

**RUTHERFORD COUNTY,
TENNESSEE
BOARD OF
COMMISSIONERS
LEGISLATIVE MINUTES**

**Thursday,
August 11, 2016**

RUTHERFORD COUNTY BOARD OF COMMISSIONERS**AGENDA**

AUGUST 11, 2016 6:00 P.M.

RUTHERFORD COUNTY COURTHOUSE, COURTROOM

- A. Commission called to order by Chairman
 B. Prayer
 C. Pledge to Flag
 D. Roll Call
 E. Reading and Approval of the Minutes
 F. Public Comments
- G. **ELECTIONS & CONFIRMATIONS**
1. Elect Notaries
 2. Announce Two Vacancies on Codes Enforcement Board
 3. Announce Citizen Vacancy on Audit Committee
 4. Fill Vacancy on Industrial Development Board and Health, Education & Facilities Board
 5. Fill Vacancy on Stones River Regional Library Board
 6. Appointment of Judicial Commissioner for Juvenile Court – Matthew Adams
 7. Announce Appointments of Ricky Marlin and Michele Watson to Insurance Committee As Citizens-at-Large
 8. Announce Appointment of Charlotte Peay to Planning Commission
 9. Announce Election of Chairman Pro Tem at September Commission Meeting
 10. Announce Election of Commission Chaplain at September Commission Meeting
 11. Tentatively Elect Commission Chairman
 12. Election of Steering Committee
- H. **RESOLUTION TO APPROVE CONSENT AGENDA**
1. General Fund Budget Amendments
 - (a) Remainder of Funds from PetSmart Grant for PAWS
 - (b) Remainder of Tobacco Settlement Funds for Health Department
 - (c) Software for Circuit Court Clerk
 2. Animal Friendly Grant with the Tennessee Department of Health for PAWS & Related Budget Amendment
 3. PetSmart Grant with PetSmart Charities, Inc. for PAWS & Related Budget Amendment
 4. Vendor Agreements with Tennessee Department of Mental Health & Substance Abuse for Alcohol & Drug Addiction Treatment
 5. Regional Transportation Authority Contract
 6. Resolution to Declare Double Wide Trailer on Singer Road Property Surplus and Bid Out
 7. Resolution to Approve Speed Limit of 40 MPH on Rocky Fork Road
 8. Resolution to Approve OSHA Resolution to Establish an Updated Occupational Safety & Health Program Plan, Devise Rules & Regulations and to provide for a Director and the Implementation of Such Program Plan
 9. Purchasing Committee Report
- I. **UNFINISHED BUSINESS**
- J. **PUBLIC HEARINGS – 6:30 P.M.**
1. Rezoning Request (16-A010): David Alcorn; located at 4613 Veterans Parkway; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Commercial Services (CS); Size of site Approximately 6 acres
 2. Rezoning Request (16-A011): Lucas Thompson for Jim Thompson; located along Jackson Ridge Road; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Commercial Services (CS); Size of site approximately 5 acres
 3. Rezoning Request (16-A013): Bud George; located at 1004 Walnut Grove Road; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Planned Unit Development (PUD) for a Residential Subdivision; Size of site approximately 150 acres
- K. **REPORTS BY STANDING COMMITTEES**
1. **BUDGET, FINANCE & INVESTMENT COMMITTEE**
 - A. General Fund Budget Amendment
 - B. Highway Fund Budget Amendment
 - C. Solid Waste Feasibility Study Agreement and Related Budget Amendment
 - D. General Purpose School Fund Budget Amendments
 2. **HEALTH & EDUCATION COMMITTEE**
 - A. No Report
 3. **PROPERTY MANAGEMENT COMMITTEE**
 - A. No Report
 4. **PUBLIC SAFETY COMMITTEE**
 - A. Discussion Regarding Patrol and Detention Deputies
 5. **PUBLIC WORKS & PLANNING COMMITTEE**
 - A. No Report
 6. **STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE**
 - A. No Report
- L. **ANY OTHER BUSINESS**

In accordance with ADA (Americans with Disabilities Act), any disabled persons requiring accommodations for participation in the meeting should contact the County Mayor's Office at 615-898-7745 at least two working days prior to the meeting in order that appropriate accommodations can be made.

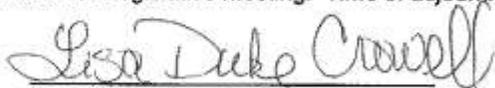
**LEGISLATIVE DIGEST
OF THE
RUTHERFORD COUNTY
BOARD OF COMMISSIONERS**

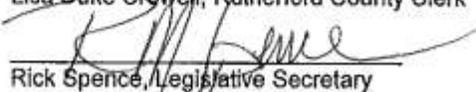
Thursday, August 11, 2016

- A. Mr. Chairman, Ernest Burgess, called the regular session of the Rutherford County Board of Commissioners to order at 6:00 P.M. on Thursday, August 11, 2016, in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.
- B. Commission Chaplain Brad Turner led the invocation.
- C. Commissioner Trey Gooch led the pledge to our flag.
- D. Twenty (21) Commissioners of the Rutherford County Board of Commissioners were present for the opening of the Legislative Meeting.
- E. The June 27, 2016, Legislative Meeting Minutes were amended and adopted.
- F. Public Comments – Two (2) citizens made comments.
- G. **ELECTIONS & CONFIRMATIONS**
 - 1. The Notary Applicants were approved.
 - 2. Two vacancies on the Codes Enforcement Board were announced
 - 3. A citizen vacancy on the Audit Committee was announced.
 - 4. Tara McDougal was appointed to the Industrial Development Board and Health, Education & Facilities Board.
 - 5. Kathy Boudreau-Henry was named to the Stones River Regional Library Board.
 - 6. Matthew Adams was appointed Judicial Commissioner for Juvenile Court.
 - 7. Ricky Marlin and Michele Watson were named to the Insurance Committee as Citizens-at-Large.
 - 8. Charlotte Peay was named to the Planning Commission.
 - 9. It was announced that the Election of Chairman Pro Tem will be held at the September Commission meeting.
 - 10. It was announced that the Election of Commission Chaplain will be held at the September Commission meeting.
 - 11. Mayor Ernest Burgess was tentatively elected Commission Chair.
 - 12. Commissioners Brad Turner, Paul Johnson, Jeff Phillips, Trey Gooch, Alan McAdoo, Robert Stevens and Robert Peay were elected to the Steering Committee. After a short recess to allow the Steering Committee to elect Chair and Vice-Chair, it was announced Trey Gooch will serve as Chairman and Brad Turner will serve as Vice-Chair. The Committee will meet at 5:30 P.M. on the first Monday of each month.
- H. **RESOLUTION TO APPROVE CONSENT AGENDA**
The Consent Agenda (items 1-9 listed below) received unanimous approval with the exception of moving item 1.C. to be heard in the Budget, Finance and Investments Report portion of the Agenda.
 - 1. General Fund Budget Amendments:
 - (a) Remainder of Funds from PetSmart Grant for PAWS
 - (b) Remainder of Tobacco Settlement Funds for Health Department
 - (c) Software for Circuit Court Clerk
 - 2. Animal Friendly Grant with the Tennessee Department of Health for PAWS & Related Budget Amendment
 - 3. PetSmart Grant with PetSmart Charities, Inc. for PAWS & Related Budget Amendment
 - 4. Vendor Agreements with Tennessee Department of Mental Health & Substance Abuse for Alcohol & Drug Addiction Treatment
 - 5. Regional Transportation Authority Contract
 - 6. Resolution to Declare Double Wide Trailer on Singer Road Property Surplus and Bid Out
 - 7. Resolution to Approve Speed Limit of 40 MPH on Rocky Fork Road
 - 8. Resolution to Approve OSHA Resolution to Establish an Updated Occupational Safety & Health Program Plan, Devise Rules & Regulations and to provide for a Director and the Implementation of Such Program Plan

