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**MINUTES  
SUMNER COUNTY BOARD OF COUNTY COMMISSIONERS  
FEBRUARY 26, 2024**

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The Board of County Commissioners of Sumner County, Tennessee met in regular session on February 26, 2024, 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, Law Director Eric Sitler and Staff Attorney Steve Weiner, and the following Commissioners to wit:

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

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 Deputy Helson. Chairman Merrol Hyde noted that with twenty-one 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 Becker, Pomeroy and Sullivan were not present.

The Invocation was led by Commissioner Mark Harrison.

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

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### APPROVAL OF AGENDA

Chairman Hyde recognized Commissioner Schmit who moved, seconded by Commissioner Harrison, to add \$310,650.86 for load bearing vests and \$57,543.40 for taser upgrades for the Sheriff's Department to the agenda. The Commission voted unanimously by voice vote to add the items to the agenda. The items were added to the Budget Committee report.

Commissioner Shoaf moved, seconded by Commissioner Harrison, to add \$1,247.32 tax abatement to the agenda. The Commission voted unanimously by voice vote to add the item to the agenda. The item was added to the Budget Committee report.

County Mayor John Isbell requested to remove his recommendation of Tommy Swint and Britt Little for Regional Planning Commission under the Committee on Committees report. Mr. Isbell read a statement from Tommy Swint and CTAS, he further asked Chairman Hyde to direct Committee on Committees to provide an approved list of businesses and industries he can choose from to bring citizens forward to serve in this capacity.

Commissioner Rogers requested to remove Resolution 2402-19 from the agenda.

Commissioner Mansfield asked to address the County Mayor's statement. Commissioner Wynne called for a point of order and stated there is not an item on the floor open for debate. Chairman Hyde agreed.

Chairman Mansfield stated his official objection to the County Mayor's statement.

Commissioner Harris moved, seconded by Commissioner Rogers, to approve the agenda as amended. The Commission voted unanimously to approve the agenda, as amended, by voice vote of the body.

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Chairman Hyde introduced the following items on the Consent Agenda:

### CONSENT AGENDA

#### **2402-01 DOCKETING BOARD OF EDUCATION BUDGET AMENDMENTS**

**TAKE NOTICE** the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby docket in its records the informational Board of Education Budget Amendments, as shown on the attachments hereto.

***FOR INFORMATIONAL PURPOSES ONLY, NO COMMISSION ACTION TO BE TAKEN***

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#### **2402-02 A RESOLUTION APPROPRIATING \$22,491.00 FROM STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT (SCAAP) TO BE USED FOR INMATE MEDICAL AND DENTAL SERVICES**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024 that this body does hereby appropriate \$22,491.00 from the State Criminal Alien Assistant Program Grant to be used for Inmate Medical and Dental, as shown on the attachments hereto.

**BE IT FURTHER RESOLVED** that the Budget Committee Waives their second reading for the efficiency of operations.

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**2402-03 A RESOLUTION APPROPRIATING \$3,000 FROM DATA FEES RESTRICTED FUND BALANCE FOR COUNTY CLERK ANNUAL EQUIPMENT MAINTENANCE DUE TO EXPIRED WARRANTY**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body does hereby appropriate \$3000 from Data Fees Restricted Fund Balance for County Clerk Annual Equipment Maintenance due to expired warranty, as shown on attachment hereto;

**BE IT FURTHER RESOLVED** that the Budget Committee waives their second reading for the efficiency of operations.

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**2402-04 A RESOLUTION APPROPRIATING \$2,169.00 TO THE GALLATIN LIBRARY FOR THE TSLA TECHNOLOGY GRANT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day February 2024, that this body does hereby appropriate \$2,169.00 to the Gallatin Library for the TSLA Technology Grant, as shown on attachment hereto;

**BE IT FURTHER RESOLVED** that the Budget Committee waives their second reading for the continuity of operations.

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**2402-05 A RESOLUTION APPROPRIATING \$1,302.00 TO THE PORTLAND LIBRARY FOR THE TSLA TECHNOLOGY GRANT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, appropriate \$1302.00 to the Portland Library for the TSLA Technology Grant, as shown on attachment hereto;

**BE IT FURTHER RESOLVED** that the Budget Committee waives their second reading for the continuity of operations.

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**2402-06 A RESOLUTION APPROPRIATING \$566.00 TO THE WESTMORELAND LIBRARY FOR THE TSLA TECHNOLOGY GRANT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, appropriate \$566.00 to the Westmoreland Library for the TSLA Technology Grant, as shown on attachment hereto;

