

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

**THURSDAY,
April 11, 2013**

RUTHERFORD COUNTY BOARD OF COMMISSIONERSAGENDA

APRIL 11, 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. Public Comments
 - G. ELECTIONS & CONFIRMATIONS
 - 1. Elect Notaries
 - 2. Fill Vacancy on Equalization Board
 - 3. Announce Three Vacancies on Emergency Communications District Board
 - H. UNFINISHED BUSINESS
 - I. PUBLIC HEARING – 6:30 P.M.
 - 1. Rezoning Request 13-A003: John L. Batey, located at 5104 Baker Road; Existing Zoning – RM; Proposed Zoning – AR; Size of site approximately 409 acres.
 - 2. Rezoning Request 13-A004: Brandon Whitt, located at 3108 Medical Center Parkway; Existing Zoning – RM; Proposed Zoning – AR; Size of site approximately 238 acres.
 - J. REPORTS BY STANDING COMMITTEES
 - 1. PURCHASING COMMITTEE
 - A. Monthly Report
 - 2. BUDGET, FINANCE & INVESTMENT COMMITTEE
 - A. General Fund Budget Amendments
 - 1. Restricted for Capital/Operating Transfers
 - 2. Board of Equalization/Property Assessor
 - 3. Geographic Information Systems/Information Technology
 - 4. Drug Court
 - 5. Fire & Rescue
 - 6. Restricted for Capital
 - 7. Sheriff's Department (2)
 - B. Special Purpose Fund Budget Amendment
 - C. Ambulance Service Fund Budget Amendments (2)
 - D. Highway Fund Budget Amendments (2)
 - E. General Debt Service Fund Budget Amendment
 - F. Resolution Authorizing Cooperation Agreement with Smyrna Housing Authority
 - G. Resolution Authorizing Governor's Highway Safety Grant Application for Drug Ct.
 - H. Resolution Authorizing Mental Health Facility Grant Application for Correctional Work Center Utilizing Staff from Volunteer Behavioral Health
 - I. Resolution Authorizing Federal Domestic Violence Grant Application for Sheriff's Department
 - J. Resolution Authorizing Acceptance of FY 2012 Federal Staffing for Adequate Fire and Emergency Response Grant for Fire & Rescue Department
 - K. Resolution Requesting Unclaimed Balance of Accounts Remitted to State Treasurer Under Unclaimed Property Act
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3. HEALTH & EDUCATION COMMITTEE
 - A. No Report
4. PROPERTY MANAGEMENT COMMITTEE
 - A. No Report
5. PUBLIC SAFETY COMMITTEE
 - A. Resolution to Approve Contract for Housing Juveniles with Wilson County
6. PUBLIC WORKS & PLANNING COMMITTEE
 - A. Resolution to Approve Speed Limit of 35 MPH on Miller Road
7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE
 - A. No Report
8. AUDIT COMMITTEE

K. 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, April 11, 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, April 11, 2013, in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.
- B. Commissioner Brad Turner led the invocation.
- C. Commissioner Tiffany Phillips led the pledge to our flag.
- D. Twenty One (21) of the Rutherford County Board of Commissioners were present for the opening of the Legislative Meeting.
- E. The March 2013 Legislative Meeting Minutes were approved.
- F. **PUBLIC COMMENTS**
1. Donald Todd wants counties to be permitted to recycle surplus revenues.
 2. Michelle Stephenson believes county government disregards state rules that protect water and land usage.
 3. Angela Cotter provided data to support her concern that area water sources are contaminated as a direct result of the county landfill.
 4. Cindy Wells is concerned the Lascassas Ball Club is not properly registered to conduct business and is concerned the facilities are not health and safety compliant.
 5. Brad Rayls is also concerned the Lascassas Ball Club is not properly registered and documented to conduct business.
 6. Axl David spoke against the use of Red Light Cameras in the City of Murfreesboro.
- G. **ELECTIONS & CONFIRMATIONS**
1. The Notary Public-at-Large Applications were approved as presented.
 2. The appointment of Tim Rudd to the Equalization Board was confirmed.
 3. Three (3) vacancies on the Communication District Board were announced.
- H. **UNFINISHED BUSINESS**
None Reported
-

I. PUBLIC HEARINGS – 6:30 P.M.

1. Conditional Use Permit Request 13-A003 – John L. Batey - The request to amend the zoning map for property at 5104 Baker Road was approved.
2. Conditional Use Permit Request 13-A004 – Brandon Whitt - The request to amend the zoning map for property at 3108 Medical Center Parkway was approved.

J. REPORTS BY STANDING COMMITTEES**1. PURCHASING COMMITTEE REPORT**

- A. Report Approved

2. BUDGET, FINANCE & INVESTMENT COMMITTEE

- A. General Fund Budget Amendments were approved.
- B. The Special Purpose Fund Budget Amendment was approved.
- C. An Ambulance Service Fund Budget Amendment was approved.
- D. The Highway Fund Budget was amended.
- E. The General Debt Service Fund Budget was amended.
- F. A Cooperation Agreement with Smyrna Housing Authority was authorized.
- G. A Governor's Highway Safety Office Grant Application for Drug Court was authorized.
- H. A Mental Health Facility Grant Application for the Correctional Work Center in order to utilize staff from Volunteer Behavioral Health was authorized.
- I. A Federal Domestic Violence Grant Application for the Sheriff's Department was authorized.
- J. Acceptance of FY 2012 Federal Staffing for Adequate Fire and Emergency Response Grant for the Fire & Rescue Department was authorized.
- K. A request of Unclaimed Balance of Accounts Remitted to State Treasurer under the Unclaimed Property Act was authorized.

3. HEALTH & EDUCATION COMMITTEE

- A. No Report

4. PROPERTY MANAGEMENT COMMITTEE

- A. No Report

5. PUBLIC SAFETY COMMITTEE

- A. A Contract for Housing Wilson County juveniles in the Rutherford County Juvenile Detention Center was approved.

6. PUBLIC WORKS & PLANNING COMMITTEE

A. A speed limit of 35 MPH on Miller Road was approved.

7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

A. No Report

8. AUDIT COMMITTEE

A. Commissioner Charlie Baum provided basic details of recent state audits of various Rutherford County government departments.