9. Purchasing Committee Report
- I. **UNFINISHED BUSINESS**
None
- J. **PUBLIC HEARINGS – 6:30 P.M.**
1. Rezoning Request (16-A010): David Alcorn; located at 4613 Veterans Parkway; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Commercial Services (CS); Size of site Approximately 6 acres. The Rezoning Request was approved.
 2. Rezoning Request (16-A011): Lucas Thompson for Jim Thompson; located along Jackson Ridge Road; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Commercial Services (CS); Size of site approximately 5 acres. The Rezoning was approved.
 3. Rezoning Request (16-A013): Bud George; located at 1004 Walnut Grove Road; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Planned Unit. The Rezoning Request was approved.
- K. **REPORTS BY STANDING COMMITTEES**
1. **BUDGET, FINANCE & INVESTMENT COMMITTEE**
*H.1.C (from the Consent Agenda) A General Fund Budget Amendment providing Software for the Circuit Court Clerk was approved.
 - A. A General Fund Budget Amendment was approved.
 - B. A Highway Fund Budget Amendment was approved.
 - C. A Solid Waste Feasibility Study Agreement and the related budget amendment was approved.
 - D. General Purpose School Fund Budget Amendments were approved.
 2. **HEALTH & EDUCATION COMMITTEE**
A. No Report
 3. **PROPERTY MANAGEMENT COMMITTEE**
A. No Report
 4. **PUBLIC SAFETY COMMITTEE**
A. The Sheriff's Office Budget was amended by roll call vote to return funds to hire up to 19 new staff members.
 5. **PUBLIC WORKS & PLANNING COMMITTEE**
A. No Report
 6. **STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE**
A. No Report
- L. **ANY OTHER BUSINESS**
1. Commissioner Robert Peay announced the Kittrell Volunteer Fire Department will hold a Ham Breakfast on Saturday August 20 from 6 to 10 A.M.
 2. Commissioner Rhonda Allen invited all to attend and support Smyrna Senior Citizens as they will hold a dinner at the Center on August 25.
 3. Commissioner Paul Johnson recognized County Clerk Lisa Duke Crowell as he welcomed her back.
 4. Mayor Ernest Burgess asked for prayers for Vicki Taylor of his office. She had fallen ill earlier in the week.

There being no further business, Mr. Chairman, Ernest Burgess, adjourned the Rutherford County Board of Commissioners Legislative Meeting. Time of adjournment was 8:03 P.M.


Lisa Duke Crowell, Rutherford County Clerk


Rick Spence, Legislative Secretary

**** This document is a public record. Complete Legislative Minutes and all related documentation is available for review at the Office of the Rutherford County Clerk.

ITEM A MEETING CALLED TO ORDER

Mr. Chairman, Ernest Burgess, called the regular session of the Rutherford County Board of Commissioners to order on Thursday, August 11, 2016, at 6:00 p.m. in the Legislative Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.

ITEM B PRAYER

Commission Chaplain Brad Turner led the invocation.

ITEM C PLEDGE

Commissioner Trey Gooch led the pledge to our flag.

ITEM D ROLL CALL

County Clerk, Lisa Duke Crowell, called the Roll and upon Roll Call the following Commissioners were:

ROLL CALL

Doug Shafer – present	Rhonda Allen – present
Steve Percy – present	Robert Stevens – present
Will Jordan – present	Paul Johnson – present
Robert Peay – present	Charlie Baum – present
Carol Cook – present	David Nipper – present
Joe Frank Jernigan – present	Phil Dodd – present
Mike Kusch – present	Jeff Phillips – present
Pettus Read – present	Allen McAdoo – present
Joe Gourley – present	Shawn Kaplan – present
Brad Turner - present	Trey Gooch –present
Chantho Sourinho – present	

A quorum present, Chairman Burgess called for the first item on the Agenda.

ITEM E APPROVAL OF COMMISSION MINUTES

AMENDMENT

Commissioners Jeff Phillips and Robert Stevens asked to amend the June 27 minutes by correcting vote results listed on page 556 of the minutes.

MOTION

Commissioner Jeff Phillips moved, second by Commissioner Brad Turner, to amend the June 27, 2016, minutes and approve the minutes by acclamation.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

ITEM F PUBLIC COMMENTS

VISITORS THAT REQUEST TO SPEAK AT COUNTY COMMISSION MEETING ON

8-11-16

DATE	NAME & PHONE NUMBER	TOPIC
① 7-26-16	Kasey Gregory 615-225-7266	Adding 19 deputies
② 8-8-16	Cassie Horne 615-310-5522	"

Chairman Ernest Burgess opened the floor for Public Comments by two citizens who had previously signed in to speak.

1. Kasey Gregory of 5086 Morgan Taylor Drive in Murfreesboro spoke in support of hiring nineteen (19) additional staff for the Rutherford County Sheriff's Department. Mrs. Gregory is married to a Deputy Sheriff on patrol for Rutherford County.
2. Cassie Horne of 1455 Lascassas Pike also spoke in support of adding staff to the Rutherford County Sheriff's Department. Mrs. Horne is married to a Deputy Sheriff on patrol for Rutherford County.

ITEM G ELECTIONS & CONFIRMATIONS

ITEM G.1 - NOTARY APPLICANTS

RUTHERFORD COUNTY CLERK
LISA CROWELL COUNTY CLERK
319 N. MAPLE STREET
MURFREESBORO TN 37130
Telephone 615-898-7800
Fax 615-217-6597

Notaries to be elected August 11, 2016

<p>SHANNON M ARMS SAMUEL R. BAGWELL JOHN H. BAKER III MICHAH BALDREE NICOLE L BARNES KAYLA BARRIER CINDY BEEBE DEBPAH BINGOFF RACHAEL S BOGEMA KAREN BRADLEY KENDRA BURNEY DEBORAH K BURROW MEGAN ELISE BUSBEE GINA M. CALLAHAN MICHELE L CASHION SANDY J. CLARK DAVID CLARKE JUDY A CLICK JACOB COY DENISE A. DAWSON TERESA D H DYE LINDSAY M EK KELLY GREENE ELROD TRACY LYNN FERRIS CHRISTY FIELDER CHARLES R FRAZIER JENNIFER FULLER MICHAEL E GASSER PHILLIP M. GEORGE LYDIA B GEORGE AMBER K. GIPSON CHRIS GRAZER SHELLIE L GRIFFITH JACK EVANS GRITTON II KATHARINE H. GRUBB ANTHONY HALL KELLEY G. HALL CORINNE HARDIN MARILYN M. HARRIS TISHONIA E HAYNES JOHNATHON C HERSHMAN DEBBIE HOFBAUER STEVE M. HOLDEN</p>	<p>MISTY L MARLIN TERI L MARTIN SHARYN L. MARZULLO BENITA J MCADOO KELSEY L. MCCARROLL OCTOBER MEEHAN DENISE MILLER ELLEN M MILLER MEGAN SKEA MILLSAP MICHELLE RENEE MOBBS CHARLES ROBERT MONTGOMERY KRISTIN MORELOCK FREDA L. MORGAN JESSICA C. MURRAY JOHNNY NACARATO PHILLIP NEWTON JUDITH ELAINE O'NEAL JUANITA JANIE ONKST LYNN PAEZ VANESSA PASOS NIKTORREKI PEGUES PATRICIA W POPE CATHERINE M POST APRIL PUCKETT JANE E RABIDEAU MONIKA B. RIDLEY MONIKA B. RIDLEY SHARON RIVERS LINDA RYAN ROBERT L. SANDS JENNIFER E SCHULTZ JERMAINE SEWELL KRISTINE SHARP GLENN SHAW T SILKEUTSABAY MARY SLATER KATHRYN W. SMITH MARTHA R SMITH JUDY LANE TABBERT CATHERINE TAYLOR MARSHA J THOMPSON JOHN R. TOY II GLORIA VICTORY</p>
<p>KELSIE HOLLOWAY YOUSEF HUSSEINI DONNA S. JORDAN BLAKE KEACH SHARON R LANE COLLEEN GIFFIN LERMA BARBARA LEANNE MALONE</p>	<p>BOBBIE WARD AMELIA WATERS KARLIE M WILSON JACQUELINE K WISER DANA R WOMACK</p>

