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**CITY OF GALLATIN  
COUNCIL MEETING**

**April 07, 2020**

**6:00 pm**

**Dr. J. Deotha Malone  
Council Chambers**

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- Call to Order – Mayor Brown
- Invocation
- Pledge of Allegiance – Vice Mayor Camp
- Roll Call: Alexander – Vice Mayor Camp – Fann – Fennell – Hayes – Love – Overton
- Approval of Minutes: March 03, 2020 City Council Meeting; March 17, 2020 City Council Meeting
- Public Recognition on Agenda-Related Items
- Mayor’s Comments

**AGENDA**

1. **Approval of Audit Contract (Rachel Nichols, Finance Director)**

- Other Business
- Public Recognition on Non-Agenda-Related Items
- Adjourn

# City of Gallatin City Council Meeting

March 3, 2020

The Gallatin City Council met in regular session on Tuesday, March 3, 2020 in the Dr. J. Deoatha Malone Council Chambers Gallatin City Hall. Mayor Paige Brown called the meeting to order at 6:00 P.M. Councilman John D. Alexander led the opening prayer and the pledge of allegiance.

## **Present:**

Mayor Paige Brown  
Councilman John D. Alexander  
Councilman Steve Fann  
Councilman Shawn Fennell  
Councilman Craig Hayes  
Councilman Jimmy Overton

## **Absent:**

Vice Mayor Steve Camp  
Councilwoman Lynda Love

## **Others Present**

Rachel Nichols, Finance Director  
Susan High-McAuley, City Attorney  
Connie Flood, Human Resource Dir.  
Bill McCord, City Planner  
Connie Kittrell, City Recorder  
Gallatin News, Reporter  
Chuck Stuart, Building Codes Official  
James Fenton, EDA Director

Zach Wilkinson, Public Works Dir.  
Nick Tuttle, City Engineer  
Don Bandy, Police Chief  
David Gregory, Public Utilities Dir.  
Victor Williams, Fire Chief  
David Brown, Parks and Rec. Dir.  
Lori Smiley, IT Director

## **Approval of Minutes**

There were no minutes presented for approval.

### **Public Recognition on Agenda Related Items**

Mayor Brown opened public recognition on agenda related items and with no one wishing to speak Mayor closed the public recognition.

### **Mayor's Comments**

- Mayor asked that our thoughts and prayers be with our neighbors; Putnam, Wilson and Davidson counties during this time of tornado cleanup/damages.
- Mayor encouraged everyone to sign up for the Code Red Alert for weather emergency information.
- Mayor announced upcoming events and the beginning of budget meetings.

### **Agenda**

#### **1. Ordinance #O2002-9 - Public Hearing**

Councilman Alexander presented this ordinance to vacate right-of-way on Randolph Circle located in the Vertrees Terrace Subdivision.

Mayor opened the public hearing and with no one wishing to speak the public hearing was closed.

#### **2. Ordinance #O2002-8 - Second Reading**

Councilman Fennell presented this ordinance appropriating \$500,000 State Grant for Miracle Park and Field Facility.

Councilman Fennell made motion to approve; Councilman Hayes seconded. Motion carried with 5 ayes and 0 nays.

#### **3. Ordinance #O2002-12 - Second Reading**

Councilman Overton presented this ordinance appropriating funds for the installation of traffic calming measures on Belvedere and Peninsula Drive.

Councilman Overton made motion to approve; Councilman Alexander seconded. Motion carried with 5 ayes and 0 nays.

**4. Ordinance #O2002-11 - First Reading**

Councilman Fann presented this ordinance appropriating \$192,621 for a State of Tennessee Economic Development Site Development Grant.

Councilman Fann made motion to approve; Councilman Overton seconded. Motion carried with 5 ayes and 0 nays.

**5. Ordinance #O2002-13 - First Reading**

Councilman Fennell presented this ordinance appropriating \$7,557.00 for Nearmap Aerial Imagery.

Councilman Fennell made motion to approve; Councilman Alexander seconded. Motion carried with 5 ayes and 0 nays.

