

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

**THURSDAY,  
January 17, 2013**

# RUTHERFORD COUNTY BOARD OF COMMISSIONERS

## AGENDA

JANUARY 17, 2013      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. Resolution of Sympathy – Steven Walker
- G. Resolution of Recognition for Nicole Gardner, Cross Country State Champion, Siegel High School
- H. Resolution to Recognize “MTSU True Blue Week” in Rutherford County
- I. Public Comments
- J. **ELECTIONS & CONFIRMATIONS**
  - 1. Elect Notaries
  - 2. Announce Vacancy on Conservation Board
  - 3. Announce County Historian Vacancy
  - 4. Appointment of Judicial Commissioner – Sherry Hamlett
- K. **UNFINISHED BUSINESS**
- L. **PUBLIC HEARING – 6:30 P.M.**
  - 1. Stormwater Management Ordinance
- M. **REPORTS BY STANDING COMMITTEES**
  - 1. **PURCHASING COMMITTEE**
    - A. No Report
  - 2. **BUDGET, FINANCE & INVESTMENT COMMITTEE**
    - A. General Fund Budget Amendments
      - 1. Property Assessor/Reappraisal
      - 2. County Attorney
      - 3. Refunds/Restricted for Capital Projects
      - 4. Transfers In/Restricted For Capital Projects
    - B. Resolution Authorizing Contribution Agreement with USDA Natural Resources Conservation Service
  - 3. **HEALTH & EDUCATION COMMITTEE**
    - A. No Report
  - 4. **PROPERTY MANAGEMENT COMMITTEE**
    - A. No Report
  - 5. **PUBLIC SAFETY COMMITTEE**
    - A. No Report
  - 6. **PUBLIC WORKS & PLANNING COMMITTEE**
    - A. Resolution to Approve 35 MPH Speed Limit on Del Thomas Road
  - 7. **STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE**
    - A. Road Board and School Board Zones Committee Presentation

N. **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 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, January 17, 2013**

- 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, January 17, 2013, in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.
- B. Commissioner Brad Turner led the Invocation.
- C. Commissioner Gary Farley led the pledge to our flag.
- D. Twenty-One (21) Commissioners of the Rutherford County Board of Commissioners were present for the opening of the Legislative Meeting.
- E. The December 13, 2012, Legislative Meeting Minutes were adopted.
- F. A Resolution of Sympathy in honor of Steven Walker was adopted.
- G. A Resolution of Recognition for Nicole Gardner, Cross Country State Champion, Siegel High School, was adopted.
- H. A Resolution to Recognize 'MTSU True Blue Week' in Rutherford County was adopted.
- I. **PUBLIC COMMENTS**  
 -*Amy Brown* supports the proposed map to redefine Road Board and School Board Districts.  
 -*Donald Todd* wants to use supposed 'Surplus Revenue' to offset the county's "Property Tax Loss."  
 -*Sam Tune*, Eagleville Mayor, supports the proposed map to redefine Road Board and School Board Districts. Plus, Mayor Tune advised the town of Eagleville has a Press Conference planned for January 30 wherein there will be a major announcement.  
 -*Gabriel Fancher* defined "Gerrymander" and used it to describe the current Road Board and School Board Zones. He is in favor of the proposed map to redefine the zones.
- J. **ELECTIONS & CONFIRMATIONS**  
 1. The Notary Public-at-Large Applications were approved as presented by the office of the Rutherford County Clerk.  
 2. A vacancy on the Conservation Board was announced.  
 3. The County Historian vacancy was announced.  
 4. The appointment of Sherry Hamlett as Judicial Commissioner was announced.
- K. **UNFINISHED BUSINESS**  
 NONE
- L. **PUBLIC HEARINGS – 6:30 P.M.**  
 1. The Storm Water Management Ordinance was approved.
- M. **REPORTS BY STANDING COMMITTEES**  
 1. **PURCHASING COMMITTEE REPORT**  
 A. No Report
2. **BUDGET, FINANCE & INVESTMENT COMMITTEE**  
 A. The General Fund Budget Amendments were approved.  
 B. A Resolution to authorize a Contribution Agreement with the USDA Natural Resources Conservation Service was approved.

3. **HEALTH & EDUCATION COMMITTEE**

A. No Report

4. **PROPERTY MANAGEMENT COMMITTEE**

A. No Report

5. **PUBLIC SAFETY COMMITTEE**

A. No Report

6. **PUBLIC WORKS & PLANNING COMMITTEE**

A. A Resolution to approve 35 MPH Speed Limit on Del Thomas Road was approved.

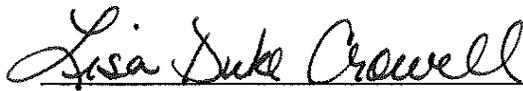
7. **STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE**

A. A motion to approve new defining Maps for the Road Board and School Board was amended but was not approved.

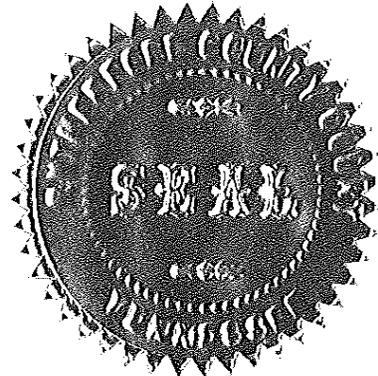
N. **ANY OTHER BUSINESS**

- A. Chairman Burgess introduced Jeff Davidson, Deputy to the Mayor.
- B. Chairman Burgess looked to Commissioner Robert Peay to confirm the Kittrell VFD Ham Breakfast is Saturday, January 19. Commissioner Peay concurred.
- C. Commissioner Robert Stevens reminded all concerned the Ethics Disclosure Statements are due in by January 31.

There being no further business, Mr. Chairman, Ernest Burgess, adjourned the Rutherford County Board of Commissioners Legislative Meeting. Time of adjournment was 7:41 pm.

  
 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, January 17, 2013, at 6:00 p.m. in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.

## **ITEM B. PRAYER**

Commissioner Brad Turner led the invocation.

## **ITEM C. PLEDGE**

Commissioner Gary Farley 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
Jack Black – present	Robert Stevens – present
Will Jordan – present	Jeff Jordan – present
Robert Peay – present	Charlie Baum – present
Carol Cook – present	Adam Coggin – present
Joe Frank Jernigan – present	Matthew Young – present
Gary Farley – present	Jeff Phillips – present
Tiffany Phillips – present	Allen McAdoo – present
Steve Sandlin – present	Joyce J. Ealy – 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**

**MOTION**

Commissioner Jeff Phillips moved, second by Commissioner Brad Turner, to dispense with the reading of the minutes of December 2012, and approve the minutes by acclamation.