K. ANY OTHER BUSINESS

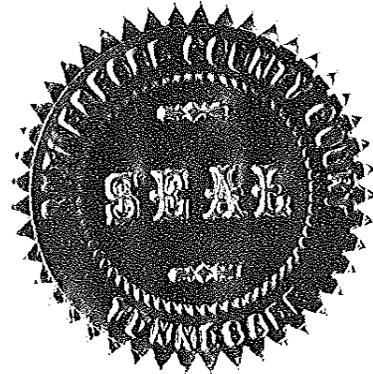
Commissioner Robert Peay stated, for the record, that an accountant for the Lascassas Ball Club indicates the club is exempt from paying sales tax.

Commissioner Doug Shafer announced the La Vergne Rescue Squad Ham Breakfast is Saturday, April 13, and will be held all morning. He believes he stays lean and fit by eating at this particular breakfast each year.

There being no further business, Mr. Chairman Ernest Burgess adjourned the Rutherford County Board of Commissioners Legislative Meeting. Time of adjournment was 7:03 P.M.

Lisa Duke Crowell
 Lisa Duke Crowell, Rutherford County Clerk

Rick Spence
 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, April 11, 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 Tiffany Phillips led the pledge to the flag of the United States.

**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 Joe Frank Jernigan, to dispense with the reading of the minutes of March 2013 and approve the minutes by acclamation.

MOTION ADOPTED BY VOICE VOTE.

**ITEM F.
PUBLIC COMMENTS**

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

4-11-13

DATE	NAME & PHONE NUMBER	TOPIC
① 4-5-13	Donald Todd	Victorious TN Leg. Uphold Constitutional Powers of County
② 4-10-13	Michelle Stephenson ⁴⁹⁸⁻⁵⁵⁷⁶	Landfill
③ 4-10-13	Angela Coker ⁹⁷¹⁻⁰⁶⁶³	Water in Stones River
④ 4-10-13	Cindy Wells 394-1940	Lascassas Ball Club
⑤ 4-11-13	Brad Reynolds 556-4871	" "
⑥ 4-11-13	AXI David (312)833-2280	Red Light Cameras in City of Murfreesboro

1. Donald Todd wants counties to be permitted to recycle surplus revenues. Mr. Todd read from his prepared text:

633 Buck Lane
Murfreesboro, Tennessee 37129
April 11, 2013

To: Rutherford County Commissioners and Mayor Burgess and
Tennessee State Legislators

Victorious Tennessee Legislators Uphold Constitutional Powers of the Counties

Recently, misguided proposals were submitted to the Tennessee Legislature, apparently from the socialistic National Municipal League in Chicago and New York. These proposals were included in House Bills 63 and 87 and in Senate Bill 85. These badly conceived proposals apparently were introduced with the idea of streamlining county governments. In reality, the constitutional processes in the counties would be weakened, and the counties would operate at higher costs.

At the present time in Rutherford County, our constitutionally elected officials have the authority to control all of their financial operations. Under the newly proposed legislation, the mayor is not only given the unnecessary power to create a County Budget Committee, but he would also be given the unconstitutional authority to appoint five members to this committee. As a result, the proposed plan would transfer control of the previously mentioned financial operations from elected officials over to the County's un-elected Finance Director as well as to a new County Budget Committee with its membership dominated by un-elected officials; (that is, people not responsible to the voters for their jobs.)

If these bills had been approved, our County government would lose its accountability to the voters. Fortunately, on March 27, 2013, these unconstitutional bills were defeated. Because of this defeat, our Tennessee legislators have saved our constitutional freedom in more than one respect. They prevented a constitutional financial crisis from erupting over removing the right of elected officials to control taxpayers' money. Such a constitutional violation is legitimately defined as "Taxation Without Representation."

In order to build up excessive power in the Executive branch of the county government so that the legislative functions of the County Commission would be dangerously undermined, the National Municipal League has apparently attempted to implement certain governmental policy changes within these proposed bills. For example, at least two of our County Commissioners have said that the commissioners were not given the opportunity to vote on whether or not the County should recycle Surplus Revenue to the next fiscal year's budget in order to avoid shortfalls in certain funds and, therefore, prevent a tax increase.

It appears that stringent National Municipal League type rules, not laws, are preventing easy accessibility to our Surplus Revenue and putting a stop to the recycling process. State Senator Stacey Campfield agrees that the Tennessee Legislature should implement strong laws to permit recycling Surplus Revenue to next year's budget.

Thank you Tennessee Legislators for upholding constitutional self-rule.

Donald Todd, Chairman Republican Precinct #163



PUBLIC COMMENTS CONTINUED:

2. Michelle Stephenson believes county government disregards state rules that protect water and land usage.
3. Angela Cotter provided data to support her concern that area water sources are contaminated as a direct result of the county landfill.
4. Cindy Wells is concerned the Lascassas Ball Club is not properly registered to conduct business and is concerned the facilities are not health and safety compliant.
5. Brad Wells is also concerned the Lascassas Ball Club is not properly registered and documented to conduct business.
6. Axle David spoke against the use of red light cameras in the City of Murfreesboro.