**6. Resolution #R2002-15**

Councilman Hayes presented this resolution reassigning gas line permitting and inspection from Public Utilities to Building Codes Department

Councilman Hayes made motion to approve; Councilman Overton seconded. Motion carried with 5 ayes and 0 nays.

Building Codes Official Chuck Stuart stated the building fee schedules to include gas piping fees was omitted. Mr. Stuart presented Ordinance #O2002-14 amending building fee schedules to include gas piping fees.

Councilman Overton made motion to suspend the rules to allow consideration of Ordinance #O2002-14; Councilman Hayes seconded. Motion carried with 5 ayes and 0 nays.

Councilman Overton made motion to approve; Councilman Hayes seconded. Motion carried with 5 ayes and 0 nays.

**7. Resolution #R2002-16**

Councilman Alexander presented this resolution accepting public improvements by the City of Gallatin, Tennessee Oakhill, Phase 2A.

Councilman Alexander made motion to approve; Councilman Overton seconded. Motion carried with 5 ayes and 0 nays.

**8. Continued Discussion on Urban Growth Boundaries**

Councilman Hayes made motion to defer until the next work session; Councilman Fann seconded. Motion carried with 5 ayes and 0 nays.

**Other Business**

Mayor opened other business.

- Mayor presented a street closure request from Gallatin Chamber Foundation for their Shamrock Run on March 13-14.

Councilman Overton made motion to approve; Councilman Fennell seconded. Motion carried with 5 ayes and 0 nays.

With no one else wishing to speak Mayor closed other business.

**Public Recognition on Non-Agenda Related Items**

Mayor opened public recognition on non-agenda related items.

- Patrick Reeners of 317 Malone Drive spoke about council being responsible for the citizens of Gallatin. Mr. Reeners also spoke of his concerns for the citizens due to fluoride being in the water.

With no one else wishing to speak Mayor closed public recognition on non-agenda related items.

**Adjourn**

Councilman Hayes made motion to adjourn; Councilman Alexander seconded. Motion carried with 5 ayes and 0 nays.

Mayor Brown adjourned the meeting at 6:34 P.M.

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Mayor Paige Brown

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City Recorder Connie Kittrell

# City of Gallatin City Council Meeting

March 17, 2020

The Gallatin City Council met in regular session on Tuesday, March 17, 2020 in the Dr. J. Deotha Malone Council Chambers Gallatin City Hall. Mayor Paige Brown called the meeting to order at 6:00 P.M. Councilman John D. Alexander led the opening prayer and the pledge of allegiance.

## **Present:**

Mayor Paige Brown  
Vice Mayor Steve Camp  
Councilman John D. Alexander  
Councilman Steve Fann  
Councilman Shawn Fennell  
Councilman Craig Hayes  
Councilwoman Lynda Love  
Councilman Jimmy Overton

## **Absent:**

## **Others Present**

Rachel Nichols, Finance Director  
Susan High-McAuley, City Attorney  
Don Bandy, Police Chief  
Bill McCord, City Planner  
Ben Harris, Fire Prevention Inspector  
Connie Kittrell, City Recorder

Dwayne Rogers, Asst. City Engineer  
David Brown, Parks and Rec. Dir.  
Lori Smiley, IT Director  
Gallatin News, Reporter  
James Fenton, EDA Director

## **Approval of Minutes**

Mayor Brown presented the February 18, 2020 City Council minutes for approval.

Councilman Overton made motion to approve; Councilman Alexander seconded.  
Motion carried with 7 ayes and 0 nays.

### **Public Recognition on Agenda Related Items**

- Mayor Brown announced that during the Coronavirus period the city will be streaming all City Council meetings, Committee Work Sessions and Planning Commission meetings. These meetings are available on the city website at [www.gallatintn.gov](http://www.gallatintn.gov). and public comments can also be submitted through the city website.
- Mayor opened public recognition on agenda related items and with no one submitting a request to speak Mayor closed public recognition on agenda related items.