**MOTION ADOPTED UNANIMOUSLY.**

**ITEM F.  
RESOLUTION OF SYMPATHY – Steven Walker**

**RESOLUTION OF SYMPATHY**

**WHEREAS**, it was with great sadness that the Rutherford County Board of Commissioners learned of the death of Steven Q. Walker, Chief of the Fosterville-Midland Fire Department and friend of many; and

**WHEREAS**, Chief Walker is survived by his wife, Laketa Henderson Walker, and children, Thomas, Jessica, John Luke and Timothy; and

**WHEREAS**, Chief Walker was the owner of Walker’s AA Automotive Towing and Repair; served in the United States Navy and was a veteran of the Gulf War; and

**WHEREAS**, he enjoyed working at the Fosterville-Midland Fire Department and twice won the “Fire Fighter of the Year Award”;

**WHEREAS**, we know that his passing has caused great sadness to his family and friends.

**NOW, THEREFORE, BE IT RESOLVED** that the Rutherford County Board of Commissioners at its regular session on this 17th day of January 2013, does hereby extend sincere sympathy to the family of Chief Steven Q. Walker; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution of Sympathy be forwarded to the family of Chief Walker by the Clerk of this Legislative Body.

Ernest Burgess  
 Nach Black  
 Phil Q  
 Robert Kemp  
 Carol Cook  
 Joe Frank Jennings  
 Gary Paul  
 Bill Phillips  
 Allen McAdoo  
 Alan  
 Charles 2. Baum II

Doug Shaper  
 Steve Jank  
 Brad  
 Rhonda  
 Robert Stevens  
 Matt A. Anisilo  
 Tracy Deach  
 Joyce J. Caly  
 Jeffrey W. Quinn  
 Mark  
 Jeff

**MOTION**

Commissioner Tiffany Phillips moved, second by Commissioner Matthew Young, to adopt the Resolution of Sympathy in honor of Mr. Steven Walker.

**MOTION ADOPTED BY UNANIMOUS VOICE VOTE**

**ITEM G.  
RESOLUTION OF RECOGNITION – Nicole Gardner,  
Cross Country State Champion, Siegel High School**

RESOLUTION OF RECOGNITION

NICOLE GARDNER, CROSS COUNTRY STATE CHAMPION

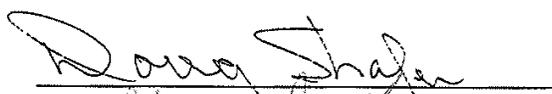
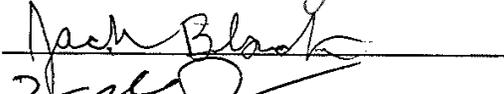
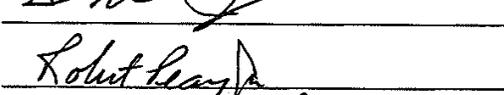
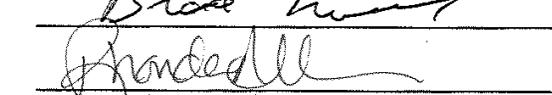
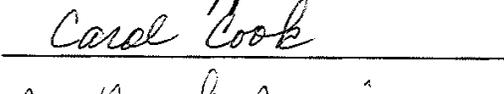
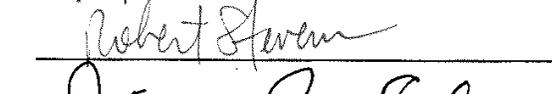
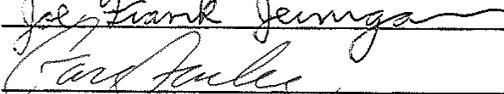
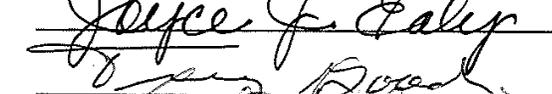
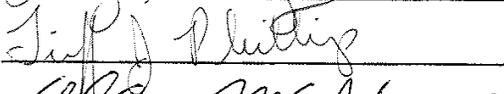
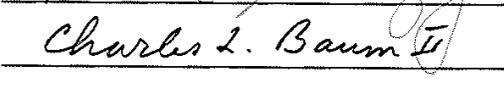
WHEREAS, Siegel High School sophomore Nicole Gardner recently captured the Class AAA State Championship in Cross Country with a time of 18:44:13 at Percy Warner Park's Steeplechase Course; and

WHEREAS, Nicole finished second last year but won this year by 13.84 seconds over Cane Ridge sophomore Bailee Dean; and

WHEREAS, her victory is a result of her dedication and commitment to practice and exercise and we commend her for a job well done.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that we extend this Resolution of Recognition to Nicole Gardner and congratulate her on winning the Class AAA State Championship title in Cross Country and wish her much success in all her future endeavors.

RESOLVED this 17<sup>th</sup> day of January 2013.

**MOTION**

Commissioner Charlie Baum moved, second by Commissioner Robert Peay, to adopt the Resolution of Recognition for Nicole Gardner.

**MOTION ADOPTED UNANIMOUSLY.**

## ITEM H. RESOLUTION OF RECOGNITION – True Blue Week

### RESOLUTION OF RECOGNITION

#### MTSU TRUE BLUE WEEK

**WHEREAS**, “I Am True Blue” began at Middle Tennessee State University as an affirmation of the best ideals shared by the Blue Raider community; and

**WHEREAS**, it signals their values, commitment to student success and devotion to the institution, and calls upon all of us to be valuable contributors to the progress of MTSU; and

**WHEREAS**, MTSU has named the week of January 21-27, 2013 to be “TRUE BLUE WEEK”; and

**WHEREAS**, during that week, the MTSU men’s basketball team coached by Kermit Davis will host Western Kentucky University on January 26<sup>th</sup> and will be aired on ESPN2 and the MTSU women’s basketball team coached by Rick Insell will host Western Kentucky University on January 27<sup>th</sup>.

**NOW, THEREFORE, BE IT RESOLVED** by the Rutherford County Board of Commissioners that we extend this Resolution of Recognition to Middle Tennessee State University to recognize **“I AM TRUE BLUE WEEK”** in Rutherford County, and encourage all residents and businesses to wear blue all week and show their “TRUE BLUE” spirit; fly their car flags and hang their MTSU flags outside their homes all week; and put a message on their business marquee to remind people about the basketball games held that week, attend the games and invite a friend, relative or neighbor to attend with you.