**BE IT FURTHER RESOLVED** that the Budget Committee waives their second reading for the continuity of operations.

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**2402-07 A RESOLUTION APPROPRIATING \$767.00 TO THE MILLERSVILLE LIBRARY FOR THE TSLA TECHNOLOGY GRANT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, appropriate \$767.00 to the Millersville Library for the TSLA Technology Grant, as shown on attachment hereto;

**BE IT FURTHER RESOLVED** that the Budget Committee waives their second reading for the continuity of operations.

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**2402-08 A RESOLUTION APPROPRIATING \$182.72 FROM COUNTY GENERAL UNASSIGNED FUND BALANCE, \$1096.28 FROM FEMA, AND \$182.72 FROM THE STATE OF TENNESSEE FOR PURCHASE OF CHAINSAWS USED DURING DECEMBER 2023 TORNADO RESPONSE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby appropriate \$182.72 from County General unassigned fund balance, \$1096.28 from FEMA, and \$182.72 from the State of Tennessee for purchase of chainsaws used during December 2023 tornado response, as shown on attachment hereto.

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**2402-09 A RESOLUTION APPROPRIATING \$6,880.24 FROM COUNTY GENERAL UNASSIGNED FUND BALANCE FOR EMA TO PURCHASE 3<sup>RD</sup> GENERATOR**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby appropriate \$6880.24 from County General unassigned fund balance for EMA to purchase 3<sup>rd</sup> Generator, as shown on attachment hereto.

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**2402-10 A RESOLUTION APPROVING THE VM-WARE SOFTWARE MULTI-YEAR AGREEMENTS FOR NEW COURTHOUSE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approve the VM-Ware Software for multi-year Agreements for New Courthouse, as shown on attachment hereto.

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**2402-11 A RESOLUTION APPROPRIATING EMS UPCLOUD CURVE  
GOOGLE SERVICES INVOICE CROSSING FISCAL YEARS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approve the EMS Upcloud Curve Google Services invoice crossing fiscal years, as shown on attachment hereto.

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**2402-12 RESOLUTION APPROVING THE SHERIFF'S OFFICE CISCO DUO  
RENEWAL INVOICE CROSSING FISCAL YEARS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approving the Sheriff's Office Cisco duo renewal, invoice crossing fiscal years, as shown on attachment hereto.

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**2402-13 A RESOLUTION APPROVING THE VEEAM MULTI-YEAR  
AGREEMENT FOR THE SHERIFF DEPARTMENT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approve the VEEAM Multi-Year Agreement for the Sheriff Department, as shown on the attachment hereto.

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**2402-14 A RESOLUTION APPROVING THE BARRACUDA MULTIYEAR  
AGREEMENT FOR THE SHERIFF DEPARTMENT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body does hereby approve the Barracuda Multiyear Agreement for the Sheriff Department, as shown on attachment hereto.

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**Tax Refunds**

EFC Windsong	\$ 71.30
Hearth Appliance Sales	\$ 59.00
Ethy Mehr	\$192.00
Kamran K Mehr	\$ 56.00
North American Stamping Group	\$897.00
PNC Bank	\$ 57.00
Specialty Water Technologies	\$ 4.00
Tri-Star Energy for Sudden Svc #54	\$ 4.00

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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 Schmit, seconded by Commissioner Rogers.

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### **APPROVAL OF MINUTES**

The minutes for the meeting of this body held on January 22, 2024, and recorded in the office of the Clerk, Carolyn Templeton. The January 22, 2024, minutes were approved unanimously by voice vote after Commissioner Harrison made the motion, seconded by Commissioner Harris.

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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.

Kevin Baigert of 424 AB Wade Road, Portland commended the Committees for the deliberation and diligence being done at meetings.

Alycia Neighbours of 1105 Longview Drive, Hendersonville spoke to the Library Board and support for the new collection policy.

Patricia Smith of 112 England Place, Hendersonville expressed her concerns about representation on the Library Board. She also spoke in favor of the recommendation of Commissioner Burgdorf to the Library Board.

Lindsay Doss of 204 Lacey Ct, Portland expressed concerns with the Library Board and against the new collection policy. Supports the recommendation of Commissioner Burgdorf to serve on the Library Board.

Charlena Aumiller of 143 Ruland Circle, Hendersonville spoke to concerns with the Regional Planning Commission membership and Committee on Committees appointment process.

Jim Holcomb of 511 Coles Ferry Road, Gallatin spoke to the Library Board and stated there is no chaos on the board.