### **Mayor's Comments**

- Mayor Brown read a prepared statement addressing several issues concerning this unsure time due to the Coronavirus. She asked everyone to adhere to the CDC guidelines.
- Mayor wished Jeff Hentschel, Lynda Love and Steve Camp happy birthday for their upcoming birthdays.

### **Agenda**

#### **1. Ordinance #O2002-11 - Second Reading**

Councilman Fann presented this ordinance appropriating \$192,621 for a State of Tennessee Economic Development Site Development Grant.

Councilman Fann made motion to approve; Councilman Hayes seconded. Motion carried with 7 ayes and 0 nays.

#### **2. Ordinance #O2002-13 - Second Reading**

Councilman Fennell presented this ordinance appropriating \$7,557.00 for Nearmap Aerial Imagery.

Councilman Fennell made motion to approve; Vice Mayor Camp seconded. Motion carried with 7 ayes and 0 nays.



**3. Ordinance #O2002-14 - Second Reading**

Vice Mayor Camp presented this ordinance amending building fee schedules to include gas piping fees.

Vice Mayor Camp made motion to approve; Councilman Overton seconded. Motion carried with 7 ayes and 0 nays.

**4. Resolution #R2003 - 17**

Councilwoman Love presented this resolution accepting public improvements by the City of Gallatin, Tennessee, Cairo Estates, Phase 3.

Councilwoman Love made motion to approve; Councilman Alexander seconded. Motion carried with 7 ayes and 0 nays.

**5. Resolution #R2003 - 18**

Councilman Hayes presented this resolution appointing Tim Hertel as board member of the Gallatin Economic Development Agency Board.

Councilman Hayes made motion to approve; Councilwoman Love seconded. Motion carried with 7 ayes and 0 nays.

**Other Business**

Mayor opened other business.

- EDA Director James Fenton thanked the Gallatin Chamber for taking the lead in getting information to the smaller businesses. Mr. Fenton added that the larger industries greatest concerns are going to be child care. He said that some of the larger industries have added an extra 80 hours of sick time and are working with the local banks to allow interest only payments for the next couple of months.
- Parks and Recreation Director David Brown stated the Civic Center will close at 9:00 A.M. tomorrow morning.
- City Attorney Susan High-McAuley explained the Proclamation of State of Emergency by the Mayor to give her authority/power to issue certain orders.

Ms. High-McAuley also explained Resolution #R2003-19 acknowledging the existence of an emergency and consenting to emergency powers of the Mayor.

She said council would need to suspend the rules to consider this resolution because this item has not been considered at a work session.

Councilman Overton made motion to suspend the rules to consider this legislation; Councilman Hayes seconded. Motion carried with 7 ayes and 0 nays.

Mayor read the resolution.

Councilman Alexander made motion to approve #R2003-19; Councilman Hayes seconded.

Council discussed.

Mayor called for the vote. Motion carried with 7 ayes and 0 nays.

- City Attorney Susan High-McAuley stated that currently this body is not allowed to vote electronically but the legislature may vote on that tomorrow to grant those powers to all cities.
- Mayor said her goal is to keep the city services on track.

With no one else wishing to speak Mayor closed other business.

### **Public Recognition on Non-Agenda Related Items**

Mayor opened public recognition on non-agenda related items.

- Communication Director Jeff Hentschel stated there was one email from Pascal Jouvence stating, "Good job my Mayor".
- Frank Marchese of 589 Harris Lane asked about the mayors powers during a state of emergency. Mr. Marchese thanked the street department, the Chamber and Mayor Brown for their help with opening his new business.
- Mayor said many local businesses are offering curbside pickup and delivery.

With no one else wishing to speak Mayor closed public recognition on non-agenda related items.

**Adjourn**

Councilman Overton made motion to adjourn; Councilman Hayes seconded. Motion carried with 7 ayes and 0 nays.

Mayor Brown adjourned the meeting at 6:28 P.M.