**RESOLVED** this 17<sup>th</sup> day of January 2013.

Ernest A. Burgers  
Jack Black  
[Signature]  
Robert [Signature]  
Carol Cook  
Joe Frank Jennings

L. Douglas Shaper  
[Signature]  
Tiff [Signature]  
[Signature]  
Brad [Signature]  
[Signature]

<u>Robert Storum</u>	<u>Jeffrey W. Phillips</u>
<u>Greg Beach</u>	<u>Mark EJ</u>
<u>Thomas R. Hovind</u>	<u>Alan R. ...</u>
<u>George J. Calyer</u>	<u>Charles D. Baum II</u>
<u>Allen McAdoo</u>	<u>Jeff Jordan</u>

**MOTION**

Commissioner Jeff Phillips moved, second by Commissioner Jeff Jordan, to adopt the Resolution to recognize 'TRUE BLUE WEEK.'

**MOTION ADOPTED BY UNANIMOUS VOICE VOTE.**

## ITEM I. PUBLIC COMMENTS

### VISITORS THAT REQUEST TO SPEAK AT COUNTY COMMISSION MEETING ON

1-17-13

DATE	NAME & PHONE NUMBER	TOPIC
① 12-14-12	Jan Broeker 207-8030	Rd. & School Bd. Redistricting
② 1-8-13	Joe Traugber 636-1906	" "
③ 1-10-13	Amy Brown 663-822	" "
④ 1-15-13	Donald Todd	In 2012, how this county could have prevented a huge increase in our total debt.
⑤ 1-17-13	Maver Sam June	Rd. & School Bd. Redistricting
⑥	Gabriel Fendus 445-5073	Rd. & School Bd. Redistricting

-**Amy Brown** supports the proposed map to redefine Road Board and School Board Districts.

-**Donald Todd** wants to use supposed 'Surplus Revenue' to offset the county's 'Property Tax Loss.' Mr. Todd read from this document:

633 Buck Lane  
Murfreesboro, Tennessee 37129  
January 17, 2013

To the Rutherford County Commission and Mayor Burgess:

**In 2012, How this County Could Have Prevented a Huge Increase in Our Total Debt,  
Surpassing One-Half Billion Dollars!**

On January 14, 2013, an article in The Daily News Journal stated that \$470,000 in property taxes will be refunded to two companies. This property tax loss to the County has resulted in the County expressing concern that "whenever the government loses revenue, it means having to look at other ways to offset that, such as raising taxes or cutting services."

In this article, the County did not mention that fact that between 89 million dollars and more than 104 million dollars of Surplus Revenue, consisting of pure cash between 2011 and 2012, has been removed by Rutherford County and invested in CD's, an LGIP Savings Account, and a Money Market Savings Account in several banks. This money originated from nine Funds or more. Long term investments, with much of this Surplus Revenue under the bankers' control, make it difficult if not impossible to recycle this money to the next fiscal year's budget. With much of the Surplus Revenue diverted to banks, who use it to expand their private loan businesses, the City or County often does not have enough money in reserve, in case of a shortfall in a specific Fund in next year's budget, to eliminate this shortfall. When this happens, as it often does, the City or County has a perfect excuse to raise taxes. The banks profit from this situation; but, the taxpayers, along with the local governments, may suffer bankruptcy. Considering the fact that Rutherford County's total debt on June 30, 2012 showed a huge increase over the previous year, reaching a total debt of more than one-half Billion dollars, it seems logical to assume that the County's irrational transfer of control of millions of Surplus Revenue over to the bankers is responsible for moving us closer to that bankruptcy.

At last December's meeting of the County Commissioners, the Finance Department made this statement, "we do not make investments." That is not true. The truth is obvious after you read my hand-out from the Trustee. It is entitled, "Investments." If we recycle the Surplus to next year's budget, this huge balance will easily pay for any future shortfall, thereby preventing a tax increase and reducing the debt. Use the \$104 million dollars constitutionally and we can easily offset the "Property Tax Loss."

Donald C. Todd



Here is a supporting document Mr. Todd presented:

*Donald Todd* *V*

Date: 4/05/2012 Rutherford Co. Trustee Page: 1  
 Time: 15:34 Investments - By Account Type Id: IM1651  
 For Period: 04/05/2012 To 12/31/2015

Department: RCT [RUTHERFORD CO TRUSTEE ]

Bank	Number	Description	Type	Acct.	CUSIP No.	Invt/Renew	Mature/Can	Days	Rate	Investment	Project/Int
BEA Co	26	CDAR#26	CD	CD		4/28/2011	4/27/2012	365	1.0000	3,000,000.00	30,416.67
FTB	5	CD#180811933	CD	CD		7/12/2011	7/12/2012	366	0.5000	4,000,000.00	20,277.78
BEA Co	27	CDAR#27	CD	CD		7/13/2011	7/12/2012	365	0.7000	1,000,000.00	7,097.22
FTB	1	CD#180809238	CD	CD		9/13/2011	9/13/2012	366	0.5500	10,000,000.00	55,150.68
FTB	2	CD#180809560	CD	CD		1/17/2012	1/17/2013	366	0.8900	5,000,000.00	45,241.67
FTB	3	CD#180809616	CD	CD		2/14/2012	2/14/2013	366	0.5500	5,000,000.00	27,958.33

Totals For CD Investment: 28,000,000.00 *NO. 3*  
 Projected Interest: 186,142.35  
 Interest:

<i>Local Gov Inv Pool</i>	LGP	1	LGIP GENERAL #275236 - 1	LGIP	LGIP	6/30/1994				124,484,133.04	<i>NO. 2</i>
<i>LGIP</i>	LGP	4	LGIP DRUG FOND 122	LGIP	LGIP	10/02/1995				482,484.73	
	LGP	8	LGIP DEVELOPMENT TAX 125	LGIP	LGIP	3/03/1998					
	LGP	6	LGIP BOARD OF EDUC FUND	LGIP	LGIP	11/03/2000					
	LGP	2	LGIP SCH NUTRITION 143	LGIP	LGIP	10/24/2007				3,330,357.52	
	LGP	3	2008 GO SCHOOL & PUB IMP	LGIP	LGIP	11/18/2008		75			
	LGP	10	LGIP #10	LGIP	LGIP	3/15/2010		323		332,316.93	
	LGP	9	LGIP #9	LGIP	LGIP	1/18/2011		380		561,026.80	
	LGP	5	LGIP 2012 SCHOOLS & GEN P	LGIP	LGIP	1/19/2012		379		44,766,436.04	

Totals For LGIP Investment: 173,956,755.06  
 Projected Interest:  
 Interest:

REG	4	MM#0136392995	MM	MM		4/26/2011	4/26/2012	366	0.3000	25,000,000.00	67,100.00
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Totals For MM Investment: 25,000,000.00 *NO. 1*  
 Projected Interest: 67,100.00  
 Interest:

