
**AMENDED
MINUTES
SPECIAL CALLED
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS
OCTOBER 30, 2023**

The Board of County Commissioners of Sumner County, Tennessee met in regular session on October 30, 2023, in the Commission Chambers of the Sumner County Administration Building in Gallatin, Tennessee at 6:00 p.m. Present and presiding was the Chairman Merrol N. Hyde. Also present were the County Clerk Carolyn Templeton, County Mayor John C. Isbell, Law Director Eric Sitler and Staff Attorney Steve Weiner, 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
Darrell Rogers
Don Schmit
Matthew Shoaf
Danny Sullivan
Dr. Jamie Teachenor
Terry Wright
J. Wes Wynne

Having a duly constituted quorum, the meeting was opened in due process by a Sheriff's Deputy. 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 Ring was not present.

The Invocation was led by Commissioner Danny Sullivan

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

APPROVAL OF AGENDA

Commissioner Brown moved, seconded by Commissioner Pomeroy, to adopt the Agenda. The Commission unanimously approved the agenda, as amended, by voice vote of the body.

RECOGNITION OF THE PUBLIC

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

The following spoke in favor of the transfer to fund athletic facility improvements:

Jay Ingram of 755B Newton Lane, Gallatin
Charlena Aumiller of 424 Ruland Circle, Hendersonville
Braden Cole of 710 Long Hollow Pike, Goodlettsville
Emily Goddard of 245C S. Leath Road, Portland
Shannon Dillard of 297 Thurman Kepley Road, Portland
Tabitha Graves of 462 Buffalo Ridge, Gallatin
Houston Hughes of 131 Pembroke Drive, Hendersonville
Rocco Holt of 909 E. Cynthia Trail, Goodlettsville
Alexandria Hughes of 131 Pembroke Drive, Hendersonville
Suzanne Holt of 909 E. Cynthia Trail, Goodlettsville
Stan Jones of 1024 Heathrow Drive, Hendersonville
Beth Deering of 701 Emily Drive, Goodlettsville
Stephen Sanders of 126 Mansker Park Drive, Hendersonville
Jake Holt of 909 E. Cynthia Trail, Goodlettsville

Pascal Jouvence of 1335 Long Hollow Pike, Gallatin stated a system needs to be in place to keep this from happening again. He also questioned why Gallatin gets the least amount.

Ruth Fennell of 1049 Blue Jay Way, Gallatin spoke against the transfer to fund athletic improvements.

RECESS

Chairman Hyde called for a recess at 7:13 p.m. The meeting was reconvened at 7:27 p.m.

RECOGNITION OF THE PUBLIC

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

The following spoke in favor of the transfer to fund athletic facility improvements:

Greg Arias of 820 Harden Street, Gallatin
JC Swafford of 1102 Kimberly Drive, Goodlettsville
Fisher Berry of 115 Golfers Circle, Portland
Julia Garnett of 115 Deer Ridge Lane, Hendersonville
Lyndon Brown of 3576 Long Hollow Pike, Goodlettsville

Isaac Hoke of 507 Nubia Road, Westmoreland
Seth Hackney of 612 Lear Road, Portland
Scott Langford of 1260 Twelve Stones Crossing, Goodlettsville
Leath Ann Pomeroy of 116 Long Hollow Way, Hendersonville
Brynn Baltershot of 1053 Five Coves Trace, Gallatin
Colin Everett of 1039 Luxborough Drive, Hendersonville
Sarah Squires of 134 Chesapeake Harbor, Hendersonville
Forrest Haskins of 120 Settlers Way, Hendersonville
Caitlin Pachciarz of 203 Spring Valley Road, Hendersonville
Aaron Hawkins of 104 Kensington Ct., Hendersonville

Donna Desoto of 101 Chambliss Ct., Hendersonville expressed her concern with failed leadership and supports a two-week bid process then begin the work.

Kevin Baigert of 424 AB Wade Road, Portland stated if not passed it will be put in the budget next budget cycle.

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

Chairman Hyde asked Chairman Pro Tem to assume the Chair so he could address the Chamber.

RECESS

Chairman Hyde called for a recess at 8:38 p.m. The meeting was reconvened at 8:52 p.m.

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

**2310s-01 A RESOLUTION TO APPROVE TRANSFER OF FUNDING
FOR REPAIRS TO BLEACHERS AT CERTAIN SUMNER
COUNTY SCHOOLS**

WHEREAS, Sumner County Schools are grappling with deteriorating, unsafe, and failed bleachers at White House High, Portland High, Beech High, and Hendersonville High; and

WHEREAS, the Sumner County Board of Education seeks a transfer from the schools' Unassigned Fund Balance to facilitate capital project improvements; and

WHEREAS, the deteriorating condition of the bleachers in the aforementioned high schools has been deemed a public safety hazard that necessitates immediate attention; and

WHEREAS, the Sumner County Commission is eager to foster a spirit of collaboration with Sumner County Schools regarding capital improvements.