ITEM G. ELECTIONS & CONFIRMATIONS

ITEM G.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 April 11, 2013

<p>KERRI BEANE CONNIE BEARD ADRIANA S. BLACK JOSEPHINE BONNER STEPHANIE BRUMIT SANDRA C CHADWELL MONICA CLOUSE DEEANN JONES COCHRAN KATHY CURRAN JOAN B. DELISLE TARA DRIVER PEGGY R DUGGIN CASIE EPPERSON LISA R. GILL MELISSA D. GRIFFEY SAMUEL ALFRED GUYDON II BECKY HALL ANGELA HAYWOOD PATRICIA B HERPY VALERIE E HULSHOF JOHN B. INGLESON JENNIFER B. JONES FLANDA JONES JOHN KEA DANIELLE KNIGHT CHAD B LANE DELORIS LEE PEGGY LEE NICOLE LESTER JANICE E. LEWIS BARBARA A LIPPA JENNIFER L LUNA LEIGH ANN MAXWELL ALLISON MCCULLOUGH</p>	<p>TERESA A. MESSICK JULIA MICHAEL CELESTE P MIDDLETON JACK MILLER KIMBERLY A. MILLS KIMBERLY J MITCHELL DONNA MONTGOMERY J. ELAINE MOODY LORI A NORTH STACY L. NUNNALLY JENNY E. PARRISH DOUGLAS L. PATRICK JANELLE NORA PEABODY GALEN W. PIERCE SHERRY PRESTON CHERYL PRICE CONNIE F QUALLS BAKER E RABORN WENDY KAY RAMIREZ WHITNEY RAQUE KATHLEEN RISTAY ANGELA ROMANELLI PAULA SADDLER MICHELLE SCHROEDER LISA MARIE SHAW NIKA SIMPSON LAWRENCE VINCENT MICAH P WELLS WILLIAM GENTRY WHEAT DAVID B. WHELAN JOEL S. WRIGHT KATHRYN WRIGHT NANCY D YORK</p>
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MOTION

Commissioner Trey Gooch motioned, second by Commissioner Steve Sandlin, to approve the notary applicants as presented.

MOTION APPROVED BY UNANIMOUS VOICE VOTE

**ITEM G.2.
Equalization Board Vacancy Filled**

Commissioner Trey Gooch announced the appointment of Mr. Tim Rudd to the Equalization Board to fill the unexpired term of Mr. Laughlin Youree. The term will expire in April of 2014. The Commission confirmed the appointment.

**ITEM G.3.
Announce Three Vacancies on Emergency
Communications District Board**

Commissioner Trey Gooch announced three vacancies on the Emergency Communications District Board. The vacancies include the Mayors of Smyrna, La Vergne and Eagleville or their designated representative.

**ITEM H.
UNFINISHED BUSINESS**

None Presented

**ITEM I.
PUBLIC HEARINGS – 6:30**

**ITEM I.1.
Rezoning Request 13-A003: John L. Batey
5104 Baker Road**

**A RESOLUTION TO AMEND
THE RUTHERFORD COUNTY ZONING MAP
ADOPTED NOVEMBER 15, 2012**

WHEREAS, the Rutherford County Regional Planning Commission in regular session on March 11, 2013 completed a detailed analysis of property referenced by file 13-A003 submitted by John L. Batey, and further referenced by Tax Map 71, Parcel 30.00 of the Rutherford County Tax Maps, located in the 7th Civil District, and at 5104 Baker 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 had been determined that the proposed rezoning of the above referenced properties will not adversely affect the health, safety, or general welfare of the citizens of Rutherford County and the surrounding community; and

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

WHEREAS, the Rutherford County Regional Planning Commission recommends that subject property be rezoned from Residential Medium Density to Agricultural Residential by a vote of 9 for, 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 Residential Medium Density to Agricultural Residential, as referenced by Tax Map 71, Parcel 30.00, containing 409 acres more or less.

Date: April 11, 2013


Lisa D. Crowell,
County Clerk


Ernest Burgess,
County Mayor

PUBLIC HEARING

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

Chairman 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 person spoke for or against the request.

The public hearing was closed and the Rutherford County Board of Commissioners Legislative meeting was called back in session.

Planning Director Doug Demosi, in outlining the details of the re-zoning request, advised the Planning Commission had voted to recommend the request.

MOTION

Commissioner Steve Sandlin moved, second by Commissioner Matthew Young, to approve, as set forth by the Planning Commission, the Re-Zoning Request included in 13-A003.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE

ITEM I.2.**Rezoning Request 13-A004 – Brandon Whitt
3108 Medical Center Parkway****A RESOLUTION TO AMEND
THE RUTHERFORD COUNTY ZONING MAP
ADOPTED NOVEMBER 15, 2012**

WHEREAS, the Rutherford County Regional Planning Commission in regular session on March 11, 2013 completed a detailed analysis of property referenced by file 13-A004 submitted by Brandon Whitt, and further referenced by Tax Map 79, Parcels 51.00 and 62.00 of the Rutherford County Tax Maps, located in the 9th and 13th Civil Districts, and at 3108 Medical Center 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 had been determined that the proposed rezoning of the above referenced properties will not adversely affect the health, safety, or general welfare of the citizens of Rutherford County and the surrounding community; and

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

WHEREAS, the Rutherford County Regional Planning Commission recommends that subject property be rezoned from Residential Medium Density to Agricultural Residential by a vote of 9 for, 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 Residential Medium Density to Agricultural Residential, as referenced by Tax Map 79, Parcels 51.00 and 62.00, containing 238 acres more or less.

Date: April 11, 2013



Lisa D. Crowell,
County Clerk



Ernest Burgess
County Mayor

PUBLIC HEARING

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

Chairman 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 person spoke for or against the request.

The public hearing was closed and the Rutherford County Board of Commissioners Legislative meeting was called back in session.

Doug Demosi, in outlining the details of the re-zoning request, advised the Planning Commission voted to recommend this request.

MOTION

Commissioner Trey Gooch moved, second by Commissioner Will Jordan, to approve, as set forth by the Planning Commission, the Re-Zoning Request included in 13-A004.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE

ITEM J. REPORTS BY STANDING COMMITTEES

ITEM J.1. PURCHASING COMMITTEE

ITEM J.1.A. REPORT - PURCHASING COMMITTEE

PURCHASING COMMITTEE

APRIL 3, 2013 4:30 P.M.

MINUTES

MEMBERS PRESENT

Ernest Burgess, Chairman
Allen McAdoo
Doug Shafer
Carol Cook
Joyce Ealy
Trey Gooch
Jack Black

OTHERS

Melissa Stinson
Mike Bailey
Bob Shupe
Jacoby O'Gwynne
Vicki Taylor

Chairman Burgess presided and called the meeting to order at 4:30 p.m. with all members present.