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Mayor Paige Brown

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City Recorder Connie Kittrell

**CONTRACT TO AUDIT ACCOUNTS  
OF  
City of Gallatin**

**FROM July 01, 2019 TO June 30, 2020**

This agreement made this 4th day of March 2020, by and between Blankenship CPA Group, PLLC, 1000 Northchase Drive, Suite 260, Goodlettsville, TN 37148, hereinafter referred to as the "auditor" and City of Gallatin, of 132 West Main Street, Gallatin, TN 37066, hereinafter referred to as the "organization", as follows:

1. In accordance with the requirements of the laws and/or regulations of the State of Tennessee, the auditor shall perform a financial and compliance audit of the organization for the period beginning July 01, 2019, and ending June 30, 2020 with the exceptions listed below:

**Excludes the Gallatin Department of Electricity and the Gallatin Department of Electricity - Employees' Pension Plan.**

2. The auditor shall conduct the audit in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and requirements prescribed by the Comptroller of the Treasury, State of Tennessee, as detailed in the *Audit Manual*. Additional information and procedures necessary to comply with requirements of governments other than the State of Tennessee are permissible provided they do not conflict with or undermine the requirements previously referenced. If applicable, the audit is to be conducted in accordance with the provisions of the Single Audit Act and Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*. The audit is also to be conducted in accordance with any other applicable federal agency requirements. It is agreed that this audit will conform to standards, procedures, and reporting requirements established by the Comptroller of the Treasury. It is further agreed that any deviation from these standards and procedures will be approved in writing by the Comptroller of the Treasury prior to the execution of the contract. The interpretation of this contract shall be governed by the above-mentioned publications and the laws of the State of Tennessee.

3. The auditor shall, as part of the written audit report, submit to the organization's management and those charged with governance:

- a) a report containing an expression of an unmodified or modified opinion on the financial statements, as prescribed by the *Audit Manual*. This report shall state the audit was performed in accordance with *Government Auditing Standards*, except when a disclaimer of opinion is issued. If the organization is a component unit or fund of another entity, it is agreed that: (a) the financial statements may be included in the financial statements of the other entity; (b) the principal auditor for the other entity may rely upon the contracted auditor's report; and (c) any additional information required by the principal auditor of the other entity will be provided in a timely manner.
- b) a report on the internal control and on compliance with applicable laws and regulations and other matters. This report shall be issued regardless of whether the organization received any federal funding. Audit reports of entities which are subject to the provisions of the Single Audit Act and OMB's Uniform Guidance shall include the additional reports required by that guidance. The reports will set forth findings, recommendations for improvement, concurrence or nonconcurrence of appropriate officials with the audit findings, comments on management's responses as appropriate, and comments on the disposition of prior year findings.

4. If a management letter or any other reports or correspondence relating to other matters involving internal controls or noncompliance are issued in connection with this audit, a copy shall be filed with the Comptroller of the Treasury by the auditor. Such management letters, reports, or correspondence shall be consistent with the findings published in the audit report (i.e., they shall disclose no reportable matters or significant deficiencies not also disclosed in the findings found in the published audit report). The report should also include a corrective action plan for findings developed under OMB's Uniform Guidance and for other findings in accordance with Section 9-3-407, *Tennessee Code Annotated* and the *Audit Manual*. The corrective action plan is only applicable to findings published in the audit report.

5. The auditor shall file **one (1)** electronic copy of said report with the Comptroller of the Treasury, State of Tennessee. The auditor shall furnish **15** printed copies and/or an electronic copy of the report to the organization's management and those charged with governance. It is anticipated that the auditor's report shall be filed prior to December 31, 2020, but in no case, shall be filed later than **six (6) months following the period to be audited, without explanation to the Comptroller of the Treasury, State of Tennessee and the organization. (Audit documentation for additional procedures for centralized cafeteria systems contracted with audits of internal school funds must be completed and available for review by September 30.)** Requirements for additional copies, including those to be filed with the appropriate officials of granting agencies, are listed below:

6. The auditor agrees to retain working papers for no less than five (5) years from the date the report is received by the Comptroller of the Treasury, State of Tennessee. In addition, the auditor agrees that all audit working papers shall, upon request, be made available in the manner requested by the Comptroller for review by the Comptroller of the Treasury or the Comptroller's representatives, agents, and legal counsel, while the audit is in progress and/or subsequent to the completion of the report. Furthermore, at the Comptroller's discretion, it is agreed that the working papers will be reviewed at the

office of the auditor, the entity, or the Comptroller and that copies of the working papers can be made by the Comptroller's representatives or may be requested to be made by the firm and may be retained by the Comptroller's representatives.

