Y
Pomeroy 11 - Y	Ring 8 - Y	Rogers 5 - Y
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y

Chairman Hyde declared Resolution 2212-4 approved by the body as amended. The resolution above reflects the approved amendment.

Commissioner Mansfield introduced the following resolution and moved for approval; seconded by Commissioner Rogers:

**2212-05 A RESOLUTION APPOINTING ERIC SITLER AS COUNTY ATTORNEY/LAW DIRECTOR FOR SUMNER COUNTY, TENNESSEE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body appoints Eric Sitler as County Attorney/Law Director for a term to begin December 20, 2022, and runs to December 20, 2026, pursuant to the contract attached herewith.

Commissioner Wynne asked for clarification on who the County Law Director reports to because the Private Act is vague in that area. County Attorney Ben Allen explained the office needs to answer or report to the body, not one person.

Commissioner Wynne moved to amend the proposed employment contract for Eric Sitler, to replace "reports" with "is responsible to" under item eight. Motion died for lack of second.

Commissioner Mansfield called for a Point of Order and stated the law is defined through a Private Act and states a four year contract.

Commissioner Harrison moved, seconded by Commissioner Ring, to amend to reduce the salary from \$185,000.00 to \$165,000.00

The electronic vote to amend salary to \$165,000.00 was recorded in the following manner:

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Law Director		12/19 9:33:35 PM
\$165,000.00		
<b>YES - 7</b>	<b>NO - 16</b>	<b>ABS - 0</b>
Individual Voting Results		
Becker 21 - N	Boyt 13 - N	Brown 17 - N
Burgdorf 19 - N	Genung 9 - N	Harris 10 - Y
Harrison 3 - Y	Holmes 12 - N	Hyde 20 - N
Jones 23 - N	Klein 6 - N	Lamberth 4 - Y
Mansfield 16 - N	Miller 24 - N	Moss 1 - N
Pomeroy 11 - Y	Ring 8 - Y	Rogers 5 - N
Schmit 18 - N	Shoaf 22 - N	Sullivan 7 - NP
Teachenor 14 - N	Wright 2 - Y	Wynne 15 - Y

Chairman Hyde declared the amendment failed to carry.

After discussion, Commissioner Shoaf moved, seconded by Commissioner Becker, to amend to add language under item ten, should the Law Director choose to end the employment agreement or be terminated, they forfeit any unpaid time off.

The electronic vote for the amendment was recorded in the following manner:

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Forfeit unpaid time off		12/19 9:41:50 PM
<b>YES - 23</b>	<b>NO - 0</b>	<b>ABS - 0</b>
Individual Voting Results		
Becker 21 - Y	Boyt 13 - Y	Brown 17 - Y
Burgdorf 19 - Y	Genung 9 - Y	Harris 10 - Y
Harrison 3 - Y	Holmes 12 - Y	Hyde 20 - Y
Jones 23 - Y	Klein 6 - Y	Lamberth 4 - Y
Mansfield 16 - Y	Miller 24 - Y	Moss 1 - Y
Pomeroy 11 - Y	Ring 8 - Y	Rogers 5 - Y
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y

Chairman Hyde declared the amendment approved by the body.

The electronic vote for Resolution 2212-05 as amended was recorded in the following manner:

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2212-05		12/19 9:43:45 PM
<b>YES - 18</b>	<b>NO - 4</b>	<b>ABS - 1</b>
Individual Voting Results		
Becker 21 - Y	Boyt 13 - Y	Brown 17 - Y
Burgdorf 19 - Y	Genung 9 - Y	Harris 10 - N
Harrison 3 - N	Holmes 12 - Y	Hyde 20 - Y
Jones 23 - Y	Klein 6 - Y	Lamberth 4 - N
Mansfield 16 - Y	Miller 24 - Y	Moss 1 - Y
Pomeroy 11 - N	Ring 8 - Y	Rogers 5 - Y
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - A

Chairman Hyde declared Resolution 2212-05 approved by the body.

Chairman Hyde commended and thanked the members of the Law Director Selection Ad Hoc Committee for their work.

Chairman Hyde introduced County Law Director Eric Sittler. Mr. Sittler thanked the Commission for the consideration and appointment as County Law Director.