NOW THEREFORE BE IT RESOLVED, the Sumner County Board of Commissioners, meeting in special session on the 30th day of October 2023, does hereby approve an \$8,800,000.00 transfer out of the schools' Unassigned Fund Balance into Capital Projects. The Commission earnestly implores the Sumner County Board of Education to prioritize the allocation of these funds for

addressing condemned and hazardous bleachers and stadiums and safeguarding public safety at White House High, Portland High, Beech High, and

Hendersonville High, as was initially presented to and requested by the Sumner County Board of Education at their September meeting before any disbursement for other athletic facility purposes; and

BE IT FURTHER RESOLVED, the Sumner County Commission requests a monthly report by Sumner County Schools to the Education Committee with a breakdown of specific plans for repairs or replacements of bleachers, estimates, costs, associated contracts or agreements, and any other material requested by the Education Committee or Commission in a timely manner before any future requests for additional funding for other athletic facility improvements will be considered; and

BE IT FURTHER RESOLVED, the Sumner County Commission requests the Sumner County Board of Education create a one-year plan that meets the greatest educational needs county-wide, including new schools, prioritized first over athletic facilities, then work on 2, 3, and 5-year plans for all other needs, and work the plan over a period of 10 years.

Commissioner Teachenor moved, seconded by Commissioner Pomeroy, to amend to increase the transfer amount to the original requested amount of \$15,790,000.00.

Commissioner Mansfield moved, seconded by Commissioner Genung, to amend the amendment to rescind 2012 Financial Management Act to create a centralized accounting system and to create a volunteer tax act for repair, upkeep, and improvements to new and existing athletic facility upgrades.

County Mayor John Isbell requested a legal opinion on Commissioner Mansfield's amendment and if it is within scope of special call meeting. Law Director Eric Sitler stated it is allowed if it relates to resolution. Mr. Isbell stated changing a private act is not within the scope of the meeting. Commissioner Becker stated it is against the Commission Rules and Procedures. Mr. Sitler stated the first part of the amendment is not allowed but the second part is allowable.

Commissioner Rogers moved, seconded by Commissioner Shoaf, to call for question. After an indeterminate voice vote Chairman Hyde called for division of the house.

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

Division	YES - 15	NO - 8	ABS - 0
Individual Voting Results			
Becker 21	- N	Boyt 13 - Y	Brown 17 - Y
Burgdorf 19	- Y	Genung 9 - Y	Harris 10 - Y
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 - N
Pomeroy 11	- N	Ring 8 - NP	Rogers 5 - Y
Schmit 18	- Y	Shoaf 22 - Y	Sullivan 7 - N
Teachenor 14	- N	Wright 2 - Y	Wynne 15 - N

Chairman Hyde declared the motion to call for question failed to carry.

After further discussion, Commissioner Wynne asked the maker of the motion to specify where the funds will be directed. Commissioner Mansfield agreed to additional language to specify where the funds will be directed.

After further discussion, the electronic vote on Commissioner Mansfield's amendment was recorded in the following manner:

Amend 2			10/30/2023 10:19:07 PM
YES - 15	NO - 8	ABS - 0	
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 - N	
Pomeroy 11 - N	Ring 8 - NP	Rogers 5 - N	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - N	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - N	

Chairman Hyde declared the amendment approved by the body.

The electronic vote on Commissioner Teachenor's amendment to raise the amount of transfer to \$15,790,000.00 was recorded in the following manner:

Amend 1			10/30/2023 10:47:48 PM
YES - 21	NO - 2	ABS - 0	
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 - Y	Hyde 20 - Y	
Jones 23 - Y	Klein 6 - N	Lamberth 4 - Y	
Mansfield 16 - Y	Miller 24 - Y	Moss 1 - Y	
Pomeroy 11 - Y	Ring 8 - NP	Rogers 5 - Y	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - Y	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y	

Chairman Hyde declared the amendment approved by the body.

After discussion, Commissioner Klein moved, seconded by Commissioner Brown, to amend to request the school district to meet with their engineers to bid repairs versus replacement, to hold transferred money in a separate account with Finance Director David Lawing having oversight and any remaining funds be put back in the reserve account.

After further discussion, Commissioner Pomeroy moved, seconded by Commissioner Rogers, to call for question.

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

Call question			10/30/2023 11:20:24 PM					
YES - 15			NO - 8			ABS - 0		
Individual Voting Results								
Becker 21	- N	Boyt 13	- N	Brown 17	- N			
Burgdorf 19	- Y	Genung 9	- N	Harris 10	- Y			
Harrison 3	- Y	Holmes 12	- Y	Hyde 20	- Y			
Jones 23	- Y	Klein 6	- N	Lamberth 4	- Y			
Mansfield 16	- N	Miller 24	- N	Moss 1	- Y			
Pomeroy 11	- Y	Ring 8	- NP	Rogers 5	- Y			
Schmit 18	- Y	Shoaf 22	- Y	Sullivan 7	- Y			
Teachenor 14	- Y	Wright 2	- N	Wynne 15	- Y			

Chairman Hyde declared the call for question failed to carry.