MOTION

Commissioner Brad Turner moved, second by Commissioner Carol Cook, to approve the notaries as presented by Lisa Duke Crowell, Rutherford County Clerk.

MOTION ADOPTED BY VOICE VOTE.

ITEM G.2 – ANNOUNCE TWO VACANCIES ON CODES ENFORCEMENT BOARD

Commissioner Brad Turner announced two vacancies on the Codes Enforcement Board.

ITEM G.3 – ANNOUNCE CITIZEN VACANCY ON THE AUDIT COMMITTEE

Commissioner Brad Turner announced a Citizen vacancy on the Audit Committee.

ITEM G.4 – FILL VACANCY ON INDUSTRIAL DEVELOPMENT BOARD AND HEALTH, EDUCATION & FACILITIES BOARD

Commissioner Brad Turner announced the Steering Committee recommends Tara McDougal to fill the unexpired term of Randall Matlock on the Industrial Development Board and Health, Education & Facilities Board. The term is to expire August, 2021.

MOTION

Commissioner Mike Kusch moved, second by Commissioner Allen McAdoo, to approve Tara McDougal to the vacancy on the Industrial Development Board and Health, Education & Facilities Board.

MOTION ADOPTED BY VOICE VOTE.

ITEM G.5 – FILL VACANCY ON STONES RIVER REGIONAL LIBRARY BOARD

Commissioner Brad Turner announced the Steering Committee recommends Kathy Boudreau-Henry to fill a vacancy on the Stones River Regional Library Board.

MOTION

Commissioner Jeff Phillips moved, second by Commissioner Chantho Sourinho, to approve Kathy Boudreau-Henry to fill the vacancy on the Stones River Regional Library Board.

MOTION ADOPTED BY VOICE VOTE.

ITEM G.6 – APPOINTMENT OF JUDICIAL COMMISSIONER FOR JUVENILE COURT

Commissioner Brad Turner announced the Steering Committee recommends the appointment of Matthew Adams as Judicial Commissioner for Juvenile Court.

MOTION

Commissioner Brad Turner moved, second by Commissioner Jeff Phillips, to approve the appointment of Matthew Adams as Judicial Commissioner for Juvenile Court

MOTION ADOPTED BY VOICE VOTE.

ITEM G.7 – FILL TWO (2) VACANCIES ON INSURANCE COMMITTEE TO BE APPOINTED BY THE MAYOR

Commissioner Brad Turner announced the appointments of Ricky Marlin and Michele Watson to the Insurance Committee thereby filling the two (2) Citizens-at-Large vacancies.

ITEM G.8 – APPOINTMENT OF CHARLOTTE PEAY TO PLANNING COMMISSION

Commissioner Brad Turner announced the appointment of Charlotte Peay to the Planning Commission.

ITEM G.9 – ANNOUNCEMENT OF ELECTION OF COMMISSION CHAIRMAN PRO-TEM

Commissioner Brad Turner announced the election of Chairman Pro Tem will be held at the September Commission meeting.

ITEM G.10 – ANNOUNCEMENT OF ELECTION OF COMMISSION CHAPLAIN

Commissioner Brad Turner announced the election of Commission Chaplain will be held at the September Commission meeting.

ITEM G.11 – TENTATIVELY ELECT COMMISSION CHAIR

Commissioner Brad Turner opened the floor for nominations to tentatively elect the Commission Chair.

Commissioner Jeff Phillips nominated Mayor Ernest Burgess as Chair. The nomination was seconded by Commissioner Carol Cook.

MOTION

Commissioner Doug Shafer moved, second by Commissioner Trey Gooch and others, to cease nominations and tentatively elect Mayor Ernest Burgess, by acclamation, as Commission Chair.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

ITEM G.12 – ELECTION OF STEERING COMMITTEE

Chairman Ernest Burgess opened the floor for nominations to elect the Steering Committee members.

Commissioner Robert Stevens nominated Commissioner Brad Turner.
 Commissioner Trey Gooch nominated Commissioner Paul Johnson.
 Commissioner Carol Cook nominated Commissioner Jeff Phillips.
 Commissioner Paul Johnson nominated Commissioner Trey Gooch.
 Commissioner Joe Frank Jernigan nominated Commissioner Allen McAdoo.
 Commissioner Allen McAdoo nominated Commissioner Robert Stevens.
 Commissioner Will Jordan nominated Commissioner Robert Peay.

MOTION

Commissioner Doug Shafer moved, second by Commissioner Will Jordan and others, to cease nominations and elect by acclamation Commissioners Brad Turner, Paul Johnson, Jeff Phillips, Trey Gooch, Alan McAdoo, Robert Stevens and Robert Peay to serve on the Steering Committee.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

Chairman Burgess recessed the Commission to allow the Steering Committee to meet and select their Chair, Vice-Chair and set meeting time and day.

Commissioner Trey Gooch advised the Commission he would serve as Chairman, Brad Turner as Vice-Chair and the Committee will meet at 5:30 P.M. on the first Monday of each month.

ITEM H. RESOLUTION TO APPROVE CONSENT AGENDA

RESOLUTION TO APPROVE CONSENT AGENDA

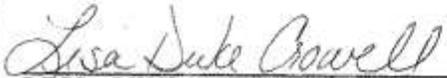
BE IT RESOLVED by the Rutherford County Board of Commissioners that all matters (items) listed below and constituting the Consent Agenda be and are hereby approved and adopted as follows:

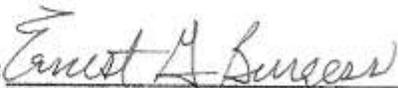
1. General Fund Budget Amendments
 - (a) Remainder of Funds from PetSmart Grant for PAWS
 - (b) Remainder of Tobacco Settlement Funds for Health Department
 - (c) Software for Circuit Court Clerk
2. Animal Friendly Grant with the Tennessee Department of Health for PAWS & Related Budget Amendment
3. PetSmart Grant with PetSmart Charities, Inc. for PAWS & Related Budget Amendment
4. Vendor Agreements with Tennessee Department of Mental Health & Substance Abuse for Alcohol & Drug Addiction Treatment
5. Regional Transportation Authority Contract
6. Resolution to Declare Double Wide Trailer on Singer Road Property Surplus and Bid Out
7. Resolution to Approve Speed Limit of 40 MPH on Rocky Fork Road
8. Resolution to Establish an Updated Occupational Safety and Health Program Plan, Devise Rules and Regulations, and to Provide for a Director and The Implementation of such Program Plan
9. Purchasing Committee Report

RESOLVED this 11th day of August, 2016.