Eric Stockton of 445 Cummings Lane, Gallatin expressed his support for the current Library Board and spoke in favor of a reduction in the number of board members from eleven to nine.

Jill Fernelius of 180 Cobbler Circle, Hendersonville spoke to her concerns with the Library Board and the new collection policy.

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

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### **REPORT OF THE CHAIR**

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

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Chairman Hyde directed Clerk Templeton to read the notice into record:

**PUBLIC NOTICE/REZONING**

The Sumner County Board of County Commissioners will hold a public hearing on February 26, 2024, at 7:00 P.M. in the Bethel Brown Commission Chambers of the Sumner County Administration Building, located at 355 North Belvedere Drive, Gallatin, Tennessee.

Tharp Family Saddle and Vine Ranch PUD – Rezoning – Tharp Family Co, LP, Mark Duemig, represented by GreenLID Design – 5<sup>th</sup> Commission Voting District (Darrel Rogers)- Applicant is seeking to rezone subject property from Rural Residential (RR) to Planned Unit Development (PUD) for the purpose of constructing and operating an Indoor & Outdoor Venue, Winery, Restaurant, Campground, and an Equestrian facility. Subject property is located at 3555 Hwy 31E and 150 Mount Vernon Road, Gallatin, TN 37066, is Tax Map 068, Parcels 006.01, 115.00, 116.00, 005.02, 005.00, 006.00, 006.08, 006.07 and 006.06, contains 254.75 acres and is zoned Rural Residential (RR).

The Sumner County Regional Planning Commission forwarded a positive recommendation related to this item on December 19, 2023.

A copy of this notice is on file at the Sumner County Development Services Department in the Sumner County Administration Building located at 355 North Belvedere Drive, Gallatin, Tennessee. Anyone having any interest or desiring to ask questions concerning this request is invited to attend this meeting or call 615-451-6097. Persons wishing to speak on agenda items shall sign up for public comment on the sheet provided at the meeting immediately prior to the commencement of the meeting.

Chairman Hyde declared the public hearing open for anyone wishing to speak.

Doug Bates of 288 Mt. Vernon Road, Bethpage explained he would like more details about the development such as definition of what the campground will be, how many campsites/cabins and infrastructure.

With no one else wishing to speak, Chairman Hyde declared the public hearing closed.

Commissioner Rogers moved to approve the following resolution.  
Commissioner Harrison seconded the motion.

**2402-15 A RESOLUTION APPROVING A REQUEST FOR REZONING AND  
CONCEPT PLAN APPROVAL FOR THARP SADDLE AND VINE  
RANCH PLANNED UNIT DEVELOPMENT**

Subject property is located at **3555 Hwy 31E and 150 Mount Vernon Road, Bethpage TN, 37022**, is Tax Map 068, Parcels 006.01, 115.00, 116.00, 005.02, 005.00, 006.00, 006.08, 006.07 and 006.06, contains 254.75 acres and is zoned Rural Residential (RR).

**WHEREAS**, the Sumner County Zoning Resolution establishes a process allowing property owners to seek to develop property as part of a Planned Unit Development via rezoning; and

**WHEREAS**, the developer has submitted a request to the County to rezone the subject property in order to allow the construction and operation of uses as depicted upon the required concept plan.

**WHEREAS**, the Sumner County Regional Planning Commission in regular session December 19, 2023, completed a detailed analysis of this rezoning request; and

**WHEREAS**, the Sumner County Regional Planning Commission forwarded a positive recommendation related to the proposed Planned Unit Development request by a vote of 3 for, 0 against; and

**WHEREAS**, due notice was published and a hearing held in accordance with Tennessee Code Annotated 13-7-105 and Chapter 14, Section 1414 of the Sumner County Zoning Resolution;

**NOW THEREFORE BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body hereby approves the request to approve the Tharp Saddle and Vine Ranch Planned Unit Development for the purpose of constructing and operating an Indoor & Outdoor Venue, Winery, Restaurant, Campground and an Equestrian facility. Subject property is located at **3555 Hwy 31E and 150 Mount Vernon Road, Bethpage TN, 37022**, is Tax Map 068, Parcels 006.01, 115.00, 116.00, 005.02, 005.00, 006.00, 006.08, 006.07 and 006.06, contains 254.75 acres.

Without objection, Director of Development Services Josh Suddath spoke to some of the questions asked.

After discussion, Commissioner Wynne moved, seconded by Commissioner Shoaf, to amend to add language to state no more than five cabins to be included for PUD approval.