EMERGENCY VEHICLE EQUIPMENT - SHERIFF'S OFFICE

Bids were opened on this item on March 12, 2013 and taken under advisement. Jacoby O'Gwynne and Mike Bailey presented a spreadsheet outlining the bids received and their recommendation which was all low bid. The members reviewed the spreadsheet and noticed that Item H as recommended was not the low bid on the spreadsheet. Mr. O'Gwynne and Mr. Bailey said that was unintentional and they changed it to reflect the low bid (Changed Item H from Emergency Vehicle Services to Truckers Lighthouse). All others were low bid. All five companies that submitted bids were awarded some items.

"Commissioner Cook moved, seconded by Commissioner Gooch, to approve the spreadsheet with the one revision and award the bids accordingly. The motion passed unanimously."

PROPERTY INSURANCE; EXCESS CASUALTY; THIRD PARTY ADMINISTRATOR SERVICES FOR ALL CASUALTY LINES; THIRD PARTY ADMINISTRATOR SERVICES FOR ON-THE-JOB INQUIRY OCCUPATIONAL OPT-OUT PROGRAM INCLUDING RE-PRICING, BILL REVIEW, OCCUPATIONAL NETWORK, AND OTHER RELATED SERVICES; OTHER RE-INSURANCE PRODUCTS; BROKER SERVICES

The following companies submitted bids on SHORT TERM DISABILITY.

1.	Unum	Annual cost	\$641,151
2.	The Standard	Annual cost	\$707,271

PURCHASING COMMITTEE

APRIL 9, 2013 4:30 P.M.

MINUTES

MEMBERS PRESENT

Ernest Burgess, Chairman
 Joyce Ealy
 Carol Cook
 Doug Shafer
 Jack Black
 Trey Gooch
 Allen McAdoo

OTHERS

Heather Dawbarn
 Lennie Fabian
 Larry Farley
 Tera Simmons
 Deborah Farley
 Vicki Taylor

Chairman Burgess presided and called the meeting to order with all members present.

CRADLE SCANNER – REGISTER OF DEEDS

- | | | |
|----|--|-------------|
| 1. | Atiz Innovation, Inc., Los Angeles, CA | \$21,369.88 |
| 2. | The Crowley Company, Frederick, MD | \$24,850.00 |

Mrs. Heather Dawbarn said she has seen both pieces and had samples done from each. This scanner will be paid from the EDP fund and not the General Fund. She requested the bids be taken under advisement so she can compare "apples to apples".

"Commissioner Shafer moved, seconded by Commissioner Cook, to take the bids under advisement. The motion passed unanimously."

UNIFORMS – FIRE & RESCUE

Two bids were received.

	<u>Gall's</u> <u>Lexington, KY</u>	<u>Bluegrass</u> <u>Murfreesboro, TN</u>
1. Class A LS Shirt	\$36.00	\$30.00
2. Class A SS Shirt	\$30.50	\$30.00
3. Class A Dress Coat	No bid	\$115.00
4. Class A Dress Pants	\$31.00	\$33.00
5. Class A Belt	\$19.00	\$15.00
6. Gloves	\$ 5.00	\$ 5.50
7. Class A Shoes	\$52.75	\$44.00
8. Hat	\$42.50	\$38.00
9. Badge	\$40.00	\$45.00
10. Name Plate	\$ 9.00	\$ 8.00
11. Title Bar	\$ 9.00	\$ 8.00
12. Tie Bar	\$ 6.00	\$ 6.00

“Commissioner Gooch moved, seconded by Commissioner Cook, to take the bids under advisement and have Mr. Gregory prepare a spreadsheet outlining all bids received and his recommendation. The motion passed unanimously.”

MEDICAL SUPPLIES & EQUIPMENT, IV SUPPLIES, OXYGEN SUPPLIES, PRELOADED MEDICATIONS – EMS

The following companies submitted bids. Due to them being so voluminous, the originals may be viewed in the County Mayor’s Office.

	<u>Medical Supplies</u>	<u>Medical Eq.</u>	<u>Oxygen</u>	<u>IV Supplies</u>	<u>Pre-Loaded Med</u>
1. Moore Medical, Farmington, CT	X	X	X	X	X
2. Bound Tree, Dublin, OH	X	X	X	X	X
3. S&W Healthcare, Brooksville, FL	X	X		X	X
4. Henry Schein EMS, Irmo, SC	X	X	X	X	X

Lennie Fabian requested the bids be taken under advisement so he can prepare a spreadsheet for the committee.

“Commissioner Cook moved, seconded by Commissioner Gooch, to take the bids under advisement so Lennie Fabian can prepare a spreadsheet. The motion passed unanimously.”

There being no further business at this time, Chairman Burgess declared the meeting adjourned at 5:15 p.m.


 ERNEST G. BURGESS, CHAIRMAN

MOTION

Commissioner Carol Cook motioned, second by Commissioner Doug Shafer, to approve and accept the Purchasing report.

Motion approved by voice vote

ITEM J.2. BUDGET, FINANCE & INVESTMENT

ITEM J. 2. A. RESOLUTION - GENERAL FUND BUDGET AMENDMENTS

Item J. 2. A.

RESOLUTION

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

Restricted for Capital/Operating Transfers:

From: 101-34585 – Restricted for Capital -	\$ 5,875
To: 101-99100-590 – Operating Transfers -	\$ 5,875

Board of Equalization/Property Assessor:

From Board of Equalization:	
101-51210-308 – Consultants -	\$ 3,000
To Property Assessor:	
101-52300-711 – Furniture & Fixtures -	\$ 1,000
101-52300-719 – Office Equipment -	1,000
101-52300-334 – Maintenance Agreements -	1,000

Geographic Information Systems/Information Technology:

From Geographic Information Systems:	
101-51760-709 – Data Processing Equipment -	\$ 81,000
To Information Technology:	
101-52600-317 – Data Processing Services -	\$ 81,000

Drug Court:

From: 101-53330-719 – Office Equipment -	\$ 321
Increase Revenue: 101-42380 – DUI Treatment Fines General Sessions -	\$ 5,000
To: 101-53330-499 – Other Supplies & Materials -	\$ 5,321

Fire and Rescue:

Increase Revenue: 101-44570 – Contributions & Gifts -	\$ 425
Increase Expend.: 101-54320-499 – Other Supplies/Materials -	\$ 425

Restricted for Capital Projects:

