

# COUNTY COMMISSION- REGULAR SESSION

**APRIL 17, 2006**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, APRIL 17, 2006, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND SHERIFF WAYNE ANDERSON OF SAID BOARD OF COMMISSIONERS,

TO WIT:

**The Commission was called to order by County Mayor Richard S. Venable. Sheriff Wayne Anderson opened the commission and Comm. James King, Jr. gave the invocation. Pledge to the flag was led by Sheriff Wayne Anderson.**

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

<b>GARTH BLACKBURN</b>	<b>LINDA K. BRITTENHAM</b>
<b>JAMES "MOE" BROTHERTON</b>	<b>RAY CONKIN</b>
<b>JOHN CRAWFORD</b>	<b>O. W. FERGUSON</b>
<b>CLYDE GROSECLOSE</b>	<b>LARRY HALL</b>
	<b>JOE HERRON</b>
<b>DENNIS HOUSER</b>	<b>MARVIN L. HYATT</b>
<b>SAMUEL C. JONES</b>	<b>ELLIOTT KILGORE</b>
<b>BUDDY KING</b>	<b>JAMES L. KING, JR.</b>
<b>R. WAYNE MCCONNELL</b>	<b>JOHN MCKAMEY</b>
<b>RANDY MORRELL</b>	
<b>JACK SITGREAVES</b>	<b>MICHAEL SURGENOR</b>
<b>MARK VANCE</b>	<b>EDDIE WILLIAMS</b>

**22 PRESENT 2 ABSENT (Absent- Harr & Patrick)**

The following pages indicates the action taken by the Commission on re-zoning requests, approval of notary applications and personal surety bonds, motions, resolutions and other matters subject to the approval of the Board of Commissioners.

Motion was made by Comm. Hyatt and seconded by Comm. Ferguson to approve the minutes of the March 20, 2006 Regular Session of County Commission. Said motion was approved by roll call vote.

**PUBLIC COMMENTS: APRIL 17, 2006**

**THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:**

- 1. Susan Lodal, Kingsport Board of Education member, Beth Webb, Bristol Board of Education member, and Jerry Greene, Sullivan County Board of Education Member speaking in support of an appointed School Superintendent.**
- 2. Vivian Crymble with Mountain States Health Alliance concerning the ribbon cutting for the Women's Diagnostic Center in Kingsport.**
- 3. Rachel Bliss for the Kingsport Citizens for Cleaner Environment endorsing Resolutions #9 and #21 on today's agenda.**

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**Proclamation was presented by Mayor Venable to the Bristol Welcome Center proclaiming May 13 – May 20, 2006 as “Welcome Center Staff Appreciation Week”.**

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**Proclamation was issued by the City of Bristol, Kingsport and Sullivan County proclaiming April 9 – 15, 2006 as “National Telecommunicator Week”.**

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**Comm. Linda Brittenham was presented an award for “2006 Leader In Christian Service” by Mayor Venable. The award was granted by Milligan College.**

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MOTION ON FLOOR

MOTION AS FOLLOWS:

TO LIFT FROM THE TABLE AND RECONSIDER THE MOTION TO DEFER  
RESOLUTION #9 ON MARCH 20, 2006.

INTRODUCED BY: VANCE  
SECONDED BY: CONKIN

ACTION: MOTION WITHDRAWN BY VANCE 04-17-06

Recommendations for Appointments to

**SULLIVAN COUNTY**

**Health & Safety Standards Board**

Board Member		Phone	Address	Term Expires	School District
Patrick	Howard	288-3604	220 New Beason Well Road Kingsport, TN 37660	15-May-10	3
Peterson	Gordon	538-8004	1347 Riverside Road Bluff City, TN 37618	15-May-08	7

RECOMMENDATIONS FOR APPOINTMENTS MADE BY CHAIRMAN VENABLE. MOTION TO APPROVE MADE BY FERGUSON, SECONDED BY BUDDY KING. APPOINTMENTS APPROVED 04-17-06 BY ROLL CALL VOTE 21 AYE, 3 ABSENT.

COUNTY OF SULLIVAN

ELECTION OF NOTARIES

March 20, 2006

JOHN DAVID ANDERSON

DONNA C. BATEMAN

AMY D. BAUMGARDNER

TAMMY L. BLANTON

MELISSA BRICKEY

THERESA B. BROOKS

SHEILA G. BROWN

VICKY C. CARTER

CELESTE P. DICKSON

LINDA K. FLETCHER

JENNIFER A. FUGATE

KATHARINE GALLOWAY

JULIE K. GAMMON

THERESA A. GIBBONS

MANDY HAGA

WILLIAM F. HAROLD

SHIRLEY J. HAWKINS

SUSAN ELLIOTT HURST

AUTUMN P. HUTCHENS

ECKLE ROY JENKINS

MELISSA C. KESTNER-CLAY

CONNIE B. KINDLE

JOHN R. LANGFORD

KATHY H. MCCLOUD

MARK A. MILLER

CYNTHIA L. MOORE

TERRY RENE MOORE

ELIZABETH D. MORRELL

JOHN D. PARKER, JR.

ROBERT LEE PARKER

O. TAYLOR PICKARD, JR.

EDWARD A. RICHARDS

DEBORAH C. ROSE

SCOTT D. RUPE

CAROL ANN SHAFFER

B. DORIS SIMPSON

DIANNA STACY

SHEILA KAY STEWART

JANA STITT

DORMAN L. STOUT

DELORES A. SULLIVAN

DENISE R. SUPPI

DARLENE S. TAYLOR

STEPHENSON TODD

LINDA L. WORLEY

Upon motion made by Comm. Jones  
and seconded by Comm. Morrell to  
approve the notary applications  
hereon, said motion was approved by  
roll call vote of the Commission.  
20 Aye, 4 Absent.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

APRIL 17, 2006

MICHAEL S. BLEVINS

JANEAN A. BOWERMAN

RODNEY KLEIN

ELAINE C. SKELTON

Upon motion made by Comm. Jones and seconded by Comm. Morrell to approve the notary bonds of the above named individuals, said motion was approved by roll call vote of the Commission. 20 Aye, 4 Absent.

NAMES OF COMMISSIONERS

STIONS BEFORE THE COMM.	No. Roll		Election History		No. Appeal		No. Motion		No. Appeal		No. Motion		No. Appeal		No. Motion	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn			✓		✓		✓									
Brittenham			✓		✓		✓									
Brotherton			✓		✓		✓									
Conkin			✓		✓		✓									
Crawford			✓				✓									
Ferguson			✓		✓		✓									
Groseclose			✓		✓		✓									
Hall			✓		✓		✓									
Harr	A		A		A		A									
Herron			✓		✓		✓									
Houser			✓		✓		✓									
Hyatt			✓		✓		✓									
Jones			✓		✓		✓									
Kilgore			✓				✓									
Buddy King			✓		✓		✓									
James L. King			✓				P									
McConnell			✓		✓		✓									
McKamey			✓		✓		✓									
Merrell			✓		✓		✓									
Patrick	A		A		A		A									
Sitgreaves			✓		✓		✓									
Surgemore			✓		✓		✓									
Vance			A				✓									
Williams			A		A		A									
<p>22 Present 20 Aye 17 Nay 21 Aye  2 Abs. 4 Abs 3 Nay 3 Abs  1 Abs  3 Absent</p>																

**10. *Phragmites australis* (Cav.) Trin. ex Steud.**

\_\_\_\_\_

**RESOLUTION #1 - To Consider the Waiver of Rules for the following zoning amendments (map or text).**

[illegible]



**AGENDA**  
**Sullivan County Board of County Commission**

*April 17 2006*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, April 17, 2006 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 02/06/01 Flora Diana Gasper  
Reclassify A-1 property located at 185 Hwy-11W to M-2 for the purpose of allowing for an automobile recycling center. Property ID No. Tax map 17, Parcel 89.10 located in the 6<sup>th</sup> Civil District. **Sullivan County Planning**
  
- (2) File No. 02/06/03 Eco Safe Systems  
Reclassify 324 acres of A-1 property located on Harr Lane and Barger road to M-2 for the purposed of allowing for a Waste Disposal Operation. Property ID NO. Tax map 34, Parcels 120.20 & 121.00 and Tax map 50, Parcels 88.50, 89.00 located in the 6<sup>th</sup> Civil District. **Sullivan County Planning**

12-06  
3  
PETITION TO SULLIVAN COUNTY FOR REZONING

# 02/06/01

Schiffman, VA N. A request for rezoning is made by the person named below; said request to go before the Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner: Flora Diana Gasper

Address: 393 J H Fauver Road  
Blountville, Tn 37617

Phone 323-2849 Date of Request 01/19/2006

Property Located in 6th Civil District

1/23-538-3119

x Gary D. Foder  
Signature of Applicant

340-2000-cell #

OFFICE USE ONLY

Meeting Date 3-21-06 Time: 7:00 pm

Place 2nd Floor, County Courthouse

Planning Commission Approved ✓  
Denied \_\_\_\_\_

County Commission Approved \_\_\_\_\_  
Denied X

Other Roll Call Vote 6 Aye, 16 Nay,  
2 Absent

Final Action Date 04-17-06

PROPERTY IDENTIFICATION

Tax Map No. 017 / Group \_\_\_\_\_ / Parcel 089.10

Zoning Map 8 Zoning District A-1 Proposed District M-2

Property Location : Hwy 11-W (185)

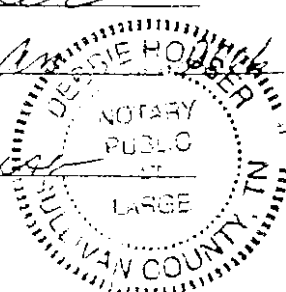
Purpose of Rezoning: Automobile recycling center