ATTEST:

RUTHERFORD COUNTY, TENNESSEE


LISA DUKE CROWELL, County Clerk

BY: 
ERNEST G. BURGESS, Chairman

MOTION

Commissioner Jeff Phillips moved, second by Commissioner Doug Shafer, to approve the Consent Agenda. Commissioner Shafer also asked to remove item 1(c), software for Circuit Court Clerk, to be heard during the Budget & Finance Committee Report. Without objection, the motion was amended to include Commissioner Shafer's request

AMENDMENT

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Steve Percy – aye	Robert Stevens – aye
Will Jordan – aye	Paul Johnson – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – aye	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – aye
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

CONSENT AGENDA RESOLUTIONS

Documents relative to the Consent Agenda are presented on the following pages in the order in which they were listed on the Commission's agenda (I.1 – I.9)

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL FUND be amended as follows:

PAWS:

Decrease:	101-34530	Restricted Fund Bal.	\$11,893
Increase Expend.:	101-55120-169	Part-time Personnel	\$11,035
	101-55120-201	Social Security	\$689
	101-55120-212	Employer Medicare	\$169

Health:

Decrease:	101-34530-	-TBCO Restricted for Public Health	\$58,868
Increase Expend.:	101-55170-310	Cont. w/Oth. Pub. Ag.	\$4,091
	101-55170-355	Travel	\$1,853
	101-55170-499	Other Supp. & Mat.	\$37,423
	101-55170-599	Other Charges	\$15,501

Circuit Court Clerk:

Decrease:	101-34620	Committed for Admin. of Justice	\$233,000
Increase Expend.:	101-53100-317	Data Proc. Services	\$8,000
	101-53100-706	Data Proc. Equip.	\$225,000

RESOLVED this 11th day of August, 2016

RUTHERFORD COUNTY, TN

BY: *Ernest G. Burgess*
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

RESOLUTION

WHEREAS, Rutherford County has received a grant from the Tennessee Department of Health in the amount of Three Thousand Nine Hundred Dollars (\$3,900.00), which requires no local matching funds, for an Animal Friendly Grant for the provision of low cost spay and neuter procedures of dogs and cats.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and all other appropriate officials of Rutherford County, Tennessee be, and are hereby authorized, to execute a grant contract with the Tennessee Department of Health for the period of July 1, 2016 through June 30, 2017, a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim, for an Animal Friendly Grant for the provision of low cost spay and neuter procedures of dogs and cats in the amount of Three Thousand Nine Hundred Dollars (\$3,900.00) requiring no local matching funds and additionally, that the GENERAL FUND be amended as follows to recognize the proceeds from the grant and to appropriate said proceeds:

Animal Services:

Increase Revenue:	101-46980- -PAWS Oth. State Grant	\$3,900
Increase Expend.:	101-55120-413 Drug & Med. Supplies	\$3,900

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TN

BY: *Ernest G. Burgess*
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

RESOLUTION

WHEREAS, the Pet Adoption and Welfare Services Department has received a grant agreement from PetSmart Charities, Inc. for the purchase of a cargo van and standard size kennels to be used for animal transport; and

WHEREAS, the Pet Adoption and Welfare Services Department desires to enter into the grant agreement which is in the amount of Thirty Thousand Dollars (\$30,000.00) and has a grant period of Twelve (12) months.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and all other appropriate officials of Rutherford County, Tennessee be, and are hereby authorized, to execute the grant agreement with PetSmart Charities, Inc., a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim, in the amount of Thirty Thousand Dollars (\$30,000.00) to provide funds for the purchase of a cargo van and standard size kennels to be used for animal transport and additionally, that the GENERAL FUND be amended as follows to recognize the proceeds from the grant and to appropriate said proceeds:

Animal Services:

Increase Revenue:	101-48130	Contributions	\$30,000
Increase Expend.:	101-55120-718	Motor Vehicles	\$30,000

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TN

BY:

Ernest G. Burgess
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

RESOLUTION

WHEREAS, the Rutherford County Drug Court does not deny services to eligible individuals who are unable to pay for said services; and

WHEREAS, the Tennessee Department of Mental Health and Substance Abuse Services will provide payment to Rutherford County based upon a fee schedule for eligible individuals who are unable to pay.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor be, and is hereby authorized, to execute the Vendor Authorization Form for Supervised Probation Offenders Treatment (SPOT) and the Vendor Authorization Form for Alcohol and Drug Addiction Treatment (ADAT), copies of the same being attached hereto as "Attachment A" and "Attachment B" and incorporated herein by reference as if set forth herein at length verbatim, to accept payment from the Tennessee Department of Mental Health and Substance Abuse Services for payment to the Rutherford County Drug and DUI Court for eligible individuals who are unable to pay for services for the period July 1, 2016 through June 30, 2017.

RESOLVED, this 11th day of August, 2016.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:

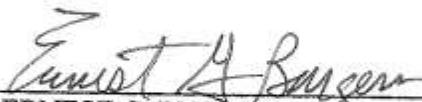

LISA CROWELL, County Clerk

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor be authorized to execute a Contract with the Regional Transportation Authority, a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim, for the provision of regional bus service between Nashville/Davidson County and Rutherford County for the period beginning July 1, 2016 and ending June 30, 2017 in the amount of Forty Nine Thousand Two Hundred Twenty Dollars (\$49,220.00).

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

RESOLUTION

WHEREAS, Rutherford County has acquired a double wide trailer through the purchase of property on Singer Road; and

WHEREAS, it is in the best interest of the citizens of Rutherford County that the County declare said double wide trailer surplus and proceed to dispose of the same.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners as follows:

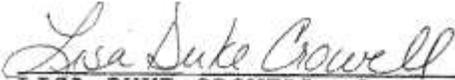
1. The double wide trailer located on the County owned property on Singer Road be and the same is hereby declared surplus property to be sold to the highest bidder via sealed bid process and removed as soon as possible from said Singer Road property.

2. The County Mayor and any other required official, be and the same hereby are, authorized to execute any instrument of conveyance to consummate said sale at the appropriate time.

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:


LISA DUKE CROWELL, County Clerk

BY: 
ERNEST G. BURGESS, Chairman

RESOLUTION

WHEREAS, the Rutherford County Highway Department is responsible for certain county roads in Rutherford County, Tennessee, and

WHEREAS, T.C.A. 55-8-153 authorizes the Rutherford County Commission to prescribe speed limits as it may deem appropriate on any road being maintained by Rutherford County and authorizes it to erect appropriate signs, and

WHEREAS, the Rutherford County Highway Department has recommended and requested a 40 mile per hour speed limit with appropriate signage be posted on Rocky Fork Road, a designated county road, and

WHEREAS, the Public Works & Planning Committee has recommended said speed limit be imposed for the safety and welfare of the citizens of Rutherford County, Tennessee and the maintenance and preservation of this county road and persons traveling thereon,

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners as follows:

1. That the maximum speed limit be and the same shall hereafter be 40 miles per hour for all motor vehicles traveling on Rocky Fork Road, said speed limit being deemed appropriate and reasonable by the Rutherford County Commission upon recommendation of the Rutherford County Highway Department pursuant to T.C.A. 55-8-153.