Increase Revenue:	101-44170 – Miscellaneous Refunds -	\$ 1,298
Increase:	101-34585 – Restricted for Capital Projects -	\$ 1,298

Sheriff's Department & Jail:

Increase Revenue:	101-44570 – Contributions & Gifts -	\$ 2,500
Increase Expend.:	101-54110-499 – Other Supplies/Materials -	\$ 2,500
From:	101-54110-194 – Sheriff's Dept. Jury Expenses -	\$25,000
	101-54210-354 – Jail Transportation Other Than Students -	25,000
To:	101-54210-422 – Jail Food Supplies -	\$50,000

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

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

ATTEST:

Lisa Crowell
 LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy motioned, second by Commissioner Joe Frank Jernigan, to approve the General Fund Budget Amendments.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Jack Black – aye	Robert Stevens – aye
Will Jordan – aye	Jeff Jordan – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	Adam Coggin – aye
Joe Frank Jernigan – aye	Matthew Young – aye
Gary Farley – aye	Jeff Phillips – aye
Tiffany Phillips – aye	Allen McAdoo – aye
Steve Sandlin – aye	Joyce J. Ealy – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM J. 2. B.
RESOLUTION – Special Purpose Fund Budget
Amendment**

Item J. 2. B.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the SPECIAL PURPOSE (DEA) FUND be amended as follows:

Sheriff's Department:

Increase Revenue:	121-47700 – Asset Forfeiture Funds -	\$3,267
Increase Expend.:	121-54110-319 – Confidential Enforcement -	\$3,267

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Carol Cook, to approve the measure.

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

Doug Shafer – aye	Rhonda Allen – aye
Jack Black – aye	Robert Stevens – aye
Will Jordan – aye	Jeff Jordan – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	Adam Coggin – aye
Joe Frank Jernigan – aye	Matthew Young – aye
Gary Farley – aye	Jeff Phillips – aye
Tiffany Phillips – aye	Allen McAdoo – aye
Steve Sandlin – aye	Joyce J. Ealy – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM J. 2. C. AMENDMENT – Special Purpose Fund Budget Amendment

Item J. 2. C.

RESOLUTION

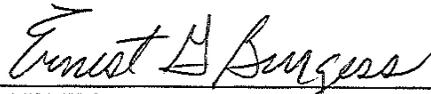
BE IT RESOLVED by the Rutherford County Board of Commissioners that the AMBULANCE SERVICE FUND be amended as follows:

Emergency Medical Service:

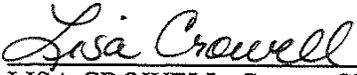
Increase Revenue:	118-43120 – Patient Charges -	\$ 5,000
Increase Expend.:	118-55130-509 – Refunds -	\$ 5,000
From:	118-34730 – Assigned for Public Health & Welfare -	\$40,000
To:	118-55130-425 – Gasoline -	\$40,000

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by
Commissioner Joe Frank Jernigan, to approve the measure.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Jack Black – aye	Robert Stevens – aye
Will Jordan – aye	Jeff Jordan – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	Adam Coggin – aye
Joe Frank Jernigan – aye	Matthew Young – aye
Gary Farley – aye	Jeff Phillips – aye
Tiffany Phillips – aye	Allen McAdoo – aye
Steve Sandlin – aye	Joyce J. Ealy – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM J.2.D. AMENDMENT – Highway Fund Budget

Item J. 2. D.

RESOLUTION

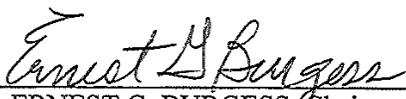
BE IT RESOLVED by the Rutherford County Board of Commissioners that the HIGHWAY FUND be amended as follows:

Other Charges (Public Works):

From: 131-34650 – Committed for Highways/Public Works -	\$312,200
To: 131-65000-790 – Other Equipment -	\$300,000
131-65000-205 – Employee & Dependent Insurance -	12,200

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Steve Sandlin, to approve the amendment.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye	Rhonda Allen – aye
Jack Black – aye	Robert Stevens – aye
Will Jordan – aye	Jeff Jordan – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	Adam Coggin – aye
Joe Frank Jernigan – aye	Matthew Young – aye
Gary Farley – aye	Jeff Phillips – aye
Tiffany Phillips – aye	Allen McAdoo – aye
Steve Sandlin – aye	Joyce J. Ealy – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM J. 2. E. AMENDMENT –General Debt Service Fund Budget Amendment

Item J. 2. E.

RESOLUTION

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

Refunded Bond Escrow:

Increase Revenue:	151-49400 – Refunding Debt Issued -	\$65,700,000
	151-49410 – Premiums on Debt Sold -	5,401,891
Increase Expend.:	151-82310-605 – General Government Underwriter’s Discount -	\$ 16,484
	151-82330-605 – Education Underwriter’s Discount -	91,168
	151-99300-599 – Refunded Bond Escrow Other Debt Service -	72,249,052
	151-82310-606 – General Government Other Debt Issuance Chgs. -	31,409
	151-82330-606 – Education Other Debt Issuance Charges -	183,591
Decrease Expend.:	151-82210-603 – General Government Interest on Bonds -	204,157
	151-82230-603 – Education Interest on Bonds -	1,265,656

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

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

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Joe Frank Jernigan, to approve the measure.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye
 Jack Black – aye
 Will Jordan – aye
 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 – aye
 Matthew Young – aye
 Jeff Phillips – aye
 Allen McAdoo – aye
 Joyce J. Ealy – aye
 Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM J. 2. F.
RESOLUTION – Authorize Cooperation Agreement
with Smyrna Housing Authority**

Item J. 2. F.

RESOLUTION

WHEREAS, the Smyrna Housing Authority requested Rutherford County enter into a Cooperation Agreement with the Smyrna Housing Authority for the Sherwood Forest Apartments on Almaville Road in Smyrna, Tennessee; and

WHEREAS, the Cooperation Agreement would exempt by law pursuant to T.C.A. § 67-5-206 the property of the Smyrna Housing Authority from taxes and special assessments; and

WHEREAS, it is in the best interest of the citizens of Rutherford County, Tennessee to enter into said Cooperation Agreement with the Smyrna Housing Authority; and

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that the Cooperation Agreement attached hereto as Exhibit 1 and incorporated herein by reference as if set forth herein at length verbatim be and the same is hereby ratified, confirmed and approved.