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

SWORN TO AND SUBSCRIBED before me this 19th day of Jan

My Commission Expires: 1-16-08

Gary D. Foder  
Notary Public



PETITION TO SULLIVAN COUNTY FOR REZONING

# 02/06/03

A request for rezoning is made by the person named below; said request to go before the Sullivan County Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner: Eco Safe Systems

Address: P.O. Box 3344  
Bristol, TN 37625

Phone 528-3088 Date of Request 03/06/2006

Property Located in 6th Civil District

[Signature]  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 03/21/2006 Time 7:00pm

Place Old Blountville Courthouse

Planning Commission Approved ✓  
Denied       

County Commission Approved X  
Denied       

Other Roll Call Vote 13 Aye, 9 Nay,  
2 Absent

Final Action Date 04-17-06

PROPERTY IDENTIFICATION

Tax Map No. 50 / Group        / Parcel 88.50 & 89.00

Zoning Map 8 Zoning District A-1 Proposed District M-2

Property Location : Off of Barger Road

Purpose of Rezoning: For a Waste Disposal Operation

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

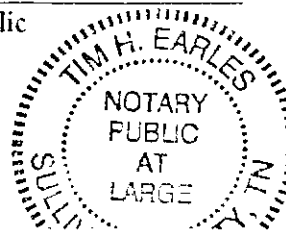
[Signature]

SWORN TO AND SUBSCRIBED before me this 16 day of March, 2006

[Signature]

Notary Public

My Commission Expires: 1-16-2008



## RESOLUTIONS ON DOCKET FOR APRIL 17, 2006

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 04-17-06
#2 AUTHORIZE SULLIVAN COUNTY HWY DEPT TO ADOPT HEALTH EDUCATION ROAD AND EMERGENCY ROAD IN BLOUNTVILLE AS COUNTY ROADS	WITHDRAWN 04-17-06
#3 AMENDING SULLIVAN COUNTY EMPLOYEE HANDBOOK (REVISED OCTOBER 2005) RELATIVE TO LEAVE FOR ADOPTION, PREGNANCY, CHILDBIRTH AND NURSING AN INFANT	APPROVED 04-17-06
#4 AUTHORIZING ELECTION OF JERRY C. GREENE TO THE BOARD OF DIRECTORS OF THE HEALTH, EDUCATIONAL AND HOUSING FACILITIES BOARD OF THE COUNTY OF SULLIVAN, TENNESSEE	DEFERRED 04-17-06
#5 APPROPRIATE TO FUNDS TO PROVIDE SCHOOL RESOURCE OFFICERS FOR THE 2006-2007 ACADEMIC YEAR	DEFERRED 04-17-06
#6 ADJUST THE PAY SCALE FOR THE DEPUTIES OF SULLIVAN COUNTY SHERIFF'S OFFICE AND SULLIVAN COUNTY JAIL TO BE COMPARABLE AND COMPETITIVE WITH THE PAY SCALES OF THE MUNICIPAL LAW ENFORCEMENT AGENCIES WITHIN SULLIVAN COUNTY	DEFERRED 04-17-06
#7 TO ADOPT FEE ADJUSTMENT RELATIVE TO PUBLIC CHAPTER 870 FOR REGISTER OF DEEDS TO ENABLE COMPUTERIZATION	APPROVED 04-17-06
#8 TRANSFER OF FUNDS FOR PURCHASE OF DENTAL PATIENT MANAGEMENT AND BILLING SOFTWARE/HARDWARE	APPROVED 04-17-06
#9 APPROVE AN AGREEMENT WITH FOREST RIDGE APARTMENTS, INC. FOR PAYMENT IN LIEU OF TAXES	APPROVED 04-17-06
#10 APPROVE SULLIVAN COUNTY JOINING THE NATIONAL ASSOCIATION OF COUNTIES (NACO)	APPROVED 04-17-06
#11 IN OPPOSITION TO FEDERAL GOVERNMENT'S PROPOSAL TO SELL PARCELS OF PROPERTY LOCATED IN THE NATIONAL FOREST	APPROVED 04-17-06
#12 AMEND THE CITY-COUNTY SEWER AGREEMENT PROJECT LIST FOR THE CITY OF BRISTOL	1 <sup>ST</sup> READING 04-17-06
#13 REQUESTING TENNESSEE GENERAL ASSEMBLY TO APPROVE A PRIVATE ACT FOR PASSAGE BY SULLIVAN COUNTY TO ADOPT A NEPOTISM POLICY	1 <sup>ST</sup> READING 04-17-06
#14 CONTINUE FUNDING FOR FIRE TRUCKS FOR VOLUNTEER AGENCIES OVER THE NEXT 10 YEAR PERIOD	1 <sup>ST</sup> READING 04-17-06
#15 OPPOSE ADOPTING A CHANGE IN THE TENN. BASIC EDUCATION PLAN (BEP) BASED ON THE TENN. ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS (TACIR) SUB COUNTY FISCAL CAPACITY MODEL	APPROVED 04-17-06

[illegible]

[illegible]

		No.	No.	No.	No.	No.	No.	No.	No.
QUESTIONS BEFORE THE COMMISSION.		4	5	6	7	8	9	10	
NAMES OF COMMISSIONERS		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn						✓	✓	✓	✓
Brittenham						✓	✓	✓	✓
Brotherton						✓	✓	✓	✓
Conkin						✓	✓	✓	✓
Crawford						A	✓	✓	✓
Ferguson						✓	✓	✓	✓
Grosch						✓	✓	✓	✓
Hall						✓	✓	✓	✓
Harr	A	A	A	A	A	A	A	A	A
Herron						✓	✓	✓	✓
Houser						✓	✓	✓	✓
Hyatt						✓	✓	✓	✓
Jones						✓	✓	✓	✓
Kilgore						✓	✓	✓	✓
Buddy King						✓	✓	✓	✓
James A. King Jr.						✓	✓	✓	✓
McConnell						✓	✓	✓	✓
McKamey						✓	✓	✓	✓
Monell						✓	✓	✓	✓
Patrick	A	A	A	A	A	A	A	A	A
Sitgreaves	A	A	A	A	A	✓	PP	✓	A
Surgenor						✓	✓	✓	✓
Vance						✓	✓	✓	✓
Williams						✓	✓	A	A
						20 Aye	27 Aye	20	21 Aye
						4 Aye	2 Aye	1 Aye	1 Aye
								30	

IONS BEFORE THE COMM.

NAMES OF COMMISSIONERS

	No.		No.		No.		No.		No.		No.		No.		No.		No.	
	11		12		13		14		15		16		17		18			
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn	✓								✓		✓							
Brittenham	✓								✓		✓							
Brotherton	✓								✓		✓							
Conkin	✓								✓		✓							
Crawford	✓								✓		✓							
Ferguson	✓								✓		✓							
Groseclose	✓								✓		✓							
Hall	✓								✓		✓							
Harr	A								A		A							
Herron	✓								✓		✓							
Houser	✓								A		A							
Hyatt	✓								✓		✓							
Jones	P								✓		✓							
Kilgore	✓								✓		✓							
Buddy King	✓								✓		✓							
James L. King Jr	✓								✓		✓							
McConnell	P										✓		✓					
McKamey	✓								✓		✓		✓					
Morrell	✓								✓		✓							
Patrick	A								A		A							
Sitgreaves	✓								✓		✓							
Surgenor	✓								✓		✓							
Vance	✓								✓		✓							
Williams	✓								✓		✓							
	20 Aye								16 Aye		19 Aye							
	2 Abs								5 Neg		2 Neg							
	3 Abs								3 Abs		3 Abs							



ESTIONS BEFORE THE COMM.

	No.		No.		No.		No.		No.		No.		No.		No.	
	19		20		21		22		23		24		25			
NAMES OF COMMISSIONERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn ✓											✓		✓			
Brittenham ✓											✓		✓			
Brotherton ✓											✓		✓			
Conkin ✓											✓		✓			
Crawford ✓											✓		✓			
Ferguson ✓											✓		✓			
Groseclose ✓											✓		✓			
Hall ✓											✓		✓			
Harr ✓											✓		✓			
Herron ✓											✓		✓			
Houser ✓											✓		✓			
Hyatt ✓											✓		✓			
Jones ✓											✓		✓			
Kilgore ✓											✓		✓			
Buddy King ✓											✓		✓			
James L King Jr. ✓											✓		✓			
McConnell ✓											✓		✓			
McKamey ✓											✓		✓			
Monnell ✓											✓		✓			
Patrick ✓											✓		✓			
Sitgreaves ✓											✓		✓			
Surgenor ✓											✓		✓			
Vance ✓											✓		✓			
Williams ✓											✓		✓			
	21 Aye										21 Aye		21 Aye			
	Balls										3 Aye		3 Aye			

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2006-04-00

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution**

WHEREAS, the attached rezoning petitions have been duly initiated; have been before the Planning Commission (recommendations enclosed); and have received a public hearing as required; and,

WHEREAS, such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider the attached rezoning petitions and vote upon the proposed amendments, individually or otherwise at the discretion of the Commission, by roll call vote and that the vote be valid and binding and that any necessary amendments to the official zoning map be made so.

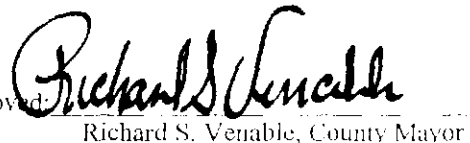
All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 17<sup>th</sup> day of April 2006.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsor: James "Buddy" King**  
**Prime Co-Sponsor(s): O.W. Ferguson**

2006-04-00	County Commission
ACTION	Approved 04-17-06 Voice Vote

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

2 3 10  
10  
Item 21  
Executive  
No. 2005-12-112

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of December 2005.