\*\*\*\*\*Totals\*\*\*\*\* Investment: 226,956,755.06  
 Projected Interest: 253,242.35  
 Interest:

*LGIP .12% interest*  
*Fund Balances or unspent Surplus*  
*Revenue Balances are invested in*  
*three places: (No. 1, No. 2, No. 3)*

**-Sam Tune**, Eagleville Mayor, supports the proposed map to redefine Road Board and School Board Districts. Plus, Mayor Tune advised the town of Eagleville has a Press Conference planned for January 30 wherein there will be a major announcement. Attached is the invitation:

P.O. Box 68  
108 South Main Street  
Eagleville, TN 37060



(615) 274-2922  
Fax (615) 274-2977

**City of Eagleville**  
Sam Tune, Mayor

**City of Eagleville**  
and  
**USDA Rural Development**

Cordially invite you to attend  
the announcement of a federal investment  
for  
**the people of Eagleville**

**City Hall**  
108 South Main Street  
Eagleville, Tennessee

**Wednesday, January 30, 2013**  
at  
**11:00 a.m.**

We look forward to seeing you or a representative from your office.

Questions, call 615-274-2922

**-Gabriel Fancher** defined "Gerrymander" and used it to describe the current Road Board and School Board Zones. He is in favor of the proposed map to redefine the zones.

## ITEM J. ELECTIONS & CONFIRMATIONS

### ITEM J.1. NOTARY PUBLIC-AT-LARGE

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 January 17, 2013

CHARLIE AMBURGEY JENNIFER L. BALTIMORE VICTORIA H BENNETT JAMES P. BYROM SHIRLEY A. CANTRELL JULIE CHAPMAN KRISTINE D CROCKER CRYSTAL CUNNINGHAM EDDY DRIVER TINA L FISHER CHERYL A. FISHER MICHAEL E GASSER CYNTHIA J GREGORY SHEILA HOPKINS MICHELLE A. JEBAVY KASEY KELCHNER CHRISTOPHER LAUGHLIN ROBERT LEE SR MICHELLE M. LENNON RENEE A. LEWIS ELIZABETH MARLOW STEPHANIE E. MCCONNELL REGINA MEDLEN CHRISTIE A. MILLER	LAWRENCE LEE MOORE SHERI L MORGAN JEWELL L OTIS MARY K. PRATT WAYNE QUALLS VALLIE M. REED RICHARD T. RONEY KIM M ROSIER CRYSTAL ROZENBAUM TAREE L RUSSELL WENDY L RYAN CINDY SAULSBERRY SHAE SIMPKINS CARL DAVID SUMMAR PANOUSACK LUCKY SUNDARA KIMBERLY SWAYZE WES TAYLOR BLAKE TITSHAW REBECCA A. WALL MELISSA J WILHOITE SHELBY JUNE WILLIAMS TRACY N. WILT PLEAS W WRIGHT JR
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### MOTION

Commissioner Trey Gooch presented the Notary Public candidates and motioned, second by Commissioner Steve Sandlin, to approve.

### MOTION APPROVED BY UNANIMOUS VOICE VOTE

**ITEM J.2.  
ANNOUNCEMENT – Vacancy on Conservation Board**

Commissioner Trey Gooch announced a vacancy on the Conservation Board.

**ITEM J.3.  
ANNOUNCEMENT – County Historian Vacancy**

Commissioner Trey Gooch announced the County Historian Vacancy.

**ITEM.4.  
APPOINTMENT – Judicial Commissioner**

Commissioner Trey Gooch announced the appointment of Sherry Hamlett as Judicial Commissioner.

**ITEM K.  
UNFINISHED BUSINESS**

**None Presented**

## ITEM L. PUBLIC HEARINGS – 6:30

### ITEM L.1. Ratify Stormwater Management Ordinance

**RUTHERFORD COUNTY GOVERNMENT  
STORMWATER DEPARTMENT  
One Public Square South  
Murfreesboro, TN 37130  
PHONE: (615) 898-7732**

**Delwyn C. Corbitt, P.E.**  
County Engineer

**Robert Reed, R.L.S**  
Construction Engineering  
Technician

**Eric Hill, P.E.**  
Project Engineer

**Todd Sullivan, P.E.**  
Project Engineer

#### Board of Commissioner's Meeting Points

- March 10, 2003 was when first Notice of Intent was signed by Mayor Nancy Allen and then Notice of Coverage, the Permit, was issued in 2004.
- That permit expired after 5 years. At the end of 5 years TDEC and EPA had not finished the regulations and permit language for the new permit to be issued.
- They granted extensions to all 94 MS4s in Tennessee till permit was finished so that the MS4s would have coverage under a permit.
- The County submitted our Notice of Coverage (NOC) in December 2010 for our current permit. This NOC explained in detail our goals and plans for the next 5 years. Was approved by our Stormwater Citizens Advisory Committee and signed off on by the Mayor.
- In March of 2011 the County was issued our Notice of Coverage, our Permit.
- This permit has certain regulations and deadlines to meet those regulations the County must do themselves, examples Construction Site database, Permit tracking Database, inspections of County owned properties, just to name a few.
- The permit also has regulations to regulate the Development Community. The major changes named in the cover letter send with the Ordinance.
- The changes made in the ordinance were the minimum changes to meet our permit regulations.
- By the Mayor signing the Notice of Intend in December 2010 we agreed to all of these new requirements
- What happens if we chose not to make these changes See highlight handout.

**RUTHERFORD COUNTY GOVERNMENT  
STORMWATER DEPARTMENT  
One Public Square South  
Murfreesboro, TN 37130  
PHONE: (615) 898-7732**

**Delwyn C. Corbitt, P.E.**  
County Engineer

**Robert Reed, R.L.S**  
Construction Engineering  
Technician

**Eric Hill, P.E.**  
Project Engineer

**Todd Sullivan, P.E.**  
Project Engineer

## Stormwater Ordinance Updates

The following document is an updated ordinance to comply with our current National Pollution Discharge Elimination System (NPDES) permit. Our current permit was effective on March 9, 2011. The County is issued a NPDES permit to discharge stormwater just like a construction site is issued a permit to discharge stormwater from their site. One of the differences in the two permits is that a construction site is a clearly defined area with a discharge point, whereas the County's "site" is all the stormwater discharge from our roadside ditches, stormwater systems in developments, or any other public drainage system. In addition to allowing us to discharge stormwater, our permit has regulations on how we must regulate our community. Our permit is issued every five years and when a new permit is issued we must comply with the changes in the new permit.