7. Any reasonable suspicion of fraud, (regardless of materiality) or other unlawful acts including, but not limited to, theft, forgery, credit/debit card fraud, or any other act of unlawful taking, waste, or abuse of, or official misconduct, as defined in *Tennessee Code Annotated*, § 39-16-402, involving public money, property, or services shall, upon discovery, be promptly reported in writing by the auditor to the Comptroller of the Treasury, State of Tennessee, who shall under all circumstances have the authority, at the discretion of the Comptroller, to directly investigate such matters. Notwithstanding anything herein to the contrary, the Comptroller of the Treasury, State of Tennessee, acknowledges that the auditor's responsibility hereunder is to design its audit to obtain reasonable, but not absolute, assurance of detecting fraud that would have a material effect on the financial statements, as well as other illegal acts or violations of provisions of contracts or grant agreements having a direct and material effect on financial statement amounts. If the circumstances disclosed by the audit call for a more detailed investigation by the auditor than necessary under ordinary circumstances, the auditor shall inform the organization's management and those in charge of governance in writing of the need for such additional investigation and the additional compensation required therefor. Upon approval by the Comptroller of the Treasury, an amendment to this contract may be made by the organization's management, those charged with governance, and the auditor for such additional investigation.

8. **Group Audits.** The provisions of Section 8, relate exclusively to contracts to audit components of a group under AU-C 600. (See definitions in AU-C 600, Paragraph 11.) Section 8 is only applicable to an auditor that audits a component (e.g. a fund, component unit, or other component) of a county government that is audited by the Division of Local Government Audit (LGA). Section 8 is intended to satisfy the communication requirements for the group auditor (LGA) to the component auditor under AU-C 600.

- a) The Division of Local Government Audit (LGA) shall be considered the "group auditor" for any contract to audit a component of an applicable county government. LGA shall present the county's financial statements in compliance with U.S. Generally Accepted Accounting Principles (GAAP) as promulgated by the Governmental Accounting Standards Board (GASB). LGA shall conduct the audit in accordance with auditing standards generally accepted in the United States of America and the auditing standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States.
- b) The contracting auditor shall be considered the "component auditor" for purposes of this section.
- c) The financial statements audited by the component auditor should be presented in accordance with GAAP as promulgated by GASB. If the financial reporting framework for any component does not conform to this basis, the financial reporting framework should be disclosed in Section 9 (Special Provisions). (Component financial statements that are not presented using the same financial reporting framework as the county's financial statements may cause this contract to be rejected.)
- d) The component auditor shall conduct the component audit in accordance with auditing standards generally accepted in the United States of America and the auditing standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States.
- e) The component auditor shall cooperate with LGA to accomplish the group audit. It is anticipated that LGA will make reference to the component auditor's report in the group audit report. Should LGA find it necessary to assume responsibility for the component auditor's work, the terms, if any, shall be negotiated under a separate addendum to this contract.
- f) The component auditor shall follow the ethical requirements of *Government Auditing Standards* and affirms that the component auditor is independent to perform the audit and will remain independent throughout the course of the component audit engagement.
- g) The component auditor affirms that the component auditor is professionally competent to perform the audit. LGA may confirm certain aspects of the component auditor's competence through the Tennessee State Board of Accountancy.
- h) The component auditor will be contacted via email by the LGA's Audit Review Manager with the estimated date of the conclusion of LGA's audit of the county government. The component auditor agrees to update subsequent events between the date of the component auditor's report and the date of the conclusion of LGA's audit of the county government. Additional subsequent events should be communicated via email to LGA's Audit Review Manager.
- i) The component auditor shall read LGA's audited financial statements for the county government for the previous fiscal year noting in particular **related parties** in the notes to the financial statements, and **material misstatement** findings in the Findings and Questioned Costs Section. The previous year audited financial statements can be obtained from the Comptroller's website at [www.comptroller.tn.gov](http://www.comptroller.tn.gov). As required by generally accepted auditing standards, we have identified Management Override of Controls and Improper Revenue Recognition as presumptive fraud risks. The component auditor shall communicate to LGA (i.e. group management) on a timely basis **related parties** not previously identified by the group management in LGA's prior year audited financial statements. Related parties should be communicated via email to LGA's Audit Review Manager.
- j) The component auditor's report should not be restricted as to use in accordance with AU-C 905.
- k) Sections 1-7 and Sections 9-13 of this contract are also applicable to the component auditor during the performance of the component audit.