**RESOLUTION To Authorize Sullivan County Highway Department to Adopt Health Education Road and Emergency Road in Blountville as County Roads**

WHEREAS, the Health Education Road and Emergency Road are both located on County owned property; and

WHEREAS, it is reasonable to request the Sullivan County Highway Department to adopt Health Education Road and Emergency Road as County Roads and thereby maintain these roads;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby adopts Health Education Road and Emergency Road as County Roads to be maintained by the Sullivan County Highway Department.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded inssofar as such conflict exists.

Hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Attest: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Dennis Houser**

**Prime Co-Sponsor(s): Wayne McConnell, Mark Vance**

2005-12-112	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 12-19-05; Deferred 01-17-06; Deferred 02-20-06;  
Deferred and send to the Planning Commission for recommendation 03-20-06;  
Withdrawn 04-17-06.

Sullivan County, Tennessee  
Board of County Commissioners

543  
Item 11  
Executive  
No. 2006-02-10  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of February 2006.

**RESOLUTION Amending Sullivan County Employee Handbook (Revised October 2005) Relative to Leave for Adoption, Pregnancy, Childbirth and Nursing an Infant**

WHEREAS, the Sullivan County Employee Handbook (Revised October, 2005) was adopted by the Sullivan County Board of Commissioners on December 12, 2005; and

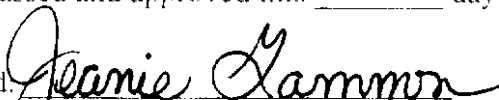
WHEREAS, *Tennessee Code Annotated* § 4-21-408 in its entirety should be included in the revision;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amends the Employee Handbook (Revised October, 2005) to include *Tennessee Code Annotated* § 4-21-408 in its entirety (copy attached).

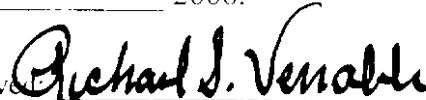
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 17<sup>th</sup> day of April 2006.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsor: McConnell**

**Prime Co-Sponsor(s): Brittenham**

2006-02-10	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 21 Aye, 3 Absent

Notes: 1st Reading 02-20-06; Deferred 03-20-06; Amended by sponsor 04-17-06-  
Amendment attached and approved along with Resolution.

Tennessee Code Annotated §4-21-408 Leave for Adoption, Pregnancy, Childbirth and Nursing an Infant. –

(a) Employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing an infant, where applicable, referred to as "leave" in this section. With regard to adoption, the four-month period shall begin at the time an employee receives custody of the child.

(b)(1) Employees who give at least three (3) months' advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

(2) Employees who are prevented from giving three (3) months' advance notice because of a medical emergency that necessitates that leave begin earlier than originally anticipated shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.

(3) Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three months in advance shall not forfeit their rights and benefits under this section solely because of their failure to give three (3) months' advance notice.

(c)(1) Leave may be with or without pay at the discretion of the employer. Such leave shall not affect the employees' right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employee were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave, unless such employer so provides for all employees on leaves of absence.

(2) If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave period.

(3) The purpose of this section is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer shall not be liable under this section for failure to reinstate the employee at the end of the leave.

(4) Whenever the employer shall determine that the employee will not be reinstated at the end of the leave because the employee's position cannot be filled temporarily or because the employee has used the leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

(d) Nothing contained within the provisions of this section shall be construed to:

(1) Affect any bargaining agreement or company policy that provides for greater or additional benefits than those required under this section.

(2) Apply to any employer who employs fewer than one hundred (100) full-time employees on a permanent basis at the job site or location; or

(3) Diminish or restrict the rights of teachers to leave pursuant to title 49, chapter 5, part 7, or to return or to be reinstated after leave.

(e) The provisions of this section shall be included in the next employee handbook published by the employer after May 27, 2005.

AMENDMENT TO RESOLUTION

2006-02-10

(Re: *T.C.A. §4-21-408*)

Employer options referenced under section (c)(1) of Tennessee Code Annotated §4-21-408 shall be as that set forth in the "Extended Leave Policy/FMLA" section of the Sullivan County Employee Handbook.

Sullivan County, Tennessee  
Board of County Commissioners

4  
7-6  
Item 13

Administrative/Budget/Executive  
No. 2006-02-12

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of February, 2006.

**RESOLUTION Authorizing Election of Jerry C. Greene to the Board of Directors of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee**

WHEREAS, the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee has filed an Application, a copy of which is attached hereto, seeking the election of Jerry C. Greene to its Board of Directors to fill the vacancy created due to the resignation of Brenda Merritt;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20<sup>th</sup> day of February, 2006, acting pursuant to the provisions of Tennessee Code Annotated §48-3-308 and after due consideration of the attached Application, hereby declare and resolve as follows:

1. The County Commission of the County of Sullivan, Tennessee has examined and considered the attached Application seeking the election of Jerry C. Greene to the Board of Directors of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee and hereby elects and approves Jerry C. Greene to the Board of Directors of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee, said term to expire on August 31, 2007.
2. This Resolution reflects a finding by the County Commission that the election of Jerry C. Greene to the Board of Directors is necessary and advisable, and this Resolution is a true and correct record of the action taken and authorized by the County Commission of the County of Sullivan, Tennessee at a duly-called meeting held on February 20, 2006.

**[WAIVER OF RULES REQUESTED]**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: R. Harr**

**Prime Co-Sponsor(s): E. Williams**

2006-02-12	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: 1st Reading 02-20-06; Deferred 03-20-06; Deferred 04-17-06;

COPY

**APPLICATION FOR ELECTION OF REPLACEMENT  
TO THE BOARD OF DIRECTORS  
OF  
THE HEALTH, EDUCATIONAL AND HOUSING FACILITIES BOARD  
OF  
THE COUNTY OF SULLIVAN, TENNESSEE**

We, the undersigned, being duly qualified electors of and taxpayers in Sullivan County, Tennessee, and representatives of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee, hereby make application to the Sullivan County Board of Commissioners of Sullivan County, Tennessee, pursuant to Chapter 333 of the *1969 Public Acts of Tennessee* for the election of a member of the Board of Directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee.

The election of such member is necessary due to the resignation of Brenda Merritt who is no longer able to serve on the Board due to business commitments. We submit Jerry C. Greene who is a qualified elector of and taxpayer in Sullivan County, Tennessee, to fill such position on the Board of Directors for the three (3) year term due to expire on August 31, 2007.

Said term shall begin April 1, 2006.

WITNESS our signature this the 6<sup>th</sup> day of February, 2006.

**HEALTH, EDUCATIONAL AND HOUSING  
FACILITIES BOARD OF THE COUNTY  
OF SULLIVAN, TENNESSEE**

Mark S. Dessauer

Mark S. Dessauer  
Counsel to the Board

DESSAUER: S - T  
S.C. HEALTH, EDUCATIONAL & HOUSING FACILITIES BOARD  
HEHF.63904



Sullivan County, Tennessee  
Board of County Commissioners

58  
Item 14  
Administrative/Budget  
No. 2005-02-13

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of February 2006.

**RESOLUTION To Appropriate to Funds to Provide School Resource Officers for the 2006-2007 Academic Year**

WHEREAS, recent incidents of violence and criminal activity occurring on school premises have been the subject of much discourse in the media;

WHEREAS, these incidents are not limited to high schools, but have been manifest on middle school campuses, as well;

WHEREAS, student performance has suffered and effective instruction has not been maximized while students and their parents continue to be concerned about the safety of children in school;

WHEREAS, the presence of a law enforcement agency cruiser on a school's premises and the assignment to such a school of a uniformed officer of such an agency, with the authority to arrest those who violate the law, constitutes a substantial deterrent to violent acts and criminal activity at school;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, shall direct funds in the amount of \$142,712 be appropriated to the budget of the Sullivan County Sheriff's Department for the exclusive purpose of providing for the placement of four school resource officers, beginning with the onset of the 2006-07 academic year, increasing the number of those officers from the four presently serving, to eight, and that the assignment of those officers shall be stipulated by agreement of the Sullivan County Sheriff's Department and the Sullivan County Department of Education.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attest: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Dennis Houser**

**Prime Co-Sponsor(s): Herron, Brotherton, Jones**

2006-02-13	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 02-20-06; Deferred 03-20-06; Deferred 04-17-06;

AMENDMENT # 1  
TO  
RESOLUTION No. 2006-02-13

Submitted: April 2006

AMEND AS FOLLOWS:

Delete the "Now Therefore" paragraph in its entirety and replace the following:

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, shall direct funds in the amount of \$184,830.00 be appropriated to the budget of the Sullivan County Sheriff's Department for the exclusive purpose of providing for the placement of four school resource officers, beginning with the onset of the 2006-07 academic year, increasing the number of those officers from the four presently serving, to eight, and that the assignment of those officers shall be stipulated by agreement of the Sullivan County Sheriff's Department and the Sullivan County Department of Education.

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Amendment submitted by Commissioner Dennis Houser

Commission Action:

Sullivan County, Tennessee  
Board of County Commissioners

9-8-6  
Item 18  
Administrative/Budget  
No. 2006-02-17  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of February 2006.