The electronic vote was recorded in the following manner:

Amend 2402-15			2/26/2024 8:05:44 PM
<b>YES - 11</b>	<b>NO - 10</b>	<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)			
Becker 21 - NP	Boyt 13 - Y	Brown 17 - N	
Burgdorf 19 - N	Genung 9 - N	Harris 10 - Y	
Harrison 3 - Y	Holmes 12 - N	Hyde 20 - Y	
Jones 23 - Y	Klein 6 - N	Lamberth 4 - Y	
Mansfield 16 - N	Miller 24 - N	Moss 1 - Y	
Pomeroy 11 - NP	Ring 8 - N	Rogers 5 - N	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP	
Teachenor 14 - N	Wright 2 - Y	Wynne 15 - Y	

Chairman Hyde declared the amendment failed to carry.



After further discussion, the electronic vote for Resolution 2402-15 was recorded in the following manner:

2402-15			2/26/2024 8:13:56 PM
<b>YES - 20</b>	<b>NO - 1</b>	<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)			
Becker 21 - NP	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 - NP	Ring 8 - Y	Rogers 5 - Y	
Schmit 18 - N	Shoaf 22 - Y	Sullivan 7 - NP	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - Y	

Chairman Hyde declared Resolution 2402-15 approved by the body.

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### COMMENTS AND ANNOUNCEMENT FROM CHAIRMAN

Chairman Hyde asked everyone to tamp down the politics.

Chairman Hyde also announced he will not serve as Chairman after this year; would be happy to serve as Pro Tem.

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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 introduced the following resolution:

**2402-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.**

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DIANE R ALLERS	RICHARD COLTEN JONES
BETTY BAILEY	COURTNEY KACHELMUSS
ALLEN BARNES	LINDA FAY KOWALSKI
BILLY J BARRETT	ELIZABETH KRAMER
FLOYD JESS BIRDWELL III	SHELBY GRAE LUNA
PORTIA L BOELTER	DEVOLIA MACK
JADYN BOYLES	MELISSA MATASICK
KELLY J BRACKEN	CRE'ELL MCCALL
DOROTHY KAY BROWN	TAMMY L MCCLUNG
JUSTICE BROWN	JEMEL MERANI
TANNER CARSON	TRACY MILLER
DAISY B CASEY	DARIN MOORE
DIANNE M CATHEY	GARY W NEELEY
ALICE CHAMBERS	TABITHA NETHERTON
SAMUEL M CHRZANOWSKI	NELDA SANTIAGO RABENS
ASHLEY MICHELLE CROWDER	GEORGIA REAM
LISA M CURTIS	SARAH E REED
BILLY DEBOW JR	JODI M REEVE
LORENA DIAZ DE LA ROSA	GREGORY L RITCHIE
RUSSELL E EDWARDS	COLIN JAMES ROGERS
HALEY FARMER	FLOR MARIA SANTANA
ALYSSA FITE	JENNIFER LYNN SHERRY
RON GIBSON	HEATHER SMITH
KRISTIN GILCHRIST	LAUREN P SMITH
GINGER G GOODMAN	JESSICA STAHL
VICKI GRANTHAM	ROBERT J STEELE JR
ROBBIE F GREEN	ANNA M STEPHENS
NICHOLAS T GREGORY	SUSAN L SUPERCZYNSKI
KAREN N GRIFFIN	MYA SWINEHART
JUSTIN GRIFFIN	KAY THURMAN
BEVERLY D HARRIS	STEPHEN VON MANN
SHEA N HELMS	CHRISTY WALKER
KRISTINE HETTINGER	WILLIAM G WEAVER JR
LISA G HODGES	LISA L WESTMOLAND
CYNTHIA R HODGES	NAOMI E. YEWELL
PATRICIA HOOTEN	JODIE YOUNG
CELESTE HURT	

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Upon motion of Commissioner Ring, seconded by Commissioner Miller, the electronic vote was recorded in the following manner:

2402-NOT

2/26/2024 8:19:14 PM

<b>YES - 21</b>		<b>NO - 0</b>		<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)					
Becker 21	- NP	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	- NP	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 approved by the body.

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### RECESS

Chairman Hyde called for recess at 8:20 p.m. The meeting reconvened at 8:25 p.m.

Chairman Hyde asked County Mayor John Isbell to give a report on missing child in Sumner County. Mr. Isbell gave an update on search efforts before leaving to return to the command center.