9. (Special Provisions)

10. In consideration of the satisfactory performance of the provisions of this contract, the organization shall pay to the auditor a fee of (Fees may be fixed amounts or estimated.) (Fixed Amount: ~~\$46,000.00~~) or (Estimated gross fee:)

(If not a fixed amount, an estimated gross fee should be furnished to the governing unit for budgetary purposes. A schedule of fees and/or rates should be set forth below. Interim billings may be arranged with consent of both parties to this contract.) Provision for the payment of fees under this agreement has been

or will be made by appropriation of management and those charged with governance.

SCHEDULE OF FEES AND/OR RATES:

Plus up to \$7,000 for Single Audit Procedures when applicable.

- 11. As the authorized representative of the firm, I do hereby affirm that:
  - our firm and all individuals participating in the audit are in compliance with all requirements of the Tennessee State Board of Accountancy and;
  - our firm has participated in an external quality control review at least once every three (3) years, conducted by an organization not affiliated with our firm, and that a copy of our most recent external quality control review report has been provided to the organization and the office of the Tennessee Comptroller of the Treasury approving this contract;
  - all members of the staff assigned to this audit have obtained the necessary hours of continuing professional education required by *Government Auditing Standards*;
  - all auditors participating in the engagement are independent under the requirements of the American Institute of Certified Public Accountants and *Government Auditing Standards*.

12. This writing, including any amendments or special provisions, contains all terms of this contract. There are no other agreements between the parties hereto and no other agreements relative hereto shall be enforceable, unless entered into in accordance with the procedures set out herein and approved by the Comptroller of the Treasury, State of Tennessee. In the event of a conflict or inconsistency between this contract and the special provisions contained in paragraph 9 of this contract, the special provision(s) are deemed to be void. Any changes to this contract must be agreed to in writing by the parties hereto and must be approved by the Comptroller of the Treasury, State of Tennessee. All parties agree that the digital signatures, that is, the electronic signatures applied by submitting the contract, are acceptable as provided for in the Uniform Electronic Transaction Act. Any paper documents submitted related to this contract will be converted to an electronic format and such electronic document(s) will be treated as the official document(s).

13. If any term of this contract is declared by a court having jurisdiction to be illegal or unenforceable, the validity of the remaining terms will not be affected, and, if possible, the rights and obligations of the parties are to be construed and enforced as if the contract did not contain that term.

Audit firm

Governmental Unit or Organization

By

Signature

By

Signature

Title/Position:

Title/Position:

E-mail address

E-mail address

Date:

Date:

**Approved by the Comptroller of the Treasury, State of Tennessee**

For the Comptroller:

By

Date:

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

03/10/2020

**DEPARTMENT:** Finance

**AGENDA #**

**SUBJECT:**

Audit contract approval, Professional service over \$10,000

**SUMMARY:**

The city advertised for audit proposals for the year ending June 30, 2020. The firm of Blankenship CPA Group, PLLC has been selected for audit services. A copy of the State of TN audit contract will be presented at the meeting

**RECOMMENDATION:**

approval

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**