**RESOLUTION To Adjust the Pay Scale for the Deputies of Sullivan County Sheriff's Office and Sullivan County Jail to be Comparable and Competitive with the Pay Scales of the Municipal Law Enforcement Agencies within Sullivan County**

WHEREAS, the duties of the Sheriff (Sheriff's Department) of Sullivan County are vast and need a necessary number of qualified, well-trained individuals. These employees are required to be loyal honest citizens that are of good moral character and posses an impeccable personal background. It is essential they have the personality, intelligence, integrity, and stamina to execute the diverse obligations. They must have good physical and emotional health to perform the many and varied tasks which occur on a daily basis. The requirements, obligations and procedures required of the Sullivan County Sheriff's Department are mandated by Tennessee Code (Document 8-8-201, Document 5-7-108, Document 38-3-102);

WHEREAS, several Sullivan County Commissioners requested the Sullivan County Sheriff's Department to ascertain pay scales from other law enforcement agencies in the immediate and surrounding area. The Sullivan County Sheriff's Department provided those concerned commissioners with the attached pay scales. (Johnson City Police Department, Hawkins County Sheriff's Department, Kingsport City Police Department, City of Bristol, TN Police Department);

WHEREAS, documents concerning pay scales by the other agencies from immediate and surrounding areas, indicate a discrepancy in like pay when compared to those of Sullivan County (pay scales Johnson City Police Department, Hawkins County Sheriff's Department, Kingsport City Police Department, City of Bristol, TN Police Department);

WHEREAS, efforts for pay raises by the Sullivan County Commission over the past several years have been consistent, comparison of law enforcement pay scales would indicate that Sullivan County's pay is not competitive with other immediate and surrounding law enforcement agencies (Attachment: Pay Raise Scale for Sullivan County);

WHEREAS, recruitment, training, and retaining the best law enforcement personnel has become a competitive market for local law enforcement agencies. All too often, once a deputy received proper academy training, the lure of a better salaried position entices that officer to seek employment elsewhere for the personal monetary gain;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve and adopt the attached pay scale for the physical year 2006-2007;**

**FURTHER BE IT RESOLVED** that the pay scale for the deputies of the Sullivan County Sheriff's Department be adjusted yearly to match scale increases of the in-county municipal law enforcement agencies.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attest: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Michael Surgenor**  
**Prime Co-Sponsor(s): John Crawford**

2006-02-17	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 02-20-06; Deferred as amended (amendment attached) 03-20-06;**  
**Deferred 04-17-06;**

PROPOSED AMENDMENT #1 TO

RES. # 9

AMEND AS FOLLOWS:

TO STATE "The County Mayor contract with an independent experienced professional consulting firm to conduct a regional employee compensation survey for all Sullivan County Employees (Excludes those governed by the Board of Education) and develop a recommended pay plan to be presented back to this body. Funds be appropriated from the 39000 Account of the General Fund not to exceed \$25,000." Amendment also directs the County Mayor to direct the Accounts and Budgets within thirty days to contact Mayor with a contractor to do this survey and prepare a report for the commission prior to the vote on the budget in June or as soon as possible.

Furthermore, it is the intent of this amendment to defer Resolution #9 until the study comes back.

INTRODUCED BY: Harr

SECONDED BY: Sitgreaves, Jones

COMMENTS: Amendment approved as amended (attached) by roll call vote 03-20-06.

PROPOSED AMENDMENT #1 TO

AMENDMENT #1

RES. # 9

AMEND AS FOLLOWS:

THAT the study be done divisionally addressing the Sheriff's Dept. issue only at first and to be done on a comparable basis with entities or governmental bodies that are comparable to Sullivan County where the cost of living factor is similar.

INTRODUCED BY: James King, Jr.

SECONDED BY: Sitgreaves

COMMENTS: Amendment accepted by sponsor and approved with amendment #1.

PROPOSED AMENDMENT #2 TO

AMENDMENT #1

RES. # 9

AMEND AS FOLLOWS:

AT THE TIME the salary survey is submitted back to the Commission that the Accounts and Budgets Director to provide the Commission with a three to five year period for implementation.

INTRODUCED BY: Vance

SECONDED BY: Morell

COMMENTS: Amendment accepted by Sponsor Harr and approved with Amendment #1.

SULLIVAN COUNTY SHERIFF'S OFFICE  
PAY SCALE  
UPDATED 01/01/06

	START	AFTER 2 YRS	AFTER 5 YRS	AFTER 7 YR	AFTER 10 YRS	AFTER 15 YRS	AFTER 20 YRS	AFTER 25 YRS
<b><u>EXECUTIVE</u></b>								
CHIEF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 33.56	\$ 33.56
FINANCE DIRECTOR	\$ 22.95	\$ 23.67	\$ 24.75	\$ 25.47	\$ 26.55	\$ 28.35	\$ 30.15	\$ 31.98
EXECUTIVE SECRETARY (R1)	\$ 12.40	\$ 12.88	\$ 13.60	\$ 14.08	\$ 14.80	\$ 16.00	\$ 17.20	\$ 18.40
OFFICE ASSISTANT (R2)	\$ 10.40	\$ 10.72	\$ 11.20	\$ 11.52	\$ 12.00	\$ 12.80	\$ 13.60	\$ 14.50
MEDIA RELATIONS DIRECTOR	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
DETECTIVE INTERNAL AFFAIRS	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75
<b><u>ADMINISTRATIVE</u></b>								
MAJOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 31.98	\$ 31.98	\$ 31.98
CAPTAIN	\$ -	\$ -	\$ -	\$ -	\$ 25.22	\$ 26.92	\$ 30.40	\$ 30.40
SPECIAL SERVICES LT.	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
EVIDENCE MGR.	\$ -	\$ 15.16	\$ 16.12	\$ 16.76	\$ 17.72	\$ 19.32	\$ 21.00	\$ 22.60
ACCREDITATION MGR.	\$ -	\$ 15.16	\$ 16.12	\$ 16.76	\$ 17.72	\$ 19.32	\$ 21.00	\$ 22.60
ASSET MGR.(R2)	\$ 10.40	\$ 10.72	\$ 11.20	\$ 11.52	\$ 12.00	\$ 12.80	\$ 13.60	\$ 14.50
PUBLIC RELATIONS SERGEANT	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75
<b><u>PROCESS</u></b>								
PROCESS SERGEANT	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75
SENIOR PROCESS OFFICER	\$ 15.43	\$ 15.91	\$ 16.63	\$ 17.11	\$ 17.83	\$ 19.03	\$ 20.23	\$ 21.52
PROCESS OFFICER	\$ 14.88	\$ 15.38	\$ 16.13	\$ 16.63	\$ 17.38	\$ 18.63	\$ 19.88	\$ 21.13
VARRANTS CLERK (R2)	\$ 10.40	\$ 10.72	\$ 11.20	\$ 11.52	\$ 12.00	\$ 12.80	\$ 13.60	\$ 14.50
<b><u>COURTS</u></b>								
COURT SERGEANT	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75
SENIOR COURT BAILIFF	\$ 15.43	\$ 15.91	\$ 16.63	\$ 17.11	\$ 17.83	\$ 19.03	\$ 20.23	\$ 21.52
COURT BAILIFF	\$ 14.88	\$ 15.38	\$ 16.13	\$ 16.63	\$ 17.38	\$ 18.63	\$ 19.88	\$ 21.13
COURT CLERK (R2)	\$ 10.40	\$ 10.69	\$ 11.17	\$ 11.52	\$ 12.00	\$ 12.80	\$ 13.60	\$ 14.50
<b><u>RECORDS</u></b>								
RECORDS SUPERVISOR	\$ 16.22	\$ 16.74	\$ 17.52	\$ 18.04	\$ 18.82	\$ 20.12	\$ 21.42	\$ 22.61
RECORDS CLERK (R3)	\$ 8.40	\$ 8.72	\$ 9.20	\$ 9.52	\$ 10.00	\$ 10.80	\$ 11.60	\$ 12.40
LIBRES CLERK (R2)	\$ 10.40	\$ 10.72	\$ 11.20	\$ 11.52	\$ 12.00	\$ 12.80	\$ 13.60	\$ 14.50
<b><u>FLEET MAINTENANCE</u></b>								
FLEET SUPERVISOR	\$ 15.40	\$ 15.98	\$ 16.85	\$ 17.43	\$ 18.30	\$ 19.75	\$ 21.20	\$ 22.65
FLEET TECHNICIAN	\$ 14.50	\$ 15.04	\$ 15.85	\$ 16.39	\$ 17.20	\$ 18.55	\$ 19.90	\$ 21.25
FLEET TECHNICIAN I. & R. I. TION	\$ 13.61	\$ 14.09	\$ 14.81	\$ 15.29	\$ 16.01	\$ 17.21	\$ 18.41	\$ 19.61



# ANIMAL CONTROL

SHELTER SUPERVISOR	\$ 14.50	\$ 15.04	\$ 15.85	\$ 16.39	\$ 17.20	\$ 18.55	\$ 19.90	\$ 21.25
ANIMAL CONTROL OFFICER	\$ 12.06	\$ 12.44	\$ 13.01	\$ 13.39	\$ 13.96	\$ 14.91	\$ 15.86	\$ 16.81
ANIMAL CONTROL OFF. IN ORIENTATION	\$ 11.56	\$ 11.94	\$ 12.51	\$ 12.89	\$ 13.46	\$ 14.41	\$ 15.36	\$ 16.31
INFORMATION TECHNOLOGY								
I.T. SUPERVISOR	\$ 19.76	\$ 20.38	\$ 21.31	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 32.03
I.T. TECHNICIAN	\$ 15.40	\$ 15.98	\$ 16.85	\$ 17.43	\$ 18.30	\$ 19.75	\$ 21.20	\$ 22.65
I.T. TECHNICIAN IN ORIENTATION	\$ 14.50	\$ 15.04	\$ 15.85	\$ 16.39	\$ 17.20	\$ 18.55	\$ 19.90	\$ 21.25