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:


LISA DUKE CROWELL, County Clerk

BY: 
ERNEST G. BURGESS, Chairman

RESOLUTION TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, Rutherford County Government hereby updates the Occupational Safety and Health Program Plan for the employees of Rutherford County.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE,

SECTION 1. BE IT RESOLVED by the Rutherford County Board of Commissioners, that there be and is hereby amended as follows:

TITLE: This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of Rutherford County.

PURPOSE: The Risk Management Department at the direction of the Rutherford County Board of Commissioners, in electing to update the established Program Plan, will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

(1) Provide a safe and healthful place and condition of employment that includes:

- (a) Top Management Commitment and Employee Involvement;
- (b) Continually analyze the worksite to identify all hazards and potential hazards;
- (c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
- (d) Train managers, supervisors, and employees to understand and deal with worksite hazards.

(2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

(3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.

(4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

(5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.

(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.

COVERAGE: The provisions of the Occupational Safety and Health Program Plan for the employees of Rutherford County shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED: The Occupational Safety and Health standards adopted by the Rutherford County Board of Commissioners are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED: Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health. VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION: For the purposes of this resolution, the Risk Management Director is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of

operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN: Sufficient funds for administering and staffing the Program Plan pursuant to this resolution shall be made available as authorized by the Rutherford County Board of Commissioners.

SEVERABILITY:

SECTION 2. BE IT FURTHER RESOLVED that if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

AMENDMENTS, ETC:

SECTION 3. BE IT FURTHER RESOLVED that this resolution shall take effect from and after the date it shall have been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of Rutherford County requiring it.

RESOLVED this 11th day of August, 2016.

ATTEST:

RUTHERFORD COUNTY, TENNESSEE

Lisa Duke Crowell
LISA DUKE CROWELL, County Clerk

BY: *Ernest G. Burgess*
ERNEST G. BURGESS, Chairman

PURCHASING COMMITTEE

AUGUST 8, 2016 4:30 P.M.

MINUTESMEMBERS PRESENT

Ernest G. Burgess, Chairman
 Carol Cook
 Trey Gooch
 Paul Johnson
 Mike Kusch
 Allen McAdoo
 Doug Shafer

OTHERS

Dana Garrett
 Chris Clark
 Lennie Fabian
 Tim Hooker
 Larry Farley
 Michael Gregory
 Scotty Blackburn

Don Conaster, DC
 Earl Kincade, Janarus
 Brian Gaither
 Vicki Taylor

MEDICAL SUPPLIES & EQUIPMENT, IV SUPPLIES, PRE-LOADED MEDICATIONS & OXYGEN SUPPLIES – AMBULANCE SERVICE

Bids were opened on these items on June 1, 2016 and taken under advisement so Lennie Fabian could prepare a spread sheet to present to the Committee. He presented his spread sheet and said all items are low bid and if not, it either did not meet bid specifications or it was an inferior product. He has done business with all these vendors in the past except for Penn Care but he is familiar with their items. All are tax exempt and no shipping charges over \$200.00. Lennie said the prices are comparable to last years.

"Commissioner Shafer moved, seconded by Commissioner Kusch, to approve the bid award as indicated on the spread sheet provided by Mr. Lennie Fabian. The motion passed unanimously."

CLEANING AT HEALTH DEPARTMENT (MURFREESBORO & SMYRNA LOCATIONS)

	<u>Murfreesboro</u>	<u>Smyrna</u>
1. Janarus, Nashville, TN	\$1850.00/mo.	850.00/mo.
2. Chano & Sons, Fayetteville, TN	\$1795.00/mo.	995.00/mo.
3. DC Cleaning, Murfreesboro, TN	\$1750.00/mo.	950.00/mo.
4. Coverall, Nashville, TN	\$5167.00/mo. for both locations	
5. Jani-King of Nashville	\$3616.28/mo.	1886.67/mo.

DC Cleaning and Janarus are tied if you add both services together at \$2700.00 per month. The Committee discussed the possibility of awarding one to DC and one to Janarus. Mrs. Dana Garrett said she has used DC for the last 5 or 6 years and has been very pleased with them. She knows all their staff, they do a great job; and she trusts DC. They are a local company in Rutherford County. It was her recommendation to award both to DC.

"Commissioner Johnson moved to award the bid to DC based on Mrs. Garrett's satisfaction and dependability. The motion died for lack of a second."

"Commissioner Shafer moved to allow Mrs. Garrett to negotiate with the two tied bidders, Janarus and DC. The motion died for lack of a second."

"Commissioner Gooch moved, seconded by Commissioner Shafer, to award the Murfreesboro location to DC and the Smyrna location to Janarus. The motion passed by roll call vote with all present voting "Yes" except for Commissioners Johnson and McAdoo, who both voted "No".

DECONTAMINATION TRAILER – EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF LAVERGNE

Three bids were received:

1. B J's Trailers, LLC, Lebanon, TN
 - Option #1 – Challenger \$10,724.76 less check discount of (\$749.76) = \$9,975.00
 - Option #2 – Hercules \$11,233.16 less check discount of (\$783.16) + \$200.00
Destination charge for a total of \$10,650.00
 - Option #3 – Champion \$11,313.36 less check discount of (\$788.36) + \$200.00
Destination charge for a total of \$10,725.00
2. Trailers Plus, Lebanon, TN Patriot \$16,070.00 less discount (\$1201.00) = \$14,869.00
3. Midway Trailers, Bell Buckle, TN \$10,555.00

Tim Hooker and Chris Clark (with the City of LaVergne) had reviewed the specs and it was their recommendation to award the low bid to BJ's Trailers for Option #1 in the amount of \$9,975.00. They said it meets the specs to the letter. This trailer is for the City of LaVergne and is being funded under a grant contract with the State of Tennessee.

"Commissioner Gooch moved, seconded by Commissioner Cook, to award the low bid to BJ's Trailers for Option #1 in the amount of \$9,975.00. The motion passed unanimously."

PARKING LOT & SIDEWALK IMPROVEMENTS – FIRE & RESCUE STATION 5. 854 E. JEFFERSON PIKE

No bids were received and will be bid out again.

SUPPLIES, MEDICATIONS, INJECTABLE DRUGS, VACCINATIONS – PAWS

The following four companies submitted bids and due to them being so voluminous, the originals may be viewed in the County Mayor's Office.

1. Henry Schein Animal, Dublin, OH
2. MWI Vet., Boise, ID
3. Merritt Vet., Columbia, SC
4. Medical & Vet. Supplies, Mettawa, IL

Michael Gregory requested the bids be taken under advisement so he can prepare a spread sheet for the Committee.

"Commissioner Cook moved, seconded by Commissioner Gooch, to take the bids under advisement so Michael Gregory can prepare a spread sheet for the Committee. The motion passed unanimously."

2 AMBULANCES – EMS

One bid was received from Northwestern Emergency Vehicles, Jefferson, NC:
2017 Ford E-350 Type III AEV \$121,781.00 each

Brian Gaither and Scotty Blackburn recommended awarding the bid.