There are two main purposes of this Ordinance update. The first is to make changes to our old Ordinance to comply with the new regulations. The second reason is to have a more user friendly document. We changed the format and sections to make the document easier to read and use. Since we changed the format we cannot highlight the sections in the old Ordinance that were changed, but below are the major changes that were made in the Ordinance. All the changes that were made are the minimum changes that can be made to be in compliance with our NPDES permit. If you have any questions about our NPDES permit, Stormwater Ordinance, or just the Stormwater program in general contact our office at (615) 898-7732 and we will answer any question you have.

### **Change to Buffer Zone (Chapter 2 page 2-1 & 2-2)**

Our old Ordinance had a 50' Buffer Zone and our updated Ordinance changes to a 30' or 60' Buffer Zone depending on amount of area draining to stream.

### **Maintenance Agreements (Chapter 4 page 4-6 & Section 6 page 6-1)**

Our previous Ordinance did not have this requirement, but language in our new permit requires us to have maintenance agreements. This will also help us to hold homeowner associations responsible for maintenance of their stormwater facilities.

### **Inspection of Stormwater Facilities (Chapter 6 Section 3 Page 6-2)**

This is a new requirement and was not addressed in our old Ordinance. This requirement would make Stormwater Facilities owners responsible for inspecting their facilities. The goal of this regulation is if regular inspections are being performed then facilities will not get to the point where they are not performing properly.

County Engineer Del Corbitt presented this information in reference to the previously approved ordinance.

## **MOTION**

Commissioner Jeff Phillips motioned, second by Commissioner Matthew Young, to ratify this previously approved Ordinance.

## **MOTION RATIFIED BY VOICE VOTE**

**ITEM M.  
REPORT BY STANDING COMMITTEES**

**ITEM M.1.  
REPORT - PURCHASING COMMITTEE**

**No Report**

**ITEM M.2.  
BUDGET, FINANCE & INVESTMENT**

**ITEM M.2.A.  
RESOLUTION - GENERAL FUND BUDGET  
AMENDMENTS:**

I  
Item M. 2. A.

**RESOLUTION**

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

Property Assessor/Reappraisal:

From Property Assessor:		
101-52300-425 – Gasoline -		\$10,000
To Reappraisal:		
101-52310-425 – Gasoline -		\$10,000

County Attorney:

From: 101-39000 – Unassigned Fund Balance -		\$76,500
To: 101-51400-331 – Legal Services -		\$76,500

Refunds/Restricted for Capital Projects:

Increase Revenue: 101-44170 – Miscellaneous Refunds -		\$ 8,200
Increase: 101-34585 – Restricted for Capital Projects -		\$ 8,200

Transfers In/Restricted for Capital Projects:

Increase Revenue: 101-49800 – Transfers In -		\$ 1,698
Increase: 101-34585 – Restricted for Capital Projects -		\$ 1,698

**RESOLVED** this 17<sup>th</sup> day of January, 2013.

RUTHERFORD COUNTY, TN

BY:   
ERNEST G. BURGESS, Chairman

**ATTEST:**

  
LISA CROWELL, County Clerk

**MOTION**

Committee Chair Joyce Ealy motioned, second by Commissioner Will Jordan, to approve the General Fund Budget Amendments.

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

Doug Shafer – aye  
Jack Black – aye  
Will Jordan – abstain  
Robert Peay – aye  
Carol Cook – aye  
Joe Frank Jernigan – aye  
Gary Farley – aye  
Tiffany Phillips – aye  
Steve Sandlin – aye  
Brad Turner – aye  
Chantho Sourinho – aye

Rhonda Allen – aye  
Robert Stevens – aye  
Jeff Jordan – aye  
Charlie Baum – aye  
Adam Coggin – abstain  
Matthew Young – aye  
Jeff Phillips – aye  
Allen McAdoo – aye  
Joyce J. Ealy – aye  
Trey Gooch – aye

**MOTION ADOPTED BY ROLL CALL VOTE.**

**ITEM M.2.B.  
RESOLUTION – Authorize Contribution Agreement  
with USDA Natural Resources**

Item M. 2. B.

**RESOLUTION**

**WHEREAS**, at the regular meeting on April 16, 2009, the Rutherford County Board of Commissioners adopted a Resolution authorizing the County Mayor and other appropriate officials of Rutherford County, Tennessee to execute a Contribution Agreement with the USDA Natural Resources Conservation Service (NRCS) to assist in providing funding of Ten Thousand Dollars (\$10,000.00) for a part-time position for the Rutherford County Soil Conservation District; and

**WHEREAS**, at the regular meeting on March 17, 2011, the Rutherford County Board of Commissioners adopted a Resolution authorizing the County Mayor to renew the grant; and

**WHEREAS**, Rutherford County and the USDA Natural Resources Conservation Service desire to continue the grant with the N.R.C.S. providing Nine Thousand Dollars (\$9,000.00), Rutherford County providing Ten Thousand Dollars (\$10,000.00), and the State of Tennessee providing Ten Thousand Dollars (\$10,000.00) for the period of September 1, 2012 through August 31, 2013.

**THEREFORE BE IT RESOLVED** by the Rutherford County Board of Commissioners that the County Mayor be, and is hereby authorized, to execute the Contribution Agreement No. 68-4741-2-059 with the USDA Natural Resources Conservation Service, 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 purpose of delivering conservation technical assistance for planning and implementation of conservation programs.

**RESOLVED** this 17<sup>th</sup> day of January, 2013.

RUTHERFORD COUNTY, TN

BY:   
ERNEST G. BURGESS, Chairman

**ATTEST:**

  
LISA CROWELL, County Clerk

**MOTION**

Committee Chair Joyce Ealy motioned, second by Commissioner Chantho Sourinho, to authorize the Contribution Agreement with USDA Natural Resources.

**MOTION ADOPTED BY VOICE VOTE.****ITEM M.3.  
HEALTH & EDUCATION COMMITTEE****ITEM M.3.A.**

**No Report**

**ITEM M.4.  
PROPERTY MANAGEMENT****ITEM M.4.A.**

**No Report**

**ITEM M.5.  
PUBLIC SAFETY COMMITTEE****ITEM M.5.A.**

**No Report**

**ITEM M.6.  
PUBLIC WORKS & PLANNING COMMITTEE**

**ITEM M.6.A.  
RESOLUTION – Approve 35 MPH Speed Limit on Del Thomas Road**

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 35 mile per hour speed limit with appropriate signage be posted on Del Thomas 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 35 miles per hour for all motor vehicles traveling on Del Thomas 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 17th day of January, 2013.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:

  
LISA DUKE CROWELL, County Clerk

BY:   
ERNEST G. BURGESS, Chairman

**MOTION**

Committee Chair Tiffany Phillips motioned, second by Commissioner Steve Sandlin, to approve the Speed Limit change on Del Thomas Road.