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### HEALTH AND EMERGENCY SERVICES COMMITTEE

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

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### EDUCATION COMMITTEE

Commissioner Brown introduced the following resolution and moved for approval; seconded by Commissioner Lamberth:

**2402-16 A RESOLUTION APPROVING THE SUMNER COUNTY BOARD OF EDUCATION BUDGET AMENDMENT REQUESTS**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February, 2024, that this body does hereby approve the Sumner County Board of Education budget amendment requests Nos. 5 and 8 as attached herewith.

**BE IT FURTHER RESOLVED** that the Budget Committee waives their second reading for the efficiency of operations.

Chairman Hyde declared Resolution 2402-16 approved by unanimous voice vote of the body.

**GENERAL OPERATIONS COMMITTEE**

Commissioner Klein introduced the following resolution and moved for approval; seconded by Commissioner Brown:

**2402-17 A RESOLUTION DIRECTING THE TRUSTEES OF THE WILLIAM AND MARTHA BROWN TECHNOLOGY TRUST TO TRANSFER FUNDS TO SUMNER COUNTY, TENNESSEE FOR THE PURPOSES OF ESTABLISHING THE WILLIAM AND MARTHA BROWN PARK**

**WHEREAS** William I. Brown survived his wife, Martha Brown; and

**WHEREAS** William I. Brown died testate leaving a Last Will and Testament executed October 1, 2015; and

**WHEREAS** William I. Brown made and published Codicil Number 1 to his Last Will and Testament on March 17, 2016; and

**WHEREAS** William I. Brown completely rewrote the specific distribution provisions of his Last Will and Testament in Codicil Number 1 by leaving a specific bequest in the sum of Five-Hundred Thousand Dollars and No Cents (\$500,000.00) to Sumner County to be kept in a restricted fund for the exclusive purpose of the “establishment, promotion, ongoing support, and maintenance of the William and Martha Brown Park” at 212 Hunters Lane, Hendersonville, Tennessee; and

**WHEREAS** William I. Brown completely rewrote the residuary clause of his Last Will and Testament in Codicil Number 1 by leaving the rest, residue, and remainder of his estate to the William and Martha Brown Education Technology Trust for the purpose of assisting Sumner County public schools with technology needs; and

**WHEREAS** the funds Mr. Brown specifically left to the County for the purposes of establishing and maintaining the William and Martha Brown Park were inadvertently distributed to the William and Martha Brown Education Technology Trust contrary to the terms of Codicil Number 1.

**NOW BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February, 2024, that this body does hereby establish a county park at 212 Hunters Lane to be called the ***William and Martha Brown Park***; and

**BE IT FURTHER RESOLVED** that the Sumner County Commission directs the Trustees of the William and Martha Brown Education Trust to transfer, plus any accrued interest, Five-Hundred Thousand and No Cents (\$500,000.00) mistakenly distributed to said Trust to Sumner County, Tennessee to be held in a restricted fund by the Sumner County Finance Department for the exclusive purpose of the “establishment, promotion, ongoing support, and maintenance of the William and Martha Brown Park” to be located at 212 Hunters Lane, Hendersonville, Tennessee in accordance with the last wishes of William I. Brown.

Commissioner Jones moved, seconded by Commissioner Boyt, to refer back to the Legislative Committee.

The electronic vote to refer Resolution 2402-17 back to the Legislative Committee was recorded in the following manner:

Refer 2402-17 2/26/2024 8:34:26 PM

<b>YES - 21</b>		<b>NO - 0</b>		<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)					
Becker 21	- NP	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	- NP	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 motion to refer Resolution 2402-17 back to the Legislative Committee approved by the body.

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

**2402-18 A RESOLUTION CREATING A SURPLUS PROPERTY DATABASE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body hereby create a database to be managed by the Sumner County Information Technology Department for the purpose of managing surplus property to be accessible to all county departments.

Chairman Hyde declared Resolution 2402-18 approved unanimously by voice vote of the body.

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**HIGHWAY COMMITTEE**

There was no report from the Highway Committee.