Commissioner Mansfield introduced the following resolution and moved for approval; seconded by Commissioner Schmit:

**2212-12 A RESOLUTION AMENDING THE STANDING RULES AND PROCEDURES TO INCLUDE THE PROHIBITION OF CELL PHONE USAGE DURING MEETINGS OF THE FULL COUNTY COMMISSION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body does hereby amends the standing rules and procedures to include the prohibition of cell phone usage during meetings of the full county commission.

Commissioner Harris asked if this resolution includes the committee meetings. Commissioner Mansfield his understanding was it does not include the committee meetings.

Commissioner Harris moved, seconded by Commissioner Schmit, to amend to include committee meetings.

After discussion, Commissioner Harrison moved, seconded by Commissioner Becker, to send back to the Legislative Committee for further review and clarification.

Commissioner Shoaf moved, seconded by Commissioner Jones, to amend the language of the resolution to state nothing precludes the use of electronic devices for emergency purposes by any Commissioner.

Chairman Hyde asked if Commissioner Harrison wanted to withdraw his motion, Commissioner Becker who seconded the motion did not agree to withdraw.

Commissioner Harris withdrew his motion to amend to include committee meetings, Commissioner Schmit agreed.

After further discussion, the electronic vote to send back to Legislative Committee was recorded in the following manner:

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2212-12 back to Legislative				12/19 10:06:25 PM
<b>YES - 14</b>	<b>NO - 9</b>		<b>ABS - 0</b>	
Individual Voting Results				
Becker 21 - Y	Boyt 13 - N		Brown 17 - N	
Burgdorf 19 - Y	Genung 9 - Y		Harris 10 - Y	
Harrison 3 - Y	Holmes 12 - N		Hyde 20 - N	
Jones 23 - N	Klein 6 - Y		Lamberth 4 - Y	
Mansfield 16 - N	Miller 24 - N		Moss 1 - Y	
Pomeroy 11 - Y	Ring 8 - Y		Rogers 5 - Y	
Schmit 18 - N	Shoaf 22 - N		Sullivan 7 - NP	
Teachenor 14 - Y	Wright 2 - Y		Wynne 15 - Y	

Chairman Hyde declared the amendment to send Resolution 2212-12 back to the legislative Committee approved by the body.

Commissioner Shoaf withdrew his motion to amend, Commissioner Jones agreed.

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## RECESS

Chairman Hyde called for recess at 10:09 p.m. The meeting reconvened at 10:17 p.m.

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## BUDGET COMMITTEE

Commissioner Shoaf introduced the following resolution moved for approval; Commissioner Rogers seconded the motion.

**2212-06 A RESOLUTION APPROPRIATING \$45,000.00 FROM THE  
TENNESSEE HIGHWAY SAFETY OFFICE GRANT (T.H.S.O.)  
FOR ASSISTANT'S SALARY AND BENEFITS FOR OCTOBER 2022  
THROUGH JUNE 2023 FOR THE SUMNER COUNTY DRUG COURT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby appropriates \$45,000.00 from the Tennessee Highway Safety Office grant (T.H.S.O.) for assistant's salary and benefits for October 2022 through June 2023 for the Sumner County Drug Court, as shown on the attachment herewith.

Chairman Hyde declared Resolution 2212-06 approved unanimously by voice vote of the body.

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Commissioner Shoaf introduced the following resolution and moved for discussion, seconded by Commissioner Ring.

**2212-07 A RESOLUTION APPROVING BUDGET REQUEST NUMBER TWO  
141-7 LEAP LOTTERY FOR EDUCATION: AFTERSCHOOL  
PROGRAMS FOR THE SUMNER COUNTY BOARD OF EDUCATION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body does hereby approve budget request number two 141-7 leap lottery for education: afterschool programs for the Sumner County Board of Education, as shown on the attachment herewith.

Without objection, Chairman Hyde allowed Katie Brown, Assistant Director of Schools for Student Support, to answer questions.

Commissioner Brown asked for additional information about the in-service that is included in request. Ms. Brown said they are not going to the in-service that is shown in packet. They will now attend the Beyond School Hours conference.

Ms. Brown clarified that ESSER funds will not impact this program once those funds are not available. There has not been a change in the schools that are funded by this program, only certain schools are eligible. Grant application was written pre-pandemic and cannot be changed mid cycle. Funds will not be available after June 2023 and a new application will be written and is not connected to ESSER funds. The reason for the carryover was because of a surplus of funding and the district was required to provide academic summer camps as a short term program. The programs are funded 100% by grant, no matching or local funds.