"Commissioner Johnson moved, seconded by Commissioner Kusch, to award the bid to Northwestern Emergency Vehicles for the amount of \$121,781.00 each. The motion passed unanimously."

FIRE & RESCUE

Chief Larry Farley advised the Committee that Cannon County wants to purchase 4 surplus fire engines for \$90,000.00. They are all in decent shape. They are a 1989 E1, a 2001 Freightliner, and two (2) 1991. He requested the Purchasing Committee's approval to sell these four vehicles to Cannon County for \$90,000.00.

<u>Asset #</u>	<u>Description</u>	<u>Make/Model</u>	<u>VIN</u>
36924	Fire Pumper Truck	91 Intl.	1HTSDNZR844367135
	Fire Pumper Truck	91 Intl.	
139913	Fire Pumper Truck	89 E-One	46JPBAA82K1002904
89467	Fire Pumper Truck	2000 Freightliner	1FV6JJCB1HY610116

"Commissioner Shafer moved, seconded by Commissioner Cook, to approve the sale of these four vehicles to Cannon County for \$90,000.00. The motion passed unanimously."

There being no further business to come before the Purchasing Committee at this time, Chairman Burgess declared the meeting adjourned at 5:20 p.m.

ERNEST G. BURGESS, CHAIRMAN

ITEM I. UNFINISHED BUSINESS

NONE REPORTED

ITEM J. PUBLIC HEARINGS

ITEM J.1.

Rezoning Request (16-A010): David Alcorn; located at 4613 Veterans Parkway; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Commercial Services (CS); Size of site Approximately 6 acres.

A RESOLUTION TO AMEND
THE RUTHERFORD COUNTY ZONING MAP
ADOPTED NOVEMBER 15, 2012 (EFFECTIVE JANUARY 1, 2013)

WHEREAS, the Rutherford County Regional Planning Commission in regular session on June 13, 2016 completed a detailed analysis of property referenced by file 16-A010 submitted by David Alcorn, and further referenced by Tax Map 93, Parcel 10.17 of the Rutherford County Tax Maps, located in the 7th Civil District, and located at 4613 Veterans Parkway; and

WHEREAS, due notice was published and a hearing held in accordance with Tennessee Code Annotated 13-7-105 and Section 1409 of the Rutherford County Zoning Ordinance; and

WHEREAS, it has been determined that the proposed rezoning of the above referenced property will not adversely affect the health, safety, or general welfare of the citizens of Rutherford County and the surrounding community; and

WHEREAS, it has been determined that the proposed rezoning of the above referenced property is consistent with the land use policies within the Rutherford County Comprehensive Plan; and

WHEREAS, the Rutherford County Regional Planning Commission recommends that the subject property be rezoned from Residential Medium-Density (RM) to Commercial Services (CS) by a vote of 7 for and 0 against and 1 abstention;

NOW THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that:

The Zoning Map of Rutherford County be amended by rezoning from RM to CS, as referenced by Tax Map 93, Parcel 10.17, containing 6 acres more or less.

Date: August 11, 2016



Lisa D. Crowell,
County Clerk



Ernest Burgess,
County Mayor

PUBLIC HEARING

Mr. Chairman, Ernest Burgess, recessed the Rutherford County Board of Commissioners Legislative Meeting to hold a Public Hearing on the amendment.

Mr. Burgess requested that anyone desiring to speak on the issue to please come forward to the microphone, state their name, address and whether they were for or against the proposed request.

No citizen spoke for or against the amendment.

Mayor Burgess closed the Public Hearing and called the Rutherford County Board of Commissioners Legislative meeting back into session.

Planning Director Doug Demosi, in outlining the details of the amendment, advised the Planning Commission voted to approve the (16-A010) request.

MOTION

Commissioner Trey Gooch moved, second by Commissioner Phil Dodd, to approve the Rezoning Request (16-A010).

Commissioner Will Jordan announced he will abstain from voting due to a conflict of interest.

AMENDMENT APPROVED BY VOICE VOTE

ITEM J.2

Rezoning Request (16-A011): Lucas Thompson for Jim Thompson; located along Jackson Ridge Road; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Commercial Services (CS); Size of site approximately 5 acres.

**A RESOLUTION TO AMEND
THE RUTHERFORD COUNTY ZONING MAP
ADOPTED NOVEMBER 15, 2012 (EFFECTIVE JANUARY 1, 2013)**

WHEREAS, the Rutherford County Regional Planning Commission in regular session on July 11, 2016 completed a detailed analysis of property referenced by file 16-A011 submitted by Lucas Thompson for Jim Thompson, and further referenced by Tax Map 146, Parcel 38.01 of the Rutherford County Tax Maps, located in the 10th Civil District, and located along Jackson Ridge Road; and

WHEREAS, due notice was published and a hearing held in accordance with Tennessee Code Annotated 13-7-105 and Section 1409 of the Rutherford County Zoning Ordinance; and

WHEREAS, it has been determined that the proposed rezoning of the above referenced property will not adversely affect the health, safety, or general welfare of the citizens of Rutherford County and the surrounding community; and

WHEREAS, it has been determined that the proposed rezoning of the above referenced property is consistent with the land use policies within the Rutherford County Comprehensive Plan; and

WHEREAS, the Rutherford County Regional Planning Commission recommends that the subject property be rezoned from Residential Medium-Density (RM) to Commercial Services (CS) by a vote of 10 for and 0 against;

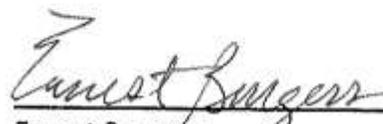
NOW THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that:

The Zoning Map of Rutherford County be amended by rezoning from RM to CS, as referenced by Tax Map 146, Parcels 38.01, containing 5 acres more or less.

Date: August 11, 2016



Lisa D. Crowell,
County Clerk



Ernest Burgess,
County Mayor

PUBLIC HEARING

Mr. Chairman, Ernest Burgess, recessed the Rutherford County Board of Commissioners Legislative Meeting to hold a Public Hearing on the amendment.

Mr. Burgess requested that anyone desiring to speak on the issue to please come forward to the microphone, state their name, address and whether they were for or against the proposed request.

No citizen spoke for or against the amendment.

Mayor Burgess closed the Public Hearing and called the Rutherford County Board of Commissioners Legislative meeting back into session.

Planning Director Doug Demosi, in outlining the details of the amendment, advised the Planning Commission voted to approve the amendment (16-A011) request.

CALL FOR THE QUESTION

Commissioner Robert Stevens moved, second by Commissioner Rhonda Allen, to call for the question.

CALL FOR THE QUESTION APPROVED BY UNANIMOUS VOICE VOTE

MOTION

Commissioner Pettus Read moved, second by Commissioner Rhonda Allen, to approve the Rezoning Request (16-A011).

MOTION ADOPTED BY VOICE VOTE

NOTE: Commissioner Trey Gooch was absent at time of voice vote.

ITEM J.3.

Rezoning Request (16-A013): Bud George; located at 1004 Walnut Grove Road; Existing Zoning – Residential Medium-Density (RM); Proposed Zoning – Planned Unit. The Rezoning Request was approved.