## SULLIVAN COUNTY SHERIFF'S OFFICE PAY SCALE UPDATED 01/01/06

	<u>START</u>	<u>AFTER 2 YRS</u>	<u>AFTER 5 YRS</u>	<u>AFTER 7 YR</u>	<u>AFTER 10 YRS</u>	<u>AFTER 15 YRS</u>	<u>AFTER 20 YRS</u>	<u>AFTER 25 YRS</u>
<b>OPERATIONS</b>								
MAJOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 31.98	\$ 31.98	\$ 31.98
PATROL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 31.98	\$ 31.98	\$ 31.98
CAPTAIN	\$ -	\$ -	\$ -	\$ -	\$ 25.22	\$ 26.92	\$ 30.40	\$ 30.40
DEUTENANT PATROL	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
DEUTENANT TRAINING	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
SERGEANT	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75
MASTER PATROL (INCL SRO,K-9.)	\$ 15.43	\$ 15.91	\$ 16.63	\$ 17.11	\$ 17.83	\$ 19.03	\$ 20.23	\$ 21.52
PATROL OFFICER 1	\$ 14.88	\$ 15.34	\$ 16.03	\$ 16.49	\$ 17.18	\$ 18.33	\$ 19.48	\$ 20.63
PATROL OFFICER 2 (ORIENTATION)	\$ 14.33	\$ 14.79	\$ 15.48	\$ 15.94	\$ 16.63	\$ 17.78	\$ 18.93	\$ 19.98
K-9 SUPERVISOR	\$ 16.24	\$ 16.76	\$ 17.54	\$ 18.06	\$ 18.84	\$ 20.14	\$ 21.44	\$ 22.64
<b>CRIMINAL INVESTIGATION</b>								
CAPTAIN	\$ -	\$ -	\$ -	\$ -	\$ 25.22	\$ 26.92	\$ 30.40	\$ 30.40
DEUTENANT	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
OFFICE ASSISTANT	\$ 10.40	\$ 10.72	\$ 11.20	\$ 11.52	\$ 12.00	\$ 12.80	\$ 13.60	\$ 14.50
SENIOR DETECTIVE	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75
DETECTIVE	\$ 15.43	\$ 15.91	\$ 16.63	\$ 17.11	\$ 17.83	\$ 19.03	\$ 20.23	\$ 21.52
NCL SPEC. OPSS, DTF)								
<b>DISPATCH</b>								
DISPATCH SUPERVISOR	\$ 16.22	\$ 16.74	\$ 17.52	\$ 18.04	\$ 18.82	\$ 20.12	\$ 21.42	\$ 22.61
LIFT LEADER	\$ 14.33	\$ 14.79	\$ 15.48	\$ 15.94	\$ 16.63	\$ 17.78	\$ 18.93	\$ 19.98

DISPATCHER 1	\$ 13.33	\$ 13.77	\$ 14.43	\$ 14.87	\$ 15.53	\$ 16.63	\$ 17.73	\$ 18.83
DISPATCHER 2 (IN ORIENTATION)	\$ 12.99	\$ 13.39	\$ 13.99	\$ 14.39	\$ 14.99	\$ 15.99	\$ 16.99	\$ 18.10
P-TIME DISPATCHER	\$ 13.33	\$ 13.33	\$ 13.33	\$ 13.33	\$ 13.33	\$ 13.33	\$ 13.33	\$ 13.33

SULLIVAN COUNTY SHERIFF'S OFFICE  
PAY SCALE  
UPDATED 01/01/06

	<u>START</u>	<u>AFTER 2 YRS</u>	<u>AFTER 5 YRS</u>	<u>AFTER 7 YR</u>	<u>AFTER 10 YRS</u>	<u>AFTER 15 YRS</u>	<u>AFTER 20 YRS</u>	<u>AFTER 25 YRS</u>
<u>CORRECTIONS</u>								
MAJOR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 31.98	\$ 31.98	\$ 31.98
CAPTAIN	\$ -	\$ -	\$ -	\$ -	\$ 25.22	\$ 26.92	\$ 30.40	\$ 30.40
TRAINING LT.	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
ADMINISTRATIVE LT.	\$ -	\$ -	\$ -	\$ 21.93	\$ 22.86	\$ 24.41	\$ 25.96	\$ 27.55
ADMINISTRATIVE SC	\$ -	\$ -	\$ 18.39	\$ 18.93	\$ 19.74	\$ 21.09	\$ 22.44	\$ 23.75

[illegible]

Sullivan County, Tennessee  
Board of County Commissioners

Item 7  
Budget/Executive  
No. 2006-03-24  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of March 2006.

**RESOLUTION To Adopt Fee Adjustment Relative to Public Chapter 870 for Register of Deeds to Enable Computerization**

WHEREAS, Public Chapter 870, Acts of 1998, authorized Registers of Deeds to charge new fees which would earmark funds for the purchase of and upgrades to computer equipment, and software, supplies, maintenance, and services relating to computer equipment; and,

WHEREAS, since the law requires these fees be collected by the Register of Deeds and earmarked for a specific use or purpose there have been separate revenue accounts and a reserve account established in the *County Uniform Chart of Accounts* to account for these fees with these new revenues and expenditures being administered through the County's General Fund; and,

WHEREAS, although these fees were authorized for collection as of July 1, 1998, the need for increasing fees in the Sullivan County Register of Deeds Office has only recently become a necessity;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby adopts Public Chapter 870 for the purpose of increasing the recording fee by \$2.00 per instrument recorded by the Sullivan County Register of Deeds. Said funds to be earmarked for the purchase of and upgrades to computer equipment, and software, supplies, maintenance, and services relating to computer equipment.

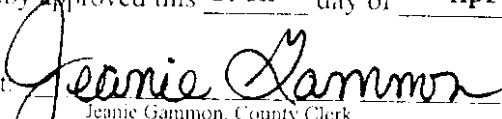
**BE IT RESOLVED** that said fee increase will take effect July 1, 2006.

**BE IT FURTHER RESOLVED** that these funds will be earmarked as provided by the *County Uniform Chart of Accounts* to these new revenues and expenditures being administered through the County's General Fund. Account codes to be assigned by the Director of Accounts and Budgets.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest:

  
Jeanie Gammon, County Clerk

Approv

  
Richard S. Venable, County Mayor

**Sponsored By: Wayne McConnell**

**Prime Co-Sponsor(s): Garth Blackburn**

2006-03-24	Administrative	Budget	Executive	County Commission
ACTION	Approve 4-3-06		Approve 4-5-06	Approved 4-17-06

**20 Aye, 4 Absent**

Notes: 1<sup>st</sup> Reading 03-20-06;

AMENDMENT # 1  
TO  
RESOLUTION No. 2006-03-24

Submitted: April 2006

**AMEND AS FOLLOWS:**

Strike 3<sup>rd</sup> "Whereas" paragraph in its entirety and replace with the following language:

WHEREAS, the fees for computerization are projected at \$60,000 and other revenues generated by the Register's Office are projected at \$850,000 for the current fiscal year, while the appropriations for operations of the Register's Office are currently at \$595,896.

Strike "NOW BE IT RESOLVED" paragraphs one and two in their entirety and replace with the following language:

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby appropriates an additional \$75,000 in the Contracted Services Account to complete the computerization for the Register of Deeds.

---

Amendment submitted by Commissioner McConnell

Commission Action: **Approved with Resolution 04-17-06.**

**CHAPTER NO. 870**

**HOUSE BILL NO. 2773**

**By Representatives Buck, McMillan**

**Substituted for: Senate Bill No. 2804**

**By Senators Rochelle, Cooper**

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 21 and Title 47, Chapter 9, relative to fees.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:**

SECTION 1. Tennessee Code Annotated, Section 8-21-1001, is amended by deleting subsections (b), (c), (d), (e), (f) and (g) and by substituting instead the following language to be designated as subsections (b), (c) and (d):

(b) Except for instruments filed under the Uniform Commercial Code, Title 47, Chapters 1 through 9, the register of each county of this State is entitled to demand and receive for such register's services a fee of two dollars (\$2.00) for each instrument recorded or filed in such register's office.

(c) The fees collected pursuant to subsection (b) and the fees collected by the register as a result of the increase in fees for the filing or recording of Uniform Commercial Code instruments from ten dollars (\$10.00) to twelve dollars (\$12.00) for each such fee charged pursuant to Title 47, Chapter 9, Part 4, shall be allocated by such register's county for the purchase of computer equipment and software, upgrades to computer equipment and software, and supplies, maintenance and services relating to computer equipment and software, for use in the register's office; provided, however, that the expenditure of these additional fees shall not be earmarked in any county that on the effective date of this act was authorized under prior law to charge an additional recording fee of one dollar (\$1.00) or two dollars (\$2.00) for each instrument filed or recorded in the register's office that was not earmarked for a particular purpose.

(d) All private act provisions authorizing registration or recording fees to be charged by the county register in amounts additional to those authorized by general law are superseded.

(e) The county register shall not be entitled to demand and receive any fees for notices of liens for overdue child or spousal support or releases of same entered into a computer system with a terminal in the county register's office by the Department of Human Services pursuant to subdivision (b)(3) of Section 36-5-901.

SECTION 2. Tennessee Code Annotated, Title 47, Chapter 9, Part 4, is amended by deleting the language, figures and symbols "ten dollars (\$10.00)" wherever such language appears and substituting instead the language, figures and symbols "twelve dollars (\$12.00)", and by deleting the following language wherever it appears:

, if filed with a register's office in a county with a population of not less than sixty-seven thousand

three hundred (67,300) nor more than sixty-seven thousand four hundred (67,400) according to the 1980 Federal Census or any subsequent Federal Census,"

SECTION 3. Title 47, Chapter 9, Part 4, is further amended by deleting the language "first two (2) pages" wherever such language appears in said part and substituting instead the language "first ten (10) pages".