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**COMMITTEE ON COMMITTEES**

Commissioner Mansfield announced the following appointments, Commissioner Shoaf moved to group and approve items one through three; seconded by Commissioner Klein:

Self Insurance Board:

- Merrol Hyde – Coterminous
- Terri Boy – Coterminous
- Robert Brown – Coterminous
- Don Schmit – Coterminous

- Mary Genung – Coterminous
- John Isbell, Ex-Officio – Coterminous
- David lawing, Ex-Officio, Coterminous

Zoning Board of Appeals:

- Sean Keene, 5-year term

Resource Authority:

- Jeremy Mansfield, Coterminous

The electronic vote to approve the appointments to the Self-Insurance Board, Zoning Board of Appeals and the Resource Authority was recorded in the following manner:

Appt 1-3			2/26/2024 8:36:29 PM
<b>YES - 13</b>	<b>NO - 8</b>	<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)			
Becker 21 - NP	Boyt 13 - Y	Brown 17 - Y	
Burgdorf 19 - N	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 - NP	Ring 8 - N	Rogers 5 - N	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - N	

Hyde declared the appointments to the Self-Insurance Board, Zoning Board of Appeals and Resource Authority approved by the body.

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Commissioner Mansfield announced the appointments for the Regional Planning Commission were removed from the agenda. Commissioner Mansfield went on to address some of the questions and complaints with the appointments to the Regional Planning Commission.

Commissioner Wynne requested to speak to the matter. Commissioner Rogers moved, seconded by Commissioner Harrison, to allow Commissioner Wynne to speak to the matter. Chairman Hyde ruled the motion failed by voice vote of the body.

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Commissioner Mansfield announced the following appointments and moved to group and approve; seconded by Commissioner Miller.

Library Board:

- Jennifer Sloan, Westmoreland, 3-year term
- Tonya Ray, Gallatin, 3-year term
- Jackie Wright, Hendersonville, 3-year term
- Shannon Burgdorf, Commissioner, 3-year term

Commissioner Lamberth moved, seconded by Commissioner Harrison, to sever the appointments.

Commissioner Shoaf moved, seconded by Commissioner Harrison, to defer the appointment of the first three recommendations until negotiations are finished with the City of Hendersonville and only appoint Commissioner Burgdorf.

After discussion, the electronic vote to defer the first three recommendations and appoint Commissioner Burgdorf to the Library Board was recorded in the following manner:

Library Board				2/26/2024 8:50:45 PM	
<b>YES - 13</b>		<b>NO - 8</b>		<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)					
Becker 21	- NP	Boyt 13	- Y	Brown 17	- N
Burgdorf 19	- Y	Genung 9	- N	Harris 10	- Y
Harrison 3	- Y	Holmes 12	- N	Hyde 20	- Y
Jones 23	- N	Klein 6	- N	Lamberth 4	- Y
Mansfield 16	- N	Miller 24	- N	Moss 1	- Y
Pomeroy 11	- NP	Ring 8	- Y	Rogers 5	- Y
Schmit 18	- Y	Shoaf 22	- Y	Sullivan 7	- NP
Teachenor 14	- N	Wright 2	- Y	Wynne 15	- Y

Chairman Hyde declared the motion to defer the first three recommendations and appoint Commissioner Burgdorf to the Library Board approved by the body.

After discussion, Law Director Eric Sitler clarified the vote was to defer the appointment of the first three candidates and appoint Commissioner Burgdorf to the Library Board.

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### LEGISLATIVE COMMITTEE

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

**2402-20 DOCKETING INFORMATION CONCERNING THE COUNTY CLERK PERSONNEL POLICY**

**TAKE NOTICE** the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby docket in its records information concerning County Clerk Personnel Policy, as shown on the attachments hereto.

**FOR INFORMATIONAL PURPOSES ONLY, NO COMMISSION ACTION TO BE TAKEN**

Chairman Hyde declared Resolution 2402-20 approved unanimously by voice vote of the body.

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### BUDGET COMMITTEE

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

**2402-21 A RESOLUTION APPROVING THE UNAPPROPRIATION OF THE  
AMERICAN RECOVERY PLAN ACT FUNDS IN THE COUNTY  
GENERAL FUND**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approve the unappropriation of the American Recovery Plan Act Funds in the County General Fund, as shown below and as shown on attachment hereto:

1. \$500,000 from Consultants
2. \$1.5 million from Maintenance Facility
3. \$1.539 million from Westmoreland EMS
4. \$2 million from White House EMS
5. \$101,292 from ECC Alert System

Commissioner Shoaf explained the intent is to appropriate to the County General Fund.

Finance Director David Lawing further explained ARPA funds have to be tied down with contracts by December 31, 2024, and used by two years or lose them.

During discussion, Commissioner Shoaf moved, seconded by Commissioner Klein, to amend to simultaneously unappropriate the funds from ARPA and appropriate \$2,000,000.00 for EMS stations from Capital Projects.

After further discussion, Commissioner Shoaf agreed to withdraw the amendment.