**A RESOLUTION TO AMEND
THE RUTHERFORD COUNTY ZONING MAP
ADOPTED NOVEMBER 15, 2012 (EFFECTIVE JANUARY 1, 2013)**

WHEREAS, the Rutherford County Regional Planning Commission in regular session on July 11, 2016 completed a detailed analysis of property referenced by file 16-A013 submitted by Bud George, and further referenced by Tax Map 159, Parcels 6.00 and 6.01 of the Rutherford County Tax Maps, located in the 20th Civil District, and located at 1004 Walnut Grove Road; and

WHEREAS, due notice was published and a hearing held in accordance with Tennessee Code Annotated 13-7-105 and Section 1409 of the Rutherford County Zoning Ordinance; and

WHEREAS, it has been determined that the proposed rezoning of the above referenced property will not adversely affect the health, safety, or general welfare of the citizens of Rutherford County and the surrounding community; and

WHEREAS, it has been determined that the proposed rezoning of the above referenced property is consistent with the land use policies within the Rutherford County Comprehensive Plan; and

WHEREAS, the Rutherford County Regional Planning Commission recommends that the subject property be rezoned from Residential Medium-Density (RM) to Planned Unit Development (PUD) for a residential subdivision, as described by the approved pattern book, by a vote of 10 for and 0 against;

NOW THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that:

The Zoning Map of Rutherford County be amended by rezoning from RM to PUD, as referenced by Tax Map 159, Parcels 6.00 and 6.01, containing 150 acres more or less.

Date: August 11, 2016



Lisa D. Crowell,
County Clerk



Ernest Burgess,
County Mayor

PUBLIC HEARING

Mr. Chairman, Ernest Burgess, recessed the Rutherford County Board of Commissioners Legislative Meeting to hold a Public Hearing on the amendment.

Mr. Burgess requested that anyone desiring to speak on the issue to please come forward to the microphone, state their name, address and whether they were for or against the proposed request.

No citizen spoke for or against the amendment.

Mayor Burgess closed the Public Hearing and called the Rutherford County Board of Commissioners Legislative meeting back into session.

Planning Director Doug Demosi, in outlining the details of the amendment, advised the Planning Commission voted to approve the Rezoning Request (16-A013).

MOTION

Commissioner Mike Kusch moved, second by Commissioner Jeff Phillips, to approve the Rezoning Request (16-A013).

MOTION ADOPTED BY VOICE VOTE

ITEM K REPORTS BY STANDING COMMITTEES

ITEM K.1 BUDGET, FINANCE & INVESTMENT COMMITTEE

*The following item is listed on the agenda under The Consent Agenda. The County Commission moved to hear H.1.C during the Budget, Finance & Investment Committee report.

ITEM H.1.C RESOLUTION – GENERAL FUND BUDGET AMENDMENT

*

Item H. 1.

RESOLUTION

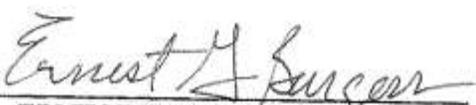
BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL FUND be amended as follows:

Circuit Court Clerk:

Decrease:	101-34620	Committed for Admin. of Justice	\$233,000
Increase Expend.:	101-53100-317	Data Proc. Services	\$8,000
	101-53100-706	Data Proc. Equip.	\$225,000

RESOLVED this 11th day of August, 2016

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Doug Shafer, to approve the General Fund Budget Amendment in reference to the Circuit Court Clerk and Data Processing Services and Equipment.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Steve Percy – aye	Robert Stevens – aye
Will Jordan – aye	Paul Johnson – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – aye	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – aye
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM K.1.A
RESOLUTION – GENERAL FUND BUDGET
AMENDMENT**

Item K. 1. A.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL FUND be amended as follows:

County Buildings:

Increase Expend.:	101-51800-707	Building Improve.	\$300,000
Decrease:	101-39000	Unassign. Fund Bal.	\$300,000

RESOLVED this 11th day of August, 2016

RUTHERFORD COUNTY, TN

BY: *Ernest G. Burgess*
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Doug Shafer, to approve the General Fund Budget Amendment.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Steve Percy – aye	Robert Stevens – aye
Will Jordan – aye	Paul Johnson – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – abstain*	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – aye
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

***Commissioner Joe Frank Jernigan requested to change his vote to reflect an “aye” vote.**

ITEM K.1.B RESOLUTION – HIGHWAY FUND BUDGET AMENDMENT

Item K. 1. B.

RESOLUTION

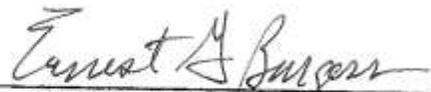
BE IT RESOLVED by the Rutherford County Board of Commissioners that the HIGHWAY FUND be amended as follows:

Highway & Bridge Maintenance:

Decrease:	131-34750	Assigned for	\$256,510
	Highways		
Increase Expend.:	131-62000-143	Equipment Operators	\$126,635
	131-62000-201	Social Security	\$7,850
	131-62000-204	Pensions	\$15,155
	131-62000-205	Employee Insurance	\$104,800
	131-62000-209	Disability Insurance	\$235
	131-62000-212	Employer Medicare	\$1,835

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Robert Peay, to approve the Highway Fund Budget Amendment.

**UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:**

Doug Shafer – aye	Rhonda Allen – aye
Steve Pearcy – aye	Robert Stevens – aye
Will Jordan – aye	Paul Johnson – aye
Robert Peay – aye	Charlie Baum – nay
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – aye	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – aye
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM K.1.C RESOLUTION – SOLID WASTE FEASIBILITY STUDY AGREEMENT AND RELATED BUDGET AMENDMENT

Item K. 1. C.

RESOLUTION

WHEREAS, the Middle Point Landfill is projected to close in eight (8) years; and

WHEREAS, the City of Murfreesboro and Rutherford County (the entities) see the need to plan for future garbage collection and disposal to keep pace with the rapid population growth in the county; and

WHEREAS, the entities have entered into a Memorandum of Understanding relative to employing a firm to provide a feasibility study and develop a solid waste strategic plan for future waste disposal; and

WHEREAS, after conducting interviews and reviewing proposals the entities have selected the firm of Gershman, Brickner & Bratton, Inc. to provide said feasibility study at a cost of Two Hundred Fifty Thousand One Hundred Dollars (\$250,100.00), with one-half to be paid by the City of Murfreesboro in accordance with the previously approved Memorandum of Understanding.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and all other required officials of Rutherford County, Tennessee be, and are hereby authorized to enter into an agreement with Gershman, Brickner & Bratton, Inc., a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim, to provide a feasibility study at a cost of Two Hundred Fifty Thousand One Hundred Dollars (\$250,100.00), with one-half to be paid by the City of Murfreesboro in accordance with the previously approved Memorandum of Understanding; and additionally, that the SOLID WASTE FUND be amended as follows to appropriate funds for the feasibility study:

Postclosure Care Costs:

Increase Revenue:	116-48140	Contracted Services	\$125,050
Decrease:	116-34730	Assigned Fund Bal.	\$125,050
Increase Expend.:	116-55770-308	Consultants	\$250,100

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TN

BY: Ernest G. Burgess
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Joe Frank Jernigan, to approve the Feasibility Study Agreement.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Steve Percy – aye	Robert Stevens – aye
Will Jordan – aye	Paul Johnson – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – aye	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – aye
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM K.1.D
RESOLUTION – GENERAL PURPOSE SCHOOL FUND
BUDGET AMENDMENT**

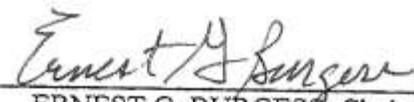
Item K. 1. D.