SECTION 4. Tennessee Code Annotated, Section 8-21-106, is amended by adding the following:

Fees established for transactions under the Uniform Commercial Code, Title 47, Chapters 1-9, shall be exclusively those fees established therein.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect July 1, 1998, the public welfare requiring it.

**PASSED:**

**April 16, 1998**

**APPROVED this day of 1998**

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had House Bill No. 2773 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.

Sullivan County, Tennessee  
Board of County Commissioners

8  
Item 17  
Administrative/Budget  
No. 2006-03-25

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of March 2006.

**RESOLUTION To Transfer Funds For Purchase of Dental Patient Management and Billing Software/Hardware**

WHEREAS, Sullivan County Children's Dental Clinic was established to help address oral health disease in Sullivan County; and,

WHEREAS, the Dental Clinic has exceeded the proposed business plan received by the Sullivan County Commission; and,

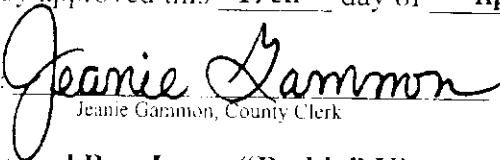
WHEREAS, the need for technology to improve patient management and improved billing system is needed;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the transfer of funds from Dental Clinic revenues to dental expenditures for the purchase of hardware and software. The cost not to exceed \$24,000.00. Account codes to be assigned by the Accounts and Budgets Director.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest:

  
Jeanie Gannon, County Clerk

Approve

  
Richard S. Venable, County Mayor

**Sponsored By: James "Buddy" King**  
**Prime Co-Sponsor(s): Sam Jones, Mark Vance**

2006-03-25	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 22 Aye, 2 Absent

Notes: **1st Reading 03-20-06;**



Sullivan County, Tennessee  
Board of County Commissioners

9  
Item 20  
Administrative Budget Executive  
No. 2006-03-28

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of March 2006.

**RESOLUTION To Approve an Agreement with Forest Ridge Apartments, Inc. for Payment in Lieu of Taxes**

WHEREAS, Forest Ridge Apartments, Inc. d/b/a Forest Ridge Manor is proposing to construct housing at 1300 Bloomingdale Pike within the City of Kingsport for elderly and handicapped persons with financing provided through the United States Department of Housing and Urban Development (HUD); and

WHEREAS, the project is exempt from all personal and real property taxes as long as Forest Ridge Apartments, Inc. remains a qualified not-for-profit corporation and there are unpaid outstanding balances on the loan provided through HUD; and

WHEREAS, annual payments in lieu of taxes will be based on ten percent (10%) of the shelter rent collected by the owner; and

WHEREAS, the City of Kingsport has agreed to participate in this agreement for payment in lieu of taxes and agrees to confer with the County to determine the percentage of distribution of annual payments;

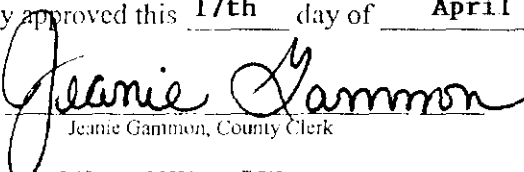
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves the County Mayor entering an agreement with Forest Ridge Apartments, Inc. d/b/a Forest Ridge Manor at 1300 Bloomingdale Pike, Kingsport, Tennessee, to accept annual payments in lieu of taxes as long as Forest Ridge Apartments, Inc. remains a qualified not-for-profit corporation and there are unpaid outstanding balances on the loan provided through HUD.

**BE IT FURTHER RESOLVED** that the County agrees to confer with the City of Kingsport to determine the percentage of distribution of annual payments.

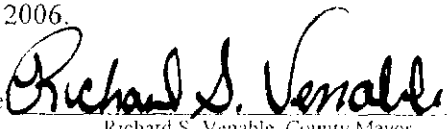
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest:

  
Jeanie Gammon, County Clerk

Approve

  
Richard S. Venable, County Mayor

**Sponsored By: Elliott Kilgore**

**Prime Co-Sponsor(s): James "Buddy" King**

at

2006-03-28	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 20 Aye, 1 Pass, 3 Absent

Notes: 1st Reading 03-20-06;

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Administrative Budget/Executive  
No. 2006-03-29

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20<sup>th</sup> day of March 2006.

**RESOLUTION To Approve Sullivan County Joining the National Association of Counties (NACO)**

WHEREAS, the National Association of Counties has contracted with Caremark to provide a prescription discount card to provide to their uninsured and underinsured residents; and

WHEREAS, the prescription discount card provides an average savings of twenty percent (20%) on the cost of prescriptions; and

WHEREAS, the prescription card is only available to members of National Association of Counties;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves appropriating \$3070.00, to be appropriated from 39000 Account, to enable Sullivan County to join the National Association of Counties (NACO) to provide the discount prescription card to the county's uninsured and underinsured residents, in addition to the ability to provide other valuable services offered through NACO. Account codes to be assigned by the Director of Accounts and Budgets.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approve: Richard S. Venable  
Richard S. Venable, County Mayor

**Sponsored By: Ray Conkin**

**Prime Co-Sponsor(s): Mark Vance, John Crawford**

2006-03-29	Administrative	Budget	Executive	County Commission
ACTION	Approve 4-3-06		Approve 4-5-06	Approved 04-17-06 21 Aye, 3 Absent

Notes: 1<sup>st</sup> Reading 03-20-06;

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Executive  
No. 2006-04-30

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April, 2006.

**RESOLUTION in Opposition to Federal Government's Proposal to Sell Parcels of Property Located in the National Forest**

WHEREAS, President Bush has proposed that 200,000 acres of national forest land in isolated parcels across the United States be sold to raise money for rural school system, rural firefighting, and roads; and

WHEREAS, of the 200,000 acres proposed to be sold, there are three parcels located in Sullivan County totaling 634.70 acres; and

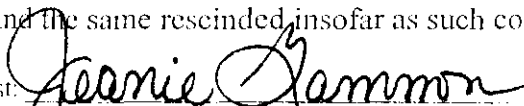
WHEREAS, although it is clear that money is needed for these purposes, it should not come at the expense of land located in the national forest;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17<sup>th</sup> day of April, 2006 hereby go on record in opposition to the federal government's proposal to sell parcels of property located in the national forest or any other public land in Tennessee.


**BE IT FURTHER RESOLVED** that upon passage the Office of Sullivan County Mayor is hereby requested to forward a copy of this Resolution to Sullivan County's state legislators and federal legislators with a request that they oppose the sale of any national forest land or any other public land in Tennessee.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Attest:

  
Jeanie Gammon, County Clerk

Approve:

  
Richard S. Venable, County Mayor

**Sponsored By: D. Houser**

**Prime Co-Sponsor(s): L. Hall, J. Brotherton**

2006-04-30	Administrative	Budget	Executive	County Commission
ACTION	Approve 4-3-06		Approve 4-5-06	Approved 04-17-06 20 Aye, 2 Pass, 2 Ab

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Administrative  
No. 2006-04-31

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Amend the City-County Sewer Agreement Project List for the City of Bristol**

WHEREAS, *A Policy for Sanitary Sewer Extensions in Sullivan County, April 1996*, commonly known as the City-County Sewer Agreement, was approved by the Cities of Bluff City, Bristol, Kingsport, and the County of Sullivan; and

WHEREAS, Exhibit A of said agreement established the list of projects to be undertaken by the respective cities; and

WHEREAS, it is the desire of the City of Bristol to modify its project list; and

WHEREAS, in accordance with the agreement, the Mayors of Bluff City, Bristol, Kingsport, and Sullivan County have reviewed the proposed modification and have agreed to such amendment; and

WHEREAS, it is necessary for the governing bodies of Bluff City, Bristol, Kingsport, and Sullivan County to approve the revised project list submitted by the City of Bristol.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve amending the City of Bristol's project list for *A Policy for Sanitary Sewer Extensions in Sullivan County, April 1996*, commonly known as the City-County Sewer Agreement as follows:

**Delete the Highway 11-W Reedy Creek Phase 1 and 2 Projects**

**Add projects:**

	<u>Estimated Cost</u>	<u>Year To Fund</u>
Akard School – Back Creek	\$ 250,000.00	2006-2007
Paperville Knob	1,500,000.00	2006-2008
Beaver Creek Road	1,500,000.00	2006-2008
Evans Creek, Phase 2	1,250,000.00	2008-2009

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attest: \_\_\_\_\_  
Jeanie Gannon, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Ralph Harr**

**Prime Co-Sponsor(s): James "Buddy" King , Mark Vance**

2006-04-31	Administrative	Budget	Executive	County Commission
ACTION				

Notes: Request 04-17-06 by Vance to be added as co-sponsor; 1st reading 04-17-06;

Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Executive  
No. 2006-04-32

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April, 2006.

**RESOLUTION Requesting Tennessee General Assembly to Approve a Private Act for Passage by Sullivan County to Adopt a Nepotism Policy**

WHEREAS, it is in the best interest of Sullivan County, Tennessee to adopt a policy on nepotism;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17<sup>th</sup> day of April, 2006 hereby request the Tennessee General Assembly to approve the following policy on nepotism in the form of a Private Act for passage by Sullivan County:

**SECTION 1.** This act shall be known and may be cited as the "Sullivan County Uniform Nepotism Act of 2006."

**SECTION 2.** As used in this act, unless the context otherwise requires:

- (1) "County entity" means any agency, authority, division, board, commission, department, office, or constitutional office being a part of Sullivan County government, whether of the executive, judicial or legislative branch, including the board of education and the highway department; and including any autonomous Sullivan County agency, authority, division, board, commission, department or office;
- (2) "Relative" means a parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, adoptive parties, or other family member who resides in the same household; and
- (3) "County employee" means any person who is employed by a county entity.