BE IT FURTHER RESOLVED that the Mayor and other authorized County officials be and the same are hereby authorized to sign and enter into the attached Cooperation Agreement for and on behalf of Rutherford County.

RESOLVED this 11th day of April, 2013:

ATTEST:

Lisa Duke Crowell

LISA DUKE CROWELL, County Clerk

RUTHERFORD COUNTY, TENNESSEE

BY: Ernest Burgess
ERNEST BURGESS, Chairman

COOPERATION AGREEMENT

(Smyrna Housing Authority)

18th THIS COOPERATION AGREEMENT (the "Agreement") entered into as of this April day of April, 2013, by and between SMYRNA HOUSING AUTHORITY (herein called the "Local Authority") and RUTHERFORD COUNTY, TENNESSEE (herein collectively called the "County") witnesseth:

In consideration of the mutual covenants hereinafter set forth, the parties here do agree as follows:

1. Whenever used in this Agreement:
 - a. The term Project shall mean that certain residential rental affordable housing development known as Sherwood Forest Apartments on Almaville Road in Smyrna, Tennessee, which is restricted under government regulations pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, and which is located on real property leased from the Local Authority pursuant to a ground lease that complies with, among other things, the applicable Qualified Allocation Plan of the Tennessee Housing Development Agency; such Project having been determined by the Local Authority to be in furtherance of its public purposes.
 - b. The term Taxing Body shall mean the State or any political subdivision or taxing unit thereof in which the Project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to the Project if it were not exempt from taxation.
 - c. The term Shelter Rent shall mean the total of all charges to all tenants of the Project for dwelling rents and nondwelling rents (excluding all other income of the Project), less the cost to the Local Authority of all dwelling and nondwelling utilities.
2. The Local Authority shall endeavor (a) to secure funding from low income housing tax credits or equivalent governmental financing from the Tennessee Housing Development Agency covering a portion of the construction of the Project and (b) to develop or acquire and administer the Project. The obligations of the parties hereto shall apply to the Project.

3. Under the constitution and statutes of the State of Tennessee, the Project is exempt from all real and personal property taxes and special assessments levied or imposed by any Taxing Body. With respect to the Project, so long as either (i) the Project is leased or owned by the Local Authority, or (ii) any contract between the Local Authority and the United States Government or the State of Tennessee, or any agencies thereof (the "Government") for loans or annual contributions, or both, in connection with the Project remains in force and effect, or (iii) any bonds issued in connection with the Project or any monies due to the Government in connection with the Project remain unpaid, whichever period is the longest, the County agrees that it will not levy or impose any real or personal property taxes or special assessments upon the Project or upon the Local Authority with respect thereto. During such period, the Local Authority shall, if called upon by the County, make annual payments (herein called Payments in Lieu of Taxes) in lieu of such taxes and special assessments and in payments for the public services and facilities furnished from time to time without other cost or charge for or with respect to the Project. Until otherwise advised in writing by the County to the Local Authority, there shall be no initial annual payment in lieu of taxes related to the Project. The County reserves the right to impose an annual payment in the future consistent with the services rendered.

4. No member of the governing body of the County or any other public official of the County who exercises any responsibilities or functions with respect to the Project during his tenure or for *one* year thereafter shall have any interest, direct or indirect, in the Project or any property included or planned to be included in the Project, or any contracts in connection with the Projects or property. If any such governing body member or such other public official of the County involuntarily acquires or had acquired prior to the beginning of his tenure any such interest, he shall immediately disclose such interest to the Local Authority.

5. This agreement shall be retroactive and apply to taxes from and after January 1, 2011.

IN WITNESS WHEREOF the County and the Local Authority have respectively signed this Agreement and caused their seals to be affixed and attested as of the day and year first above written.

COUNTY

By: _____

Mayor

SMYRNA HOUSING AUTHORITY

By: _____

Chair

Attest:

 Secretary

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Will Jordan, to approve the Cooperation Agreement with the Smyrna Housing Authority.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

**ITEM J. 2. G.
RESOLUTION – Authorize Governor’s Highway Safety
Grant Application for Drug Court**

Item J. 2. G.

RESOLUTION

WHEREAS, Rutherford County has been notified of available funds through the Tennessee Department of Transportation for a Governor’s Highway Safety Office Grant; and

WHEREAS, the Rutherford County Drug Court desires to submit an application in the amount of Sixty Thousand Dollars (\$60,000.00) for the said grant to assist in providing funds for the Rutherford County Drug Court DUI Court Program.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and any other appropriate officials of Rutherford County be, and are hereby authorized, to submit an application to the Tennessee Department of Transportation for the Governor’s Highway Safety Office Grant requiring no matching funds; and additionally, that the County Mayor be authorized to accept the said grant subject to it being awarded.

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

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

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by
Commissioner Robert Peay, to approve the measure.

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

Doug Shafer – aye
Jack Black – aye
Will Jordan – aye
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 – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM J. 2. H.
RESOLUTION – Authorize Mental Health Facility Grant
Application for Correctional Work Center Utilizing
Staff from Volunteer Behavioral Health**

Item J. 2. H.

RESOLUTION

WHEREAS, the Rutherford County Correctional Work Center (CWC) desires to apply for the FY2013 Justice and Mental Health Collaboration Program Grant through the Department of Justice, Office of Justice Programs in the amount of Two Hundred Twenty-Six Thousand Thirty-Six Dollars (\$226,036.00), which will require an in-kind match; and

WHEREAS, if awarded, the grant funds will be used to establish the comprehensive treatment, recovery and re-entry program through a collaboration between CWC and Volunteer Behavioral Health Care System, increase community tenure through re-entry planning and facilitating access to community-based resources and developing cross-training opportunities for criminal justice and behavioral health professionals; and

WHEREAS, the project will be a partnership between the Rutherford County Correctional Work Center and Volunteer Behavioral Health Care System.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and other appropriate officials be, and are hereby authorized, to submit a Two-Year grant application for the FY2013 Justice and Mental Health Collaboration Program Grant in the amount of Two Hundred Twenty-Six Thousand Thirty-Six Dollars (\$226,036.00) with the local match to be provided from in-kind services; and additionally, that the County Mayor be authorized to accept said grant subject to it being awarded.