RESOLUTION

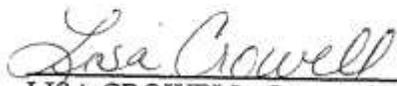
BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL PURPOSE SCHOOL FUND be amended according to the schedules attached hereto as “Exhibit 1” and “Exhibit 2” and incorporated herein by reference as if set forth herein at length verbatim.

RESOLVED this 11th day of August, 2016.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Carol Cook, to approve the General Purpose School Fund Budget Amendment.

**UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:**

Doug Shafer – aye	Rhonda Allen – aye
Steve Percy – aye	Robert Stevens – aye
Will Jordan – aye	Paul Johnson – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – aye	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – aye
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM K.2
HEALTH & EDUCATION COMMITTEE**

**ITEM K.2.A
NO REPORT**

**ITEM K.3
PROPERTY MANAGEMENT COMMITTEE**

**ITEM K.3.A
NO REPORT**

**ITEM K.4.
PUBLIC SAFETY COMMITTEE**

**ITEM K.4.A
RESOLUTION – AMEND SHERIFF’S OFFICE BUDGET**

Item K. 4. A.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL FUND be amended as follows to provide funding for seven (7) patrol officers in the Sheriff’s Office and twelve (12) detention officers in the Jail and the related equipment, motor vehicles, training and uniforms:

Sheriff’s Office:

- Increase Expend.: 101-54110-189 Other Salary & Wages \$223,020
- 101-54110-196 In-service training \$5,600
- 101-54110-201 Social Security \$13,830
- 101-54110-204 Pensions \$23,775
- 101-54110-205 Employee Health \$68,415
- 101-54110-209 Disability \$465
- 101-54110-212 Employer Medicare \$3,235
- 101-54110-451 Uniforms \$9,200
- 101-54110-716 Law Enforce. Equip. \$50,000
- 101-54110-718 Motor Vehicles \$300,000
- Decrease: 101-39000 Unassign. Fund Bal. \$697,540

Jail:

- Increase Expend.: 101-54210-160 Guards \$331,950
- 101-54210-201 Social Security \$20,585
- 101-54210-204 Pensions \$35,385
- 101-54210-205 Employee Health \$117,280
- 101-54210-209 Disability \$690
- 101-54210-212 Employer Medicare \$4,815
- 101-54210-431 Law Enforce. Supp. \$5,000
- 101-54210-451 Uniforms \$10,000
- Decrease: 101-39000 Unassign. Fund Bal. \$525,705

RESOLVED this 11th day of August, 2016

RUTHERFORD COUNTY, TN

BY: _____
ERNEST G. BURGESS, Chairman

ATTEST:

LISA CROWELL, County Clerk

MOTION

Commissioner Pettus Read moved, second by Commissioner David Nipper, to amend the Sheriff's Budget by providing funds for the hiring of seven (7) additional patrolmen and 12 additional detention officers.

AMENDMENT

Commissioner Doug Shafer moved, second by Commissioner Jeff Phillips, that a Sheriff's Office "Review Team" be created for hiring new deputies. That the Deputy Mayor be placed in charge of the team and be given authority and final approval of each new hire.

Upon making the amendment, Commissioner Shafer asked County Attorney Jim Cope for an opinion. Cope advised the amendment is not enforceable.

AMENDMENT AND SECOND WITHDRAWN

NEW DOCUMENTS SPREAD ACROSS MINUTES

Commissioner Robert Stevens read from a letter he has recently sent to Sheriff Robert Arnold. In the letter, Stevens asked the Sheriff to consider allowing the county's Human Resource Department to assist in the hiring of new officers. As an alternative, should the Sheriff not agree to allow for HR assistance, Stevens asked the Sheriff if he would recuse himself from the process while his Chief Deputy handled the hiring process?

Commissioner Stevens has provided the letter to Sheriff Robert Arnold by way of electronic facsimile. Stevens requested the following documents be spread across the minutes of the August 11 Commission meeting.

Commissioner Stevens' documents (3) are entered below:



County of Rutherford

BOARD OF COMMISSIONERS

August 9, 2016

Sheriff Robert Arnold
Rutherford County Sheriff's Office
940 New Salem Highway
Murfreesboro, TN 37129

FACSIMILE ONLY: (615) 217-4760

Re: Additional Deputies

Sheriff Arnold:

I am writing with regard to the recent discussion about additional employees for your department. With the current controversy, I would like to suggest some ideas for you to consider as a way to provide your office the extra personnel that will be needed, but that also addresses the valid concerns raised by the public.

Would you be agreeable to either allowing the county's human resources department to be involved with your hiring/firing until the controversy is resolved? Or, alternatively, would you recuse yourself from personnel matters and allow Chief Keith Lowry to handle this?

I do believe if you would agree to move forward with one of these proposals, that the Commission would be much more likely to fund the positions and provide some relief for your current employees. This seems to me to be a reasonable way to build consensus and address everyone's concerns.

Please respond at your convenience after you have had time to consider these options. My fax number is (615) 459-3119.

Thanks in advance for your attention to these questions. If I can be of assistance in any way, please do not hesitate to contact me on my cell phone: (615) 948-5238.

Sincerely,

Robert S. Stevens, J.D.
County Commissioner, District 12

CALL FOR QUESTION

Commissioners Allen McAdoo and Will Jordan Called for the Question, second by Commissioner Carol Cook, for a vote to be taken on the original motion.

THE CALL FOR THE QUESTION WAS APPROVED BY VOICE VOTE WITH ONE (1) DISSENTING VOTE

ORIGINAL MOTION

Commissioner Pettus Read moved, second by Commissioner David Nipper, to amend the Sheriff's Office fund budget by providing funds to hire 19 employees.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – nay	Rhonda Allen – aye
Steve Pearcy – aye	Robert Stevens – nay
Will Jordan – nay	Paul Johnson – aye
Robert Peay – nay	Charlie Baum – nay
Carol Cook – aye	David Nipper – aye
Joe Frank Jernigan – nay	Phil Dodd – aye
Mike Kusch – aye	Jeff Phillips – nay
Pettus Read – aye	Allen McAdoo – aye
Joe Gourley – aye	Shawn Kaplan – nay
Brad Turner – nay	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM K.5
PUBLIC WORKS AND PLANNING**

**ITEM K.5.A
NO REPORT**

**ITEM K.6
STEERING, LEGISLATIVE & GOVERNMENTAL
COMMITTEE**

**ITEM K.6.A
NO REPORT**

**ITEM L.
OTHER BUSINESS**

1. Commissioner Robert Peay announced the Kittrell Volunteer Fire Department will hold a Ham Breakfast on Saturday August 20 from 6 to 10 A.M.
2. Commissioner Rhonda Allen invited all to attend and support Smyrna Senior Citizens as they will hold a dinner at the Center on August 25.
3. Commissioner Paul Johnson recognized County Clerk Lisa Duke Crowell as he welcomed her back.
4. Mayor Ernest Burgess asked for prayers for Vicki Taylor of his office. She had fallen ill earlier in the week.

ADJOURNMENT

There being no further business, Mr. Chairman Ernest G. Burgess adjourned the Rutherford County Board of Commissioners Legislative meeting at 8:03 P.M

**ENTER: _____
CHAIRPERSON, ERNEST G. BURGESS**

**ATTEST: _____
COUNTY CLERK, LISA COWELL**