**RESOLUTION APPROVED BY VOICE VOTE**

**ITEM M.7.  
STEERING, LEGISLATIVE  
& GOVERNMENTAL COMMITTEE**

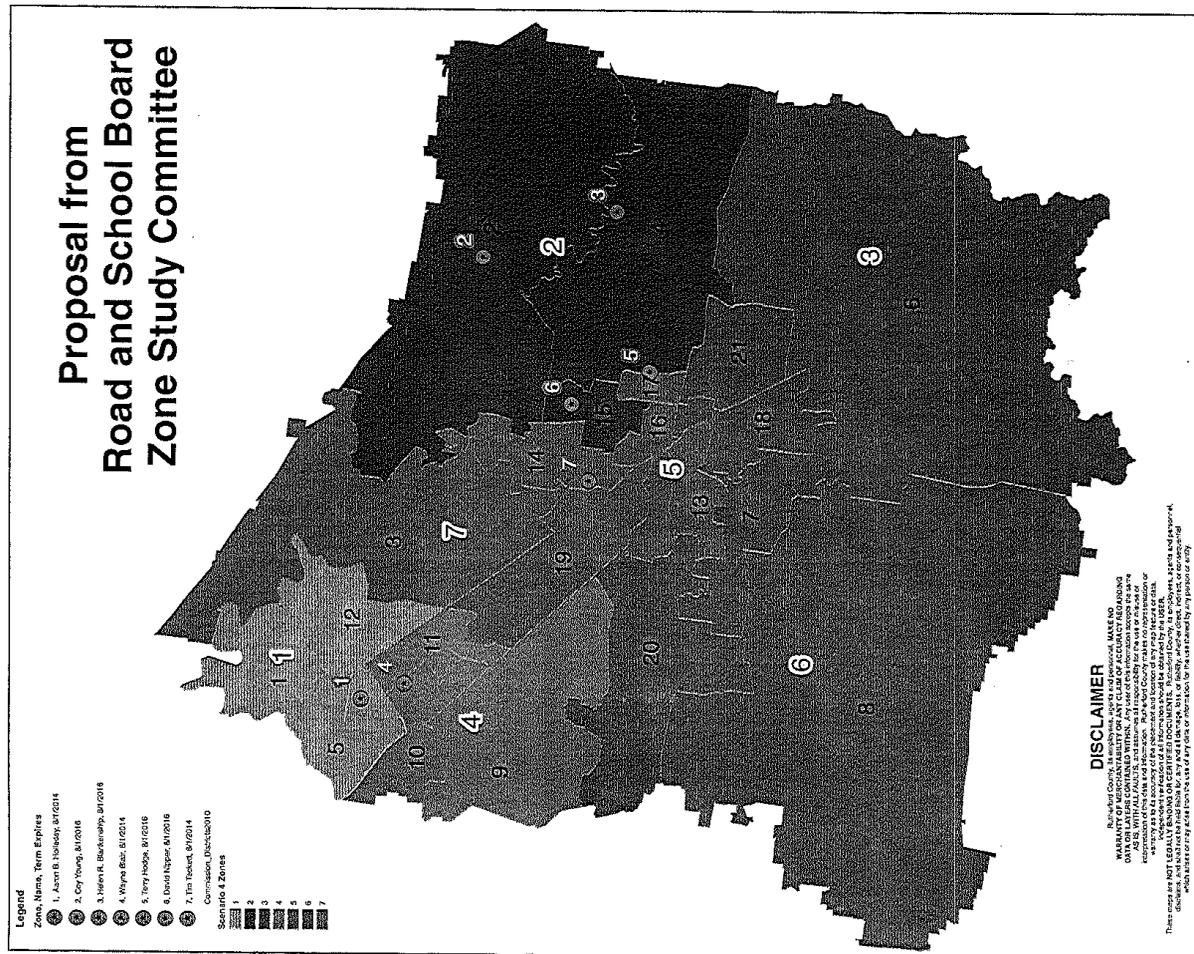
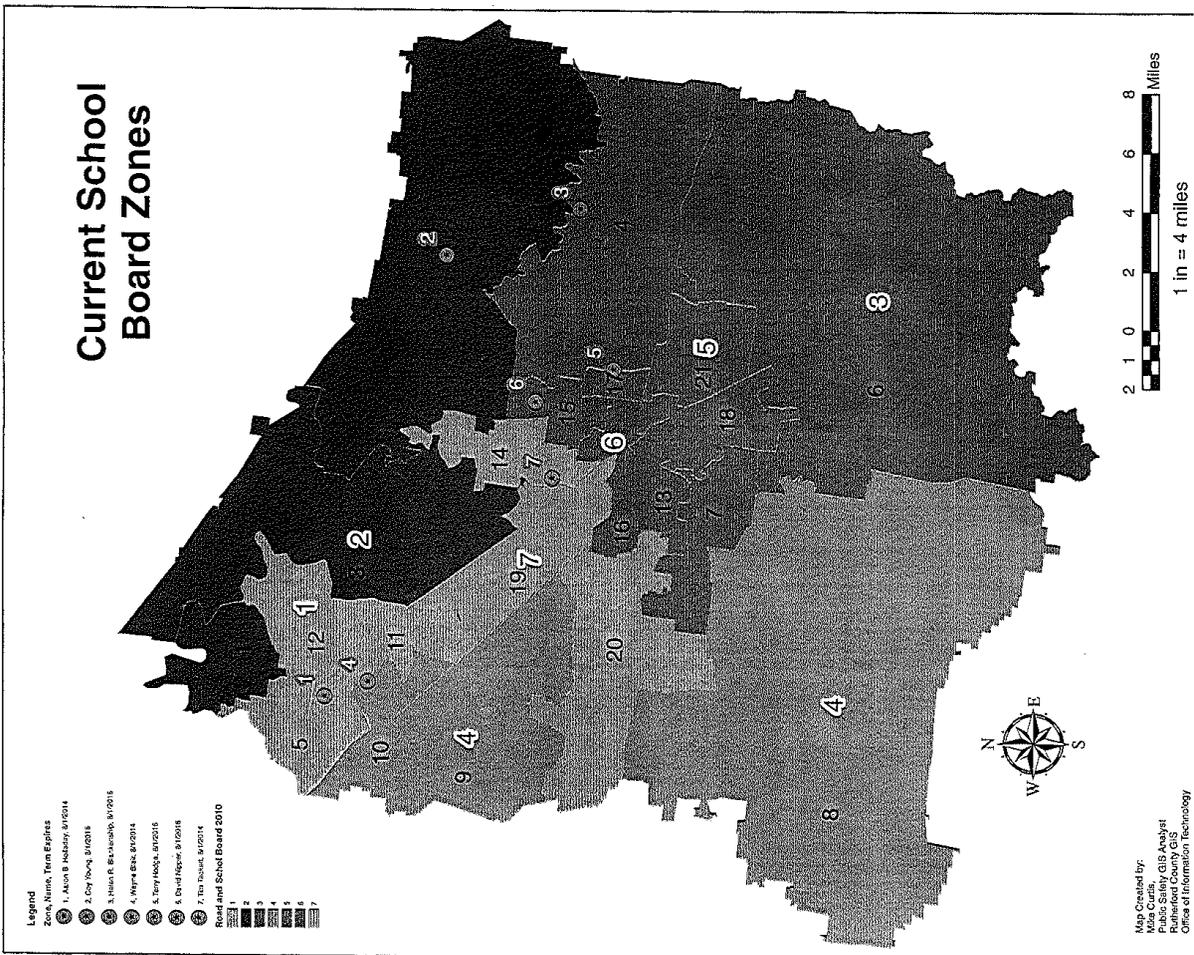
**ITEM M.7.A.  
RESOLUTION – Road Board and School Board Zones  
Committee Presentation**