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioners Doug Shafer and Steve Sandlin, to authorize the Grant Application.

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

Doug Shafer – aye	Rhonda Allen – aye
Jack Black – aye	Robert Stevens – aye
Will Jordan – aye	Jeff Jordan – aye
Robert Peay – aye	Charlie Baum – aye
Carol Cook – aye	Adam Coggin – aye
Joe Frank Jernigan – aye	Matthew Young – aye
Gary Farley – aye	Jeff Phillips – aye
Tiffany Phillips – aye	Allen McAdoo – aye
Steve Sandlin – aye	Joyce J. Ealy – aye
Brad Turner – aye	Trey Gooch – aye
Chantho Sourinho – aye	

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM J. 2. I.
RESOLUTION – Authorize Federal Domestic Violence Grant Application for the Sheriff’s Department

Item J. 2. I.

RESOLUTION

WHEREAS, the Rutherford County Sheriff’s Office currently receives a S.T.O.P. Domestic Violence Grant, which is expiring, and they desire to re-apply for another Two-Year S.T.O.P. Domestic Violence Grant through the State of Tennessee, Office of Criminal Justice Programs requiring Twenty-Five Percent (25.0%) local matching funds; and

WHEREAS, if the grant is awarded, the grant proceeds will be used to provide funding for a S.T.O.P. COPS/Domestic Violence Investigator with the said position to be solely dedicated to the efforts of Domestic Violence.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and other appropriate officials of Rutherford County, Tennessee be, and are hereby authorized, to submit an application to the State of Tennessee, Office of Criminal Justice Programs for a Two-Year S.T.O.P. Domestic Violence Grant requiring a local match of Twenty-Five Percent (25.0%); and additionally, to authorize the County Mayor to accept said grant subject to it being awarded.

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

BY: 
 ERNEST G. BURGESS, Chairman

ATTEST:


 LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Joe Frank Jernigan, to authorize the Grant Application.

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

Doug Shafer – aye
Jack Black – aye
Will Jordan – aye
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 – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM J. 2. J.
RESOLUTION – Authorize Acceptance of FY 2012
Federal Staffing for Adequate Fire and Emergency
Response Grant for Fire & Rescue Department**

Item J. 2. J.

RESOLUTION

WHEREAS, Rutherford County has been notified by the Federal Emergency Management Agency and the Department of Homeland Security that the Four-Year grant application submitted under the FY 2012 Staffing for Adequate Fire and Emergency Response (SAFER) Grants has been approved in the amount of Two Hundred Forty-Nine Thousand Seven Hundred Forty-One Dollars (\$249,741.00) requiring no matching funds; and

WHEREAS, it is being proposed that the grant funds will be used to hire a Recruitment and Retention Coordinator and will also provide Four-Year long-term disability and life insurance policies for all volunteer firefighters.

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 accept the FY 2012 SAFER Grant in the amount of Two Hundred Forty-Nine Thousand Seven Hundred Forty-One Dollars (\$249,741.00) requiring no matching funds.

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Matthew Young, to accept the grant for Fire & Rescue Department.

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

Doug Shafer – aye
 Jack Black – aye
 Will Jordan – aye
 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 – nay
 Jeff Jordan – aye
 Charlie Baum – aye
 Adam Coggin – aye
 Matthew Young – aye
 Jeff Phillips – aye
 Allen McAdoo – aye
 Joyce J. Ealy – aye
 Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM J. 2. K.
RESOLUTION – Request Unclaimed Balance of
Accounts Remitted to State Treasurer Under
Unclaimed Property Act**

Item J. 2. K.

**RESOLUTION TO REQUEST UNCLAIMED BALANCE
OF ACCOUNTS REMITTED TO STATE TREASURER
UNDER UNCLAIMED PROPERTY ACT**

WHEREAS, Tennessee Code Annotated Section 66-29-102 and Section 66-29-123, as amended by Public Chapter 401, Acts of 1985, provide that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and its agencies if it exceeds One Hundred Dollars (\$100.00) less a proportionate share of the cost of administering the program; and

WHEREAS, Rutherford County, Tennessee and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act for the report year ending December 31, 2011; and

WHEREAS, Rutherford County agrees to meet all of the requirements of Tennessee Code Annotated Section 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid to it and to submit an annual report of claims received on these accounts to the State Treasurer by September 1 each year; and

WHEREAS, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative costs or service charge and that the balance of funds will be deposited in this local government's general fund;

THEREFORE, BE IT RESOLVED that the Board of Commissioners of Rutherford County, Tennessee requests the State Treasurer to pay the unclaimed balance of funds remitted through the 2011 report year to it in accordance with the provisions of Tennessee Code Annotated Section 66-29-121.

I hereby certify that this is a true and exact copy of the foregoing resolution which was approved and adopted at a meeting held on the 11th day of April, 2013, original which is on file in this office. I further certify that the Rutherford County Board of Commissioners consists of Twenty-One (21) members, and that 21 members voted in favor of the resolution.

RUTHERFORD COUNTY, TN

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

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Doug Shafer, to request Unclaimed Balance of Accounts Remitted to State Treasurer.

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

Doug Shafer – aye
Jack Black – aye
Will Jordan – aye
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 – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM J.3.
HEALTH & EDUCATION COMMITTEE**

J.3.A. No Report

**ITEM J.4.
PROPERTY MANAGEMENT**

J.4.A. No Report

**ITEM J.5.
PUBLIC SAFETY COMMITTEE**

**J.5.A.
Resolution – Approve Contract for Housing Juveniles
with Wilson County**

RESOLUTION

WHEREAS, the attached Contract between Rutherford County Juvenile Detention Center and Wilson County for housing of juvenile offenders, a copy of said Contract being attached hereto as Exhibit "1" and incorporated herein at length as if set forth verbatim, is in the best interest of the citizens of Rutherford County.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that the appropriate officials for and on behalf of Rutherford County be and hereby are authorized to enter into and execute for and on behalf of Rutherford County Juvenile Detention Center the Contract with Wilson County for housing of juvenile offenders.