The electronic vote for Commissioner Klein's amendment was recorded in the following manner:

Amendment 3			10/30/2023 11:26:55 PM					
YES - 12			NO - 11			ABS - 0		
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	- N			
Jones 23	- Y	Klein 6	- Y	Lamberth 4	- N			
Mansfield 16	- Y	Miller 24	- Y	Moss 1	- Y			
Pomeroy 11	- N	Ring 8	- NP	Rogers 5	- N			
Schmit 18	- N	Shoaf 22	- N	Sullivan 7	- N			
Teachenor 14	- N	Wright 2	- Y	Wynne 15	- N			

Chairman Hyde declared the amendment failed to carry.

The electronic vote for Resolution 2310s-01 as amended was recorded in the following manner:

2310s-01			10/30/2023 11:27:29 PM					
YES - 20			NO - 3			ABS - 0		
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	- Y	Hyde 20	- Y			
Jones 23	- Y	Klein 6	- N	Lamberth 4	- Y			
Mansfield 16	- Y	Miller 24	- Y	Moss 1	- Y			
Pomeroy 11	- Y	Ring 8	- NP	Rogers 5	- Y			
Schmit 18	- Y	Shoaf 22	- Y	Sullivan 7	- Y			
Teachenor 14	- Y	Wright 2	- Y	Wynne 15	- Y			

Minutes were amended November 27, 2023, due to voting board malfunction, to record the votes of Commissioners Brown, Boyt, Burgdorf and Klein. The results are shown above.

Chairman Hyde declared Resolution 2310s-01 approved by the body resulting in the following resolution.

**2310s-01 A RESOLUTION TO APPROPRIATE A PORTION OF THE
GENERAL PURPOSE SCHOOL FUND'S FUND BALANCE FOR
REPAIRS TO BLEACHERS AT CERTAIN SUMNER COUNTY SCHOOLS**

WHEREAS, Sumner County Schools are grappling with deteriorating, unsafe, and failed bleachers at White House High, Portland High, Beech High, and Hendersonville High; and

WHEREAS, the Sumner County Board of Education seeks to appropriate a portion of the General Purpose School Fund's Fund Balance to facilitate capital improvements; and

WHEREAS, the deteriorating condition of the bleachers in the aforementioned high schools has been deemed a public safety hazard that necessitates immediate attention; and

WHEREAS, the Sumner County Commission is eager to foster a spirit of collaboration with Sumner County Schools regarding capital improvements.

NOW THEREFORE BE IT RESOLVED, the Sumner County Board of Commissioners, meeting in special session on the 30th day of October 2023, does hereby approve an \$15,790,000 appropriation of the General Purpose School Fund's Fund Balance for capital improvements. The Commission earnestly implores the Sumner County Board of Education to prioritize the allocation of these funds for addressing condemned and hazardous bleachers and stadiums and safeguarding public safety at White House High, Portland High, Beech High, and Hendersonville High, as was initially presented to and requested by the Sumner County Board of Education at their September meeting before any disbursement for other athletic facility purposes; and

BE IT FURTHER RESOLVED, the Sumner County Commission requests a monthly report by Sumner County Schools to the Education Committee with a breakdown of specific plans for repairs or replacements of bleachers, estimates, costs, associated contracts or agreements, and any other materials requested by the Education Committee or Commission in a timely manner before any future requests for additional funding for other athletic facility improvements will be considered; and

BE IT FURTHER RESOLVED, the Sumner County Commission requests the Sumner County Board of Education create a one-year plan that meets the greatest educational needs county-wide, including new schools, prioritized first over athletic facilities, then work on 2, 3, and 5-year plans for all other needs, and work the plan over a period of 10 years.

BE IT FURTHER RESOLVED, in an effort to pay for repairs, upkeep, improvements, and/or new athletic facilities, this body hereby creates "**THE SUMNER COUNTY VOLUNTARY TAX ACT FOR REPAIRS, UPKEEP, AND IMPROVEMENTS FOR EXISTING OR NEW ATHLETIC FACILITIES**" and, by such formation, ask citizens who wish to aid our county to make additional voluntary tax contributions for athletic facility upgrades or repair.

BE IT FURTHER RESOLVED, that Said contributions shall be made out to "Sumner County Government/SCH Athletic Funds" and mailed to the Sumner County Finance Department 355 North Belvedere Drive, Room 302, Gallatin, TN 37066, and that a restricted account shall be created and maintained by the

Finance Department, which shall reserve all contributions to be used for repairs, upkeep, improvements, and/or new athletic facilities for the school department, and

BE IT FURTHER RESOLVED, that all donations must be accepted and distributed pursuant to all state and federal laws, rules and regulations, and

BE IT FURTHER RESOLVED, that any donations received shall be so noted in the records of this body as to make it a permanent part of the record and thereby remaining a part of the history of this county

ADJOURNMENT

Chairman Hyde declared the Commission meeting adjourned at 11:29 p.m. upon motion of Commissioner Rogers, seconded by Commissioner Teachenor.

CAROLYN TEMPLETON, CLERK

MERROL HYDE, CHAIRMAN

Prepared by Jennifer Mitchell

Approved on _____