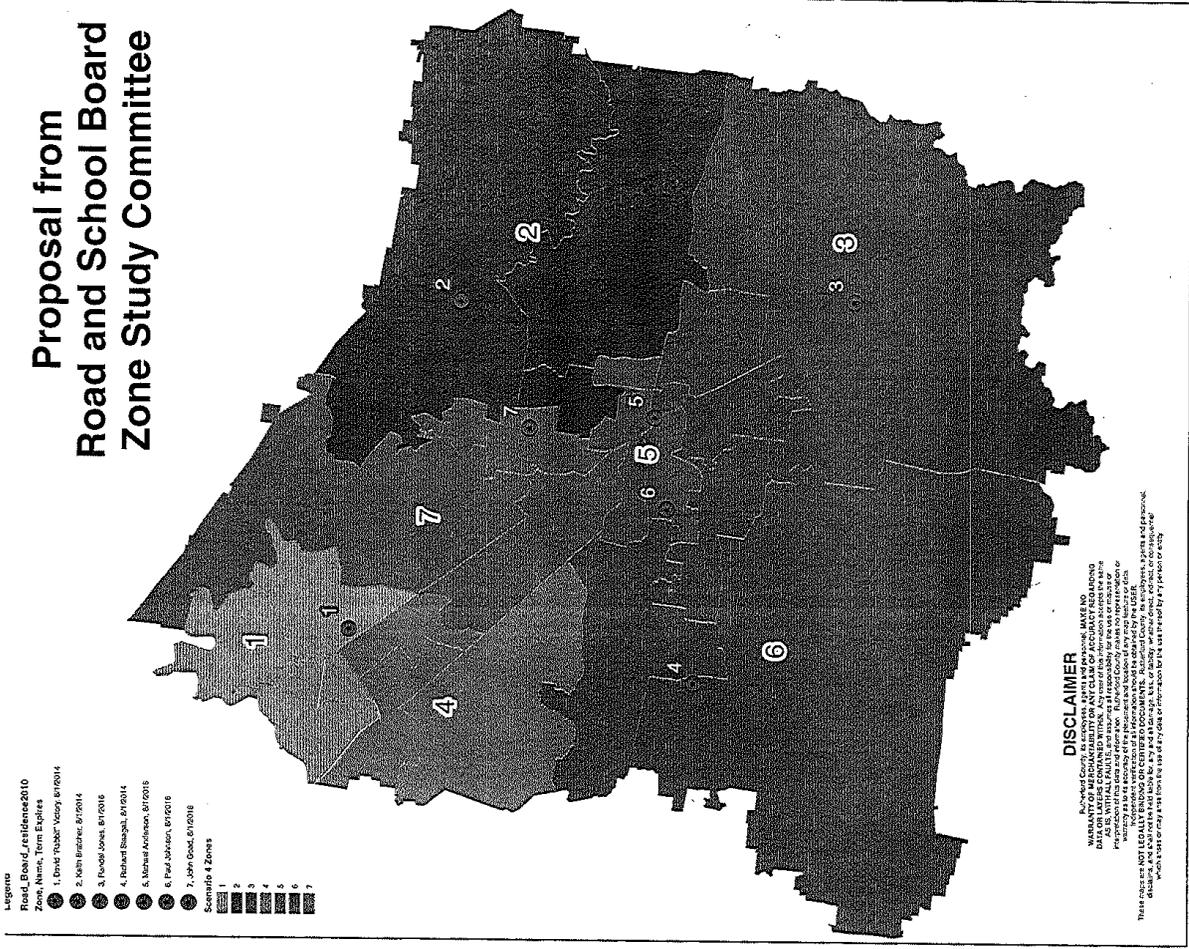
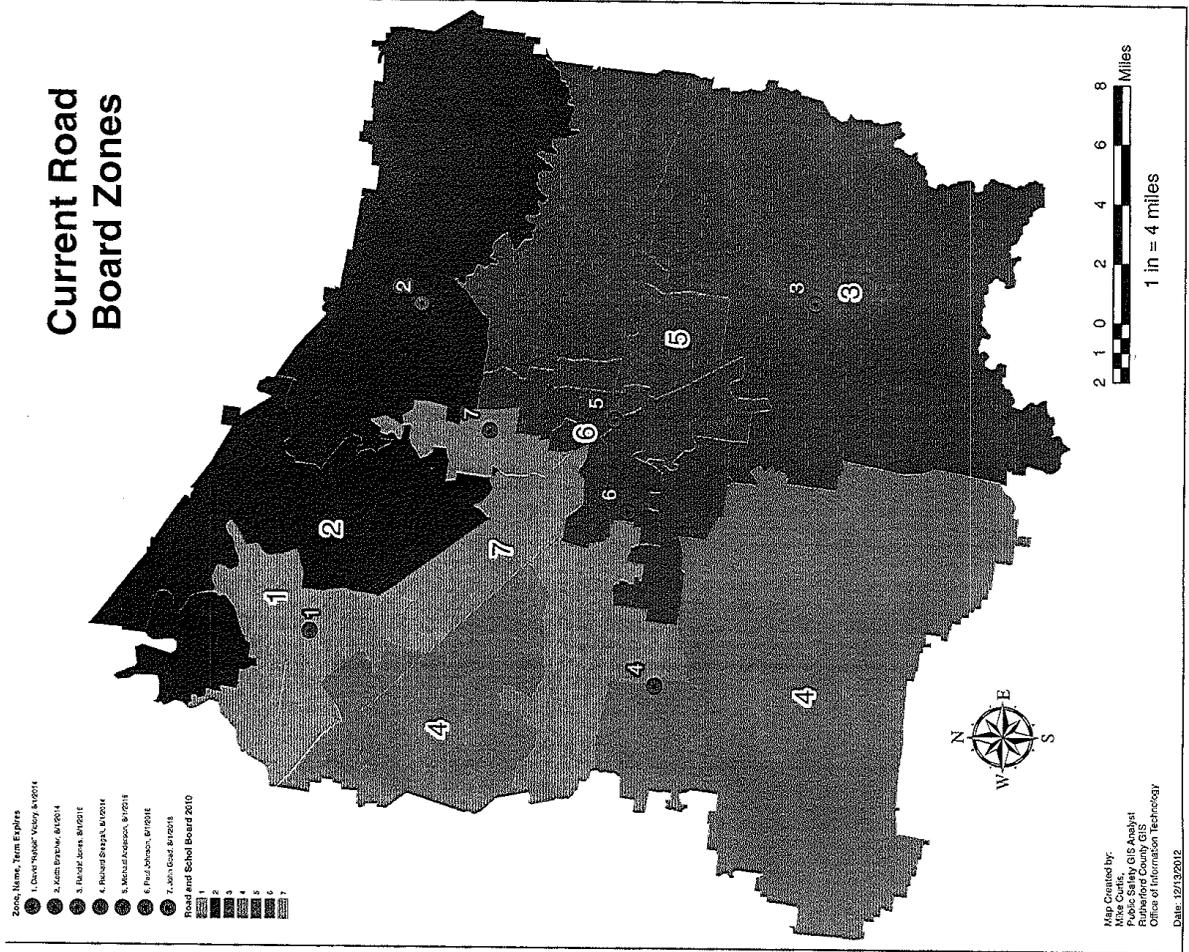
Commissioner Jeff Phillips, Chairman of the Road Board and School Board Zones Committee, called upon Ed Phillips, Vice-Chairman of the Committee, to present the findings and offer the map below as an option to the current zone configuration.