After further discussion, Commissioner Wynne moved, seconded by Commissioner Schmit, to defer for one month. After discussion, Commissioner Schmit withdrew his second and motion failed for lack of second.

Commissioner Brown moved, seconded by Commissioner Mansfield, to call for question. Chairman Hyde declared the call to question approved by voice vote of the body.

The electronic vote was recorded in the following manner:

2402-21			2/26/2024 9:34:34 PM
<b>YES - 16</b>	<b>NO - 5</b>	<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)			
Becker 21 - NP	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 - NP	Ring 8 - Y	Rogers 5 - Y	
Schmit 18 - Y	Shoaf 22 - Y	Sullivan 7 - NP	
Teachenor 14 - Y	Wright 2 - Y	Wynne 15 - N	

Chairman Hyde declared Resolution 2402-21 approved by the body.

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

**2402-22 A RESOLUTION REPEALING AND RESCINDING RESOLUTION  
0704-04 RELATING TO THE SUMNER COUNTY ADEQUATE  
FACILITIES TAX**

**WHEREAS** Sumner County has an Adequate Facilities Tax created by Chapter 57, Private Acts of 1999 (“Act”) for the purpose of ensuring that the persons responsible for new development share in the burdens of growth; and

**WHEREAS** the Act assesses forty cents (.40) per square foot for industrial development; and

**WHEREAS** industrial development is defined by the Act as “the development of any property for use by any person in a business classified as industrial under the United States Government Standard Industrial Classification Manual;” and

**WHEREAS** the United States Government Standard Industrial Classification Manual lists ten categories of industrial classification, to-wit: A) Agriculture, Forestry, and Fishing, B) Mining, C) Construction, D) Manufacturing, E) Transportation, Communications, Electric, Gas, and Sanitary Services, F) Wholesale Trade, G) Retail Trade, H) Finance, Insurance, and Real Estate, I) Services, and J) Public Administration;

**WHEREAS** Resolution 0704-04 was passed in April of 2007; and

**WHEREAS** Resolution 0704-04 defined Industrial and Residential as the same as the definitions set forth in the Sumner County Zoning Resolution; and

**WHEREAS** the Act defines Industrial and Residential in the Act itself; and

**WHEREAS** the definitions of Industrial and Residential in the Act are clear and unambiguous; and

**WHEREAS** the County Commission cannot unilaterally change the Act without amending the Act through the Private Act approval process, which includes involvement of the Tennessee General Assembly.

**NOW THEREFORE BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body does hereby **repeal** and **rescind** Resolution 0704-04; and

**BE IT FURTHER RESOLVED** that it is the policy of the County to follow and implement the requirements of the Act as required by its terms.

Chairman Hyde declared Resolution 2402-22 approved by unanimous voice vote by the body.

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

**2402-23 A RESOLUTION REMOVING APPROPRIATION OF \$39,983.00 IN THE CAPITAL PROJECTS FUND FOR CANCELED PURCHASE ORDER FROM FY 2023 DUE TO NOT MEETING BID SPECS AND REAPPROPRIATE FUNDS FOR FY 2024 FOR SHERIFF'S OFFICE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby remove appropriation of \$39,983.00 in the Capital Projects Fund for canceled Purchase Order from FY 2023 due to not meeting bid specs and reappropriate funds for FY 2024 for Sheriff's Office, as shown on attachment hereto.

Chairman Hyde declared Resolution 2402-23 approved by unanimous voice vote by the body.

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

**2402-24 A RESOLUTION TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO STATE TREASURER UNDER UNCLAIMED PROPERTY ACT**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approve the request for unclaimed balance of accounts remitted to the State Treasurer under Unclaimed Property Act, as shown on attachment hereto.

Chairman Hyde declared Resolution 2402-24 approved by unanimous voice vote by the body.

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

**2402-25 A RESOLUTION APPROVING THE ONELOGIN SOFTWARE MULTI-YEAR AGREEMENT FOR NEW COURTHOUSE**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26th day of February 2024, that this body does hereby approve the OneLogin Software multi-year Agreement for New Courthouse, as shown on attachment hereto.

Chairman Hyde declared Resolution 2402-25 approved by unanimous voice vote by the body.

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

**2402-26 A RESOLUTION APPROVING COMCAST TWENTY-FOUR MONTH  
CONTRACT FOR ELECTION COMMISSION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body does hereby approve the Comcast twenty-four-month contract for Election Commission, as shown on attachment hereto.