After lengthy discussion, Chairman Hyde declared Resolution 2212-07 approved unanimously by voice vote of the body.

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Commissioner Shoaf introduced the following resolution and moved for approval, seconded by Commissioner Harrison.

**2212-08 A RESOLUTION CORRECTING BUDGET FOR LIQUIDATION OF PURCHASE ORDER NUMBER 21000724 DURING CLOSING OF FISCAL YEAR 2022 BOOKS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body does hereby correct budget for liquidation of purchase order number 21000724 during closing of fiscal year 2022 books, as shown on the attachment herewith.

Chairman Hyde declared Resolution 2212-08 approved unanimously by voice vote of the body.

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Commissioner Shoaf introduced the following resolution and moved for approval, seconded by Commissioner Schmit.

**2212-09 A RESOLUTION APPROPRIATING \$25,238.91 FOR INSURANCE RECOVERY FOR DAMAGED COUNTY VEHICLE FOR THE SUMNER COUNTY SHERIFF'S OFFICE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby appropriates \$25,238.91 for insurance recovery for damaged county vehicle for the Sumner County Sheriff's Office, as shown on the attachment herewith.

Chairman Hyde declared resolution 2212-09 approved unanimously by voice vote of the body.

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Commissioner Shoaf introduced the following resolution and moved for discussion. Seconded by Commissioner Pomeroy.

**2212-14 A RESOLUTION APPROPRIATING \$5,000.00 FOR THE PORTLAND SENIOR CENTER, A NON-PROFIT ORGANIZATION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body does hereby approve \$5,000.00 for the Portland Senior Center, non-profit organization.

Chairman Pro Tem Jeremy Mansfield took the Chairman's seat to allow Chairman Hyde to discuss the resolution with Commission members. He explained the full requested amount was not allocated by the Non-Profit Allocation Committee because the center had not been active due to a change of locations. Chairman Hyde resumed his seat as Chairman.

After discussion, Commissioner Becker moved, seconded by Commissioner Harrison, to approve to appropriate the additional \$5,000.00 to the Portland Senior Citizens center.

The electronic vote for Resolution 2212-14 was recorded in the following manner:

2212-14			12/19 10:54:39 PM
<b>YES - 23</b>	<b>NO - 0</b>	<b>ABS - 0</b>	
Individual Voting Results			
Becker 21 - Y	Boyt 13 - Y	Brown 17 - Y	
Burgdorf 19 - Y	Genung 9 - Y	Harris 10 - Y	
Harrison 3 - Y	Holmes 12 - Y	Hyde 20 - Y	
Jones 23 - Y	Klein 6 - Y	Lamberth 4 - Y	
Mansfield 16 - Y	Miller 24 - Y	Moss 1 - Y	
Pomeroy 11 - Y	Ring 8 - Y	Rogers 5 - Y	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y	

Chairman Hyde declared Resolution 2212-14 approved unanimously by the body.

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Commissioner Shoaf introduced the following resolution and moved for approval, seconded by Commissioner Mansfield.

**2212-15 A RESOLUTION RE-APPOINTING THE JUDICIAL  
MAGISTRATES OF SUMNER COUNTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 19<sup>th</sup> day of December 2022, that this body hereby re-appoints the following individuals as Judicial Magistrates:

Akers, Thomas  
Allen, Karla  
Brownlee, Holli  
Draper, Todd H.  
Gilbreath, William J.  
Hille, Jennifer L.  
Palmer, Frank  
Thomas, William S.  
Tucker, Leslye P.

**BE IT FURTHER RESOLVED** that the Judicial Magistrates shall serve a one- year term or until a successor is appointed.

Chairman Hyde declared Resolution 2212-15 approved unanimously by voice vote of the body.

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**FINANCIAL MANAGEMENT**

There was no report from the Financial Management Committee.

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**ADJOURNMENT**

Chairman Hyde declared the Commission meeting adjourned at 10:57 p.m. upon motion of Commissioner Rogers, seconded by Commissioner Brown.

\_\_\_\_\_  
CAROLYN TEMPLETON, CLERK

\_\_\_\_\_  
MERROL HYDE, CHAIRMAN

Prepared by Jennifer Mitchell

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