**SECTION 3.** Within each county entity, no county employees who are relatives shall be placed within the same direct line of supervision whereby one (1) relative is responsible for supervising the job performance or work activities of another relative; provided, however, to the extent possible, the provisions of this act shall not be construed to prohibit two (2) or more such relatives from working within the same county entity.

**SECTION 4.** When as a result of marriage, county employees are in violation of the prohibition established in Section 3 of this act, such violation shall be resolved by means necessary to remove such violation. The proper authority of the county entity shall advise the employees of alternatives available to remove such violation. Available alternatives shall be at the sole discretion of the proper authority of the county entity. Employees in violation of the prohibitions of this act shall be given the opportunity to select from the available alternatives. If such employees are unable to agree upon any

such alternative within thirty (30) days, then the proper authority for the county entity shall take appropriate action to remove the violation.

**SECTION 5.** The prohibition established by this act shall not be applied retroactively, but shall be adhered to by each county entity in all hiring and employee transactions subsequent to the official adoption of this act.

**SECTION 6.** The provisions of this act shall be applied uniformly and shall constitute the nepotism policy of Sullivan County government and each county entity. No county entity shall adopt a nepotism policy which conflicts with the provisions of this act.

**(WAIVER OF RULES REQUESTED)**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: McConnell**

**Prime Co-Sponsor(s): Williams, Ferguson**

2006-04-32	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 04-17-06;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Administrative/Budget/Executive  
No. 2006-04-33

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Continue Funding For Fire Trucks For Volunteer Agencies Over The Next 10 Year Period**

WHEREAS, The Sullivan County Board of Commissioners approved in 1996-1997, a 10-year plan to schedule Volunteer Fire Departments to be provided a new fire truck and later added the City of Kingsport and the City of Bristol Tennessee to be included in the 5<sup>th</sup> and 10<sup>th</sup> year of the rotation; and

WHEREAS, it was the intent of the 10-year plan to ensure replacement of the fire trucks on a 20-year replacement program; and

WHEREAS, to ensure that the intent of the initial program to assure quality vehicles for fire departments through the next decade is appropriated to reestablish the policy; and

WHEREAS, the fire departments will be responsible for providing ~~liability~~ **full coverage** insurance on the unit while in their possession;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, approve the funding of fire trucks for the Volunteer Fire Departments, the City of Bristol, Tennessee and the City of Kingsport over the next 10 years as follows:

1. 421 Emergency Service, Inc.
2. Piney Flats Volunteer Fire Department
3. Avoca Volunteer Fire Department
4. Bluff City Volunteer Fire Department
- 5a. Hickory Tree Volunteer Fire Department
- 5b. City of Bristol Tennessee Fire Department
6. Sullivan County Volunteer Fire Department
7. Sullivan West Volunteer Fire Department
8. Bloomingdale Volunteer Fire Department
9. East Sullivan Volunteer Fire Department
- 10a. Warriors Path Volunteer Fire Department
- 10b. City of Kingsport Fire Department

BE IT FURTHER RESOLVED that an agreement be executed by all volunteer fire departments and that a similar agreements be executed by all cities prior to any funds being distributed pursuant to this Resolution.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attest, \_\_\_\_\_  
Jeanie Gannett, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

Sponsored By: Williams  
Prime Co-Sponsor(s): Harr

2006-04-33	Administrative	Budget	Executive	County Commission
ACTION				

Notes: Amended by Williams 04-17-06 changing "liability insurance" to "full coverage insurance" in the fourth paragraph and reflected above.  
Request made 04-17-06 to add all Commissioners voting in the affirmative as Co-Sponsors; 1st Reading 04-17-06;



Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Administrative/Budget/Executive  
No. 2006-04-34

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Oppose Adopting a Change in the Tennessee Basic Education Plan (BEP) based on the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) Sub County Fiscal Capacity Model**

WHEREAS, the 136 school systems in Tennessee are struggling to fund basic operational and capital needs to provide the best public education to students due to lack of adequate state funding; and

WHEREAS, the Coalition for Tennessee's Future has estimated the State of Tennessee needed to contribute an additional \$1.114 billion to adequately fund its public schools in 2002-2003; and

WHEREAS, the Tennessee legislative body has unsuccessfully adequately funded public schools in Tennessee, thus placing Tennessee near the lowest average per pupil expenditure in the nation; and

WHEREAS, the Tennessee Basic Education Review (BEP) Committee was charged with reviewing and prescribing needed changes to the state funding formula for the benefit of all school systems in Tennessee; and

WHEREAS, the BEP Review Committee has submitted only one formula change proposal, created by TACIR, which calls for funding to be based on a 136-system model instead of the current 95 county model; and

WHEREAS, the TACIR proposal does not address the adequacy of funding for all of Tennessee's schools, but would require the reduction of state funding to some of Tennessee's top performing schools to support other schools; and

WHEREAS, the BEP Review Committee proposal calls for those systems to be "held harmless" that may not gain additional funding through the implementation of proposed changes and that state must commit to stabilize those systems in a gradual and timely manner; and

WHEREAS, the "hold harmless" provision does not allow for growth in school systems and would place negatively affected school systems in a perpetual debt to the state with no hope of future additional funding; and

WHEREAS, the TACIR proposal reduces the effectiveness of the BEP in equalizing between counties with low fiscal capacity and counties with high fiscal capacity; and

WHEREAS, based on the current TACIR formula, TACIR estimates for 2006-2007 indicate that 13 of the counties with the lowest fiscal capacity get less BEP funding and 12 of the 15 counties with the highest fiscal capacity gain funding; and

WHEREAS, the current TACIR proposal would reduce per pupil revenue in many quality city and county school systems, thus doing serious harm to future generations of students and forcing those systems to reduce programming, raise local taxes significantly, or go out of business; and

WHEREAS, the current TACIR proposal would inflate the state's fiscal capacity by double-counting the fiscal capacity of cities and would unfairly target municipal school systems located within a county with an existing school system; and

WHEREAS, the impact of proposed streamlined sales tax on the fiscal capacity of cities and counties is yet to be fully understood; and

WHEREAS, implementation of TACIR proposal and subsequent consolidation of school systems could result in one of the largest county tax increases in our state's history, causing local taxpayers to realize an even greater burden for supporting their successful public school system; and

WHEREAS, the possible loss of quality school systems in our state would have a serious negative economic impact on our city's and our state's industrial recruitment efforts; and

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby oppose proposed funding changes to the Basic Education Plan (BEP) based on the TACIR prototype and we call for Tennessee's government leaders to restructure Tennessee's educational funding for the benefit of all its students in order to secure their future success as well as the success of our state.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest: Jeannie Gammon  
Jeannie Gammon, County Clerk

Approved: Richard S. Venable  
Richard S. Venable, County Mayor

Sponsored By: **Eddie Williams**

Prime Co-Sponsor(s): **Ralph Harr**

2006-04-34	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 16Aye, 5Nay, 3Absent

Notes: **Waiver of rules requested.**

PROPOSED AMENDMENT TO

RES. # 15-

AMEND AS FOLLOWS:

TO CONSOLIDATE SCHOOLS IN SULLIVAN COUNTY.

INTRODUCED BY: MCCONNELL

SECONDED BY: FERGUSON

COMMENTS: AMENDMENT WITHDRAWN BY MCCONNELL

Sullivan County, Tennessee  
Board of County Commissioners

Item 16  
Executive  
No. 2006-04-35  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize Traffic Sign Changes in the 7th Civil District**

WHEREAS, Commissioner James Brotherton requested the Sullivan County Highway Department to make traffic sign changes in the 7<sup>th</sup> Civil District (14<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:**

**7<sup>th</sup> Civil District (14<sup>th</sup> Commission District)**

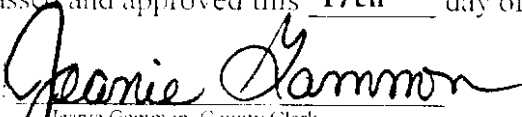
**To place a STOP sign at Dogwood Drive and Hillendale Drive; and**

**To place a STOP sign at Forest Hills Drive.**

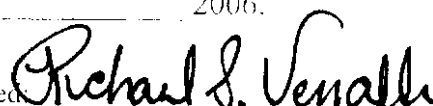
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 17th day of April 2006.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsor: James "Moe" Brotherton**

**Prime Co-Sponsor(s): Sam Jones**

HWY

2006-04-35	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 19 Aye, 2 Nay, 3 Absent

Notes:

## RESOLUTION REQUEST REVIEW

DATE: April 6, 2006

TO: Sullivan County Commission

REQUEST MADE BY: James Brotherton

SUBJECT: To place a STOP sign at Dogwood Dr. And Hillendale Dr.