Commissioner Harrison called for a point of personal privilege to state his concerns about an appeal that was filed regarding the Election Commission ruling. He objected to the appeal and stated the Commission body never voted to appeal the ruling.

Chairman Hyde declared Resolution 2402-26 approved by unanimous voice vote by the body.

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

**2402-27 A RESOLUTION APPROVING THE BLACKLION AGREEMENT  
FOR ONE YEAR CROSSING FISCAL YEARS FOR  
ELECTION COMMISSION**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body does hereby approve the Blacklion Agreement for one year crossing fiscal years, as shown on attachment hereto.

Chairman Hyde declared Resolution 2402-27 approved by unanimous voice vote by the body.

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

**2402-28 A RESOLUTION APPROPRIATING AMERICAN RECOVERY PLAN  
ACT FUNDS IN THE COUNTY GENERAL FUND TO THE  
SHERIFF'S OFFICE FOR LOAD BEARING VESTS AND  
TASER UPGRADES**

**BE IT RESOLVED** by the Sumner County Board of County Commissioners meeting in regular session on this the 26<sup>th</sup> day of February 2024, that this body does hereby appropriate American Recovery Plan Act Funds in the County General Fund to the Sheriff's Office for Load Bearing Vests and Taser upgrades, as shown below and as shown on attachment hereto:

1. \$310,650.86 Sheriff Office Load Bearing Vests
2. \$57,543.40 Taser upgrades

Commissioner Boyt moved, seconded by Commissioner Jones, to refer to Committee.

The electronic vote to refer to Committee was recorded in the following manner:

2/26/2024 9:39:32 PM

Refer

<b>YES - 12</b>		<b>NO - 7</b>		<b>ABS - 2</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)					
Becker 21	- NP	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	- NP	Ring 8	- A	Rogers 5	- Y
Schmit 18	- N	Shoaf 22	- N	Sullivan 7	- NP
Teachenor 14	- Y	Wright 2	- A	Wynne 15	- N

Chairman Hyde declared the motion to refer to Committee failed to carry.

Commissioner Mansfield moved, seconded by Commissioner Jones, to defer to Committee.

After discussion, Commissioner Rogers called for question, Chairman Hyde declared call to question approved by unanimous voice vote of the body.

The electronic vote to defer was recorded in the following manner:

2/26/2024 9:43:50 PM

Defer

<b>YES - 12</b>		<b>NO - 9</b>		<b>ABS - 0</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)					
Becker 21	- NP	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	- NP	Ring 8	- N	Rogers 5	- Y
Schmit 18	- N	Shoaf 22	- N	Sullivan 7	- NP
Teachenor 14	- Y	Wright 2	- N	Wynne 15	- N

Chairman Hyde declared the motion to defer failed to carry.

The electronic vote to approve Resolution 2402-28 was recorded in the following manner:

2/26/2024 9:47:07 PM

2402-28

<b>YES - 20</b>		<b>NO - 0</b>		<b>ABS - 1</b>	
Individual Votes (Y-Yes; N-No; A-Abstain; NV-Not Voting; NP-Not Present)					
Becker 21	- NP	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	- NP	Ring 8	- Y	Rogers 5	- Y
Schmit 18	- Y	Shoaf 22	- Y	Sullivan 7	- NP
Teachenor 14	- Y	Wright 2	- A	Wynne 15	- Y

Chairman Hyde declared Resolution 2402-28 approved by the body, resulting in resolution above.

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

**2402-29 A RESOLUTION APPROPRIATING \$1,247.32 TO THE COUNTY  
COMMISSION BUDGET FROM THE GENERAL FUND UNASSIGNED  
FUND BALANCE TO PAY THE COUNTY TRUSTEE'S OFFICE FOR  
A CORRECTION OF TAX ERROR AT 409 CARRIAGE HOUSE  
LANE, HENDERSONVILLE, TN**

**BE IT RESOLVED** by the Sumner County Board of County  
Commissioners meeting in regular session on this the 26th day of February  
2024, that this body does hereby approve appropriating \$1,247.32 to the County  
Commission budget from the General Fund unassigned fund balance to pay the  
County Trustee's Office for a correction of tax error at 409 Carriage House Lane,  
Hendersonville, TN, as shown on attachment hereto.

Chairman Hyde declared Resolution 2402-29 approved by unanimous voice vote by 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 9:47 p.m. upon motion  
of Commissioner Shoaf, seconded by Commissioner Mansfield.

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CAROLYN TEMPLETON, CLERK

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MERROL HYDE, CHAIRMAN

Prepared by Jennifer Mitchell

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