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:

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

LISA DUKE CROWELL, County Clerk

**CONTRACT
BY AND BETWEEN
RUTHERFORD COUNTY JUVENILE DETENTION CENTER
AND**

Wilson County

This CONTRACT made and entered into on the day and date last written by and between Rutherford County Juvenile Detention Center, hereinafter called CENTER, and Wilson County, hereinafter called COUNTY.

WITNESSETH

I

The Center shall provide detention care services for any juvenile ordered into its custody by the Juvenile Court of the COUNTY, provided there is sufficient space available. Detention care services shall consist of detaining the juvenile in the CENTER and providing said juvenile with food, shelter, and supervision. The juvenile will be permitted to participate in any educational, recreational, or other programs which may be offered by the CENTER, unless the safety and/or security of the CENTER requires otherwise.

II

The COUNTY shall, at its own expense, transport the juvenile to and from the CENTER. The COUNTY agrees that it will reimburse the CENTER for any medical expenses, beyond those for normal detention care services and enumerated in Article I of this CONTRACT, incurred on behalf of said juvenile during his/her detention at the CENTER. In the event prolonged medical care is anticipated, the CENTER will notify the COUNTY of such conditions and the COUNTY shall assume responsibility for and make arrangements for such care.

III

The COUNTY shall pay the CENTER at the rate of \$175.00 (One Hundred and Seventy Five Dollars) per day for each juvenile detained. A day shall be considered twenty-four (24) hours or any portion thereof beginning when the juvenile enters the premises of the CENTER.

IV

The COUNTY shall pay the CENTER all sums set out in Article II and III of this contract within thirty (30) days after receiving a bill for same from the CENTER; otherwise this CONTRACT shall become null and void at the option of the CENTER.

V

The COUNTY shall indemnify and hold the CENTER and Rutherford County and all of their officers, agents, employees, and servants harmless from any liability they might incur as a result of any actions, causes of action, or other matters asserted against them as result of performing under this CONTRACT. This Hold Harmless includes, but is not limited to, defending the CENTER and Rutherford County and all their officers, agents, employees, and servants in any actions brought as a result of performing under this CONTRACT and indemnifying them for any damages and expenses incurred as a result thereof.

VI

The COUNTY shall, upon notification by the CENTER, remove any juvenile placed by the COUNTY in the CENTER, if said juvenile becomes unruly or poses a threat to any employees or other juveniles at the CENTER.

VII

This CONTRACT shall take effect the day and date last written. This CONTRACT expresses the entire agreement between the parties and shall remain in effect until terminated at the request of either or both parties.

IN WITNESS WHEREOF, the parties have caused this CONTRACT to be executed on this _____ day of _____, 20_____.

Rutherford County
Juvenile Detention Center

By: *Ronald Hutto*
County Executive/County Mayor

Attest: *[Signature]*
County Clerk



Wilson County

By: *Ernest B. Burger*
County Executive/County Mayor

Attest: *Lisa Crowell*
County Clerk



MOTION

Commissioner Gary Farley motioned, second by Commissioner Robert Peay to approve this measure.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

ITEM J.6.
PUBLIC WORKS & PLANNING COMMITTEE

ANNOUNCEMENT – Commissioner Tiffany Phillips announced The Public Works & Planning Committee will meet on June 15 at the County Landfill and will be addressed by Solid Waste Director Mac Nolen.

J. 6. A.
Resolution – Speed Limit Change - 35 MPH - Miller 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 Miller 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:

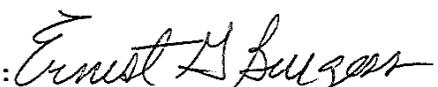
1. That the maximum speed limit be and the same shall hereafter be 35 miles per hour for all motor vehicles traveling on Miller Road, said speed limit being deemed appropriate and reasonable by the Rutherford County Commission upon recommendation of the Rutherford County Highway Department pursuant to T.C.A. 55-8-153.

RESOLVED this 11th day of April, 2013.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:


LISA DUKE CROWELL, County Clerk

BY: 
ERNEST G. BURGESS, Chairman

MOTION

Commissioner Tiffany Phillips motioned, second by Commissioner Jeff Jordan to approve this measure.

MOTION ADOPTED BY UANANIMOUS VOICE VOTE.

ITEM J.7. STEERING, LEGISLATIVE & GOVERNMENT

ITEM J.7.A.

No Report

ITEM J.8. AUDIT COMMITTEE

ITEM J.8.A.

Commissioner Charlie Baum provided basic details of recent state audits of various Rutherford County government departments.

The Court Clerk is installing new software which will correct basic deficiencies.

The Sheriff's Office is providing necessary 'Letters of Agreement' which had previously not been submitted.

As a few Rutherford County schools have on campus apartments that may be, by agreement, provided to maintenance staff as living quarters, it has been determined the living quarter is a taxable benefit. Prior to this finding, the county had never considered this an issue. However, as a benefit, back taxes are now due and payable and county government is in process of paying the necessary taxes. As a direct result of this finding, Employment Agreements will be revised and the county employee receiving the housing benefit will be responsible for taxes on this benefit.

The competitive bid process has been reviewed and it has been determined that future bids must include costs for the totality of work performed by same contractor per job. There can be no attempt by a department to forego the competitive bid process by separating work so as to not exceed the competitive bid limit of \$10,000.

**ITEM K.
ANY OTHER BUSINESS**

Commissioner Robert Peay stated, for the record, that an accountant for the Lascassas Ball Club indicates the club is exempt from paying sales tax.

Commissioner Doug Shafer announced the La Vergne Rescue Squad Ham Breakfast is Saturday, April 13, and will be held all morning. Commissioner Shafer believes he stays lean and fit by eating at this particular breakfast each year.

ADJOURNMENT

There being no further business, Mr. Chairman Ernest G. Burgess, adjourned the Rutherford County Board of Commissioners Legislative meeting at 7:03 p.m.

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

**ATTEST: _____
COUNTY CLERK, LISA DUKE CROWELL**