Road Board					
Current Commission Districts	Current Zone	Proposed Plan Commission Districts Composition	Proposed Zone	Member	Term Expires
5,11,12	1	1,5,12	1	David Victory	8/14
1,2,3	2	2,4,15	2	Keith Bratcher	8/14
4,6,7	3	6,18,21	3	Randal Jones	8/16
8,9,10	4	7,8,20	6	Richard Stegall	8/14
17,18,21	5	6,18,21	3	Michael Anderson	8/16
13,15,16	6	13,16,17	5	Paul Johnson	8/16
14,19,20	7	3,14,19	7	John Goad	8/18
		9,10,11	4	<empty>	

School Board					
Current Commission Districts	Current Zone	Proposed Plan Commission Districts Composition	Proposed Zone	Member	Term Expires
5,11,12	1	1,5,12	1	Aaron Holladay	8/14
1,2,3	2	2,4,15	2	Coy Young	8/16
4,6,7	3	2,4,15	2	Helen Blankenship	8/16
8,9,10	4	9,10,11	4	Wayne Blair	8/14
17,18,21	5	13,16,17	5	Terry Hodge	8/16
13,15,16	6	2,4,15	2	David Nipper	8/16
14,19,20	7	3,14,19	7	Tim Hackett	8/14
		6,18,21	3	<empty>	
		7,8,20	6	<empty>	

Road and School Board Zone	Commission Districts	Total Pop	Pop Dev%
1	1,5,12	37959	1.18%
2	2,4,15	37112	-1.07%
3	6,18,21	37492	-0.06%
4	9,10,11	37783	0.71%
5	13,16,17	37476	-0.10%
6	7,8,20	38382	2.31%
7	3,14,19	36400	-2.97%
	Total Pop	262604	
	Ideal Pop	37514.86	





## MOTION

Commissioner Robert Stevens motioned, second by Commissioners Rhonda Allen and Brad Turner, to approve the Proposed Redesign of the Road Board District and School Board District Maps.

## AMENDMENT TO MOTION

Commissioner Jeff Phillips motioned, second by Commissioner Doug Shafer, to amend the proposal and set the implementation date for the new districts to 2020 (proposal is currently set for a 2018 implementation).

## UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye  
 Jack Black – nay  
 Will Jordan – aye  
 Robert Peay – aye  
 Carol Cook – aye  
 Joe Frank Jernigan – nay  
 Gary Farley – nay  
 Tiffany Phillips – aye  
 Steve Sandlin – nay  
 Brad Turner – aye  
 Chantho Sourinho – aye

Rhonda Allen – aye  
 Robert Stevens – nay  
 Jeff Jordan – aye  
 Charlie Baum – nay  
 Adam Coggin – aye  
 Matthew Young – nay  
 Jeff Phillips – aye  
 Allen McAdoo – nay  
 Joyce J. Ealy – nay  
 Trey Gooch – aye

## AMENDMENT ADOPTED BY ROLL CALL VOTE.

**VOTE ON ORIGINAL MOTION**

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

Doug Shafer – aye  
Jack Black – nay  
Will Jordan – nay  
Robert Peay – nay  
Carol Cook – nay  
Joe Frank Jernigan – nay  
Gary Farley – nay  
Tiffany Phillips – aye  
Steve Sandlin – nay  
Brad Turner – aye  
Chantho Sourinho – nay

Rhonda Allen – aye  
Robert Stevens – aye  
Jeff Jordan – aye  
Charlie Baum – aye  
Adam Coggin – aye  
Matthew Young – nay  
Jeff Phillips – aye  
Allen McAdoo – nay  
Joyce J. Ealy – nay  
Trey Gooch – nay

**MOTION DEFEATED BY ROLL CALL VOTE.**

**ITEM K.  
ANY OTHER BUSINESS**

Chairman Burgess introduced Jeff Davidson, Deputy to the Mayor.

Chairman Burgess looked to Commissioner Robert Peay to confirm the Kittrell VFD Ham Breakfast is Saturday, January 19. Commissioner Peay concurred.

Commissioner Robert Stevens reminded all concerned the Ethics Disclosure Statements are due by January 31.

**ADJOURNMENT**

**There being no further business, Mr. Chairman Ernest G. Burgess, adjourned the Rutherford County Board of Commissioners meeting at 7:41 p.m.**

**ENTER: \_\_\_\_\_  
CHAIRMAN, ERNEST G. BURGESS**

**ATTEST: \_\_\_\_\_  
COUNTY CLERK, LISA DUKE CROWELL**