To place a STOP sign at Forest Hills Dr.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7 CIVIL DISTRICT

14 COMMISSIONER DISTRICT

James Brotherton

Sam Jones

X RECOMMENDED BY HIGHWAY DEPARTMENT

\_\_\_\_ NOT RECOMMENDED BY HIGHWAY DEPARTMENT

COMMENT: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
TRAFFIC COORDINATOR

04/06/2006

  
\_\_\_\_\_  
HIGHWAY COMMISSIONER

04/06/2006

2006-04-35

Sullivan County, Tennessee  
Board of County Commissioners

Item 17  
Executive  
No. 2006-04-36  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize Traffic Sign Changes in the 8th Civil District**

WHEREAS, Commissioner Linda Brittenham requested the Sullivan County Highway Department to make traffic sign changes in the 8<sup>th</sup> Civil District (4<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

**8<sup>th</sup> Civil District (4<sup>th</sup> Commission District)**

**To place NO PARKING signs from the connector road of  
Highway 11-E to intersection of Thomas Land on Hamilton  
Hill Road.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor: Linda Brittenham**

**Prime Co-Sponsor(s): Blackburn, Houser**

HWY				
2006-04-35	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 04-17-06;**

## RESOLUTION REQUEST REVIEW

DATE: April 3, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Linda Brittenham

SUBJECT: To place NO PARKING signs from the connector road of  
Hwy 11E to intersection of Thomas Lane on Hamilton Hill Road.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 CIVIL DISTRICT

4 COMMISSIONER DISTRICT

Linda Brittenham

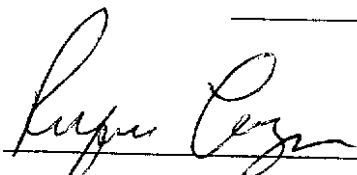
Garth Blackburn

Dennis Houser

X RECOMMENDED BY HIGHWAY DEPARTMENT

       NOT RECOMMENDED BY HIGHWAY DEPARTMENT

COMMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



04/03/2006

TRAFFIC COORDINATOR



04/03/2006

HIGHWAY COMMISSIONER

2006-04-30

Sullivan County, Tennessee  
Board of County Commissioners

Item 18  
Executive  
No. 2006-04-37  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize Traffic Sign Changes in the 19th Civil District**

WHEREAS, Commissioner Randy Morrell requested the Sullivan County Highway Department to make traffic sign changes in the 19<sup>th</sup> Civil District (1<sup>st</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

**19<sup>th</sup> Civil District (1<sup>st</sup> Commission District)**

**To place a STOP sign at Woodland Circle and Friendship Road;  
To place a STOP sign at Woodlawn Circle and Friendship Drive;  
To place a STOP sign at Shady Lane and Friendship Road.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor:** ~~Linda Brittenham~~ Randy Morrell

**Prime Co-Sponsor(s):** ~~Blackburn, Houser~~ Marvin Hyatt

HWY

2006-04-35	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 04-17-06;



## RESOLUTION REQUEST REVIEW

DATE: April 3, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Randy Morrell

SUBJECT: To place a STOP sign at Woodland Circle and Friendship Road.  
To place a STOP sign at Woodlawn Circle and Friendship Drive.  
To place a STOP sign at Shady Lane and Friendship Road  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

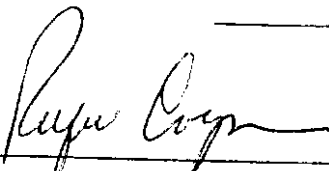
19 CIVIL DISTRICT

1 COMMISSIONER DISTRICT Randy Morrell  
\_\_\_\_\_  
\_\_\_\_\_

X RECOMMENDED BY HIGHWAY DEPARTMENT

\_\_\_\_ NOT RECOMMENDED BY HIGHWAY DEPARTMENT

COMMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
TRAFFIC COORDINATOR

04/03/2006

  
\_\_\_\_\_  
HIGHWAY COMMISSIONER

04/03/2006

2006-04-37

Sullivan County, Tennessee  
Board of County Commissioners

Item 19  
Administrative  
No. 2006-04-38

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize the Mayor of Sullivan County to Renew the Joint Cooperation Agreement with the Northeast Tennessee/Virginia HOME Consortium for an Additional Three-Year Qualification Period**

WHEREAS, the County of Sullivan has determined that the health and welfare of its citizens and the economic vitality of the area will benefit from increasing the availability of decent, safe, affordable housing; and

WHEREAS, a cooperative regional approach to providing housing avoids duplication of effort and promotes more effective delivery of services; and

WHEREAS, a consortium of area local governments is entitled to receive funding from the U.S. Department of Housing and Urban Development under the HOME Investment Partnerships Act that they would be unqualified to receive individually; and

WHEREAS, in 2003 the City of Bristol, Tennessee, and other units of local governments formed the Northeast Tennessee/Virginia HOME Consortium, enabling the City of Bristol, Tennessee to receive and administer HOME funds as Lead Entity on behalf of the Consortium; and

WHEREAS, the U.S. Department of Housing and Urban Development requires such Consortia to be formally redesignated every three years;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby supports the continuation of the Northeast Tennessee/Virginia HOME Consortium and authorizes the County Mayor to execute agreements with other participating units of general purpose local government to continue this Consortium.

**BE IT FURTHER RESOLVED** that the County Mayor is authorized to sign all contracts and/or documents approved by the County Attorney with other Governmental Agencies as may be required to carry out activities of the Cooperation Agreement.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsored By: Mark Vance**

**Prime Co-Sponsor(s): James "Buddy" King, John Crawford**

2006-04-38	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 21 Aye, 3 Absent

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 20  
Executive  
No. 2006-04-39  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize Traffic Sign Changes in the 14<sup>th</sup> Civil District**

WHEREAS, Commissioner Sam Jones requested the Sullivan County Highway Department to make traffic sign changes on Canton Road in the 14<sup>th</sup> Civil District (7<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:**

**14<sup>th</sup> Civil District (7<sup>th</sup> Commission District)**

**To place 25 MPH Speed Limit signs on Canton Road.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor: Sam Jones**

**Prime Co-Sponsor(s): James "Moe" Brotherton**

HWY

2006-04-39	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: **1st Reading 04-17-06;**

## RESOLUTION REQUEST REVIEW

DATE: April 12, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Sam Jones

**SUBJECT:** To place a 25 MPH SPEED LIMIT on Canton Road.

14 CIVIL DISTRICT

7 COMMISSIONER DISTRICT

San Jones

James Brotherton

X RECOMMENDED BY HIGHWAY DEPARTMENT

**NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

**COMMENT:**

Rapun Capra

04/12/2006

## TRAFFIC COORDINATOR

John R. Shedd

04/12/2006

HIGHWAY COMMISSIONER

Sullivan County, Tennessee  
Board of County Commissioners

Item 21  
Executive  
No. 2006-04-40

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April, 2006.

**RESOLUTION Requesting Tennessee Department of Transportation to Reduce Maximum Speed Limits for Trucks on Interstates 81 and 26 in Sullivan County**

Whereas, Sullivan and Hawkins Counties have been designated by the U.S. Environmental Protection Agency (EPA) as non-attainment for the National Ambient Air Quality Standard (NAAQS) for ground-level ozone; and

Whereas, the EPA has approved an Early Action Compact (EAC) for Sullivan and Hawkins Counties that defers the effective date of non-attainment; and

Whereas, the EAC will expire if ambient air monitors in Sullivan County do not measure attainment as of the end of the ozone monitoring season in 2007; and

Whereas, avoidance of non-attainment status is of great importance to the citizens of Sullivan and Hawkins Counties in order to both assure good air quality and a healthy economy; and

Whereas, nitrogen oxides are a precursor to formation of ground level ozone; and

Whereas, professors at the University of Tennessee have estimated a 10 mph reduction in truck speed limits on Interstates 81 and 26 in Sullivan County would reduce daily nitrogen oxide emissions by 1.65 tons per day; and

Whereas, this is the most cost-effective measure available for reduction of ground level ozone; and

Whereas, the Tennessee Department of Transportation (TDOT) has a policy to reduce truck speed limits by 10 mph on interstate highways when the reduction is: (1) in a county designated as non-attainment, (2) the reason for the reduction is air quality, (3) speed limits for cars are not reduced, (4) the request is made by the local governing bodies, and (5) the local governments enter into a Memorandum of Agreement with TDOT; and

WHEREAS, the Ozone Action Partnership of Northeast Tennessee, a subcommittee of the First Tennessee Development District, has recommended to the Kingsport and Bristol Metropolitan Planning Organizations and the Sullivan County Commission that they adopt resolutions on or before June 1, 2006 requesting the Tennessee Department of Transportation to reduce the maximum speed limits for trucks on Interstates 81 and 26 in Sullivan County by ten (10) miles per hour with no change to the posted speed limit for passenger vehicles; and

WHEREAS, the Kingsport Metropolitan Planning Organization on April 12, 2006 voted to recommend to TDOT such speed limit reduction;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17<sup>th</sup> day of April, 2006 hereby request the Tennessee Department of Transportation to reduce the maximum speed limits for trucks on Interstates 81 and 26 in Sullivan County by ten (10) miles per hour with no change to the posted speed limit for passenger vehicles.

BE IT FURTHER RESOLVED that upon approval by TDOT the County Mayor is hereby authorized to enter into a Memorandum of Agreement.

**(WAIVER OF RULES REQUESTED)**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Herron**

**Prime Co-Sponsor(s): Crawford , James King, Jr.**

2006-04-40	Administrative	Budget	Executive	County Commission
ACTION				

Notes: Request by James King, Jr. 04-17-06 to be added as Co-Sponsor;  
1st Reading 04-17-06;

Sullivan County, Tennessee  
Board of County Commissioners

Item 22  
Executive  
No. 2006-04-41  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize Traffic Sign Changes in the 5<sup>th</sup> Civil District**

WHEREAS, Commissioner Garth Blackburn requested the Sullivan County Highway Department to make traffic sign changes on Hillsboro Road in the 5<sup>th</sup> Civil District (4<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

**5<sup>th</sup> Civil District (4<sup>th</sup> Commission District)**

**To place 25 MPH Speed Limit signs on Hillsboro Road.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Attested: \_\_\_\_\_  
Jeanne Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor: Garth Blackburn**

**Prime Co-Sponsor(s): Brittenham, Houser**

HWY				
2006-04-11	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 04-17-06;**

## RESOLUTION REQUEST REVIEW

DATE: April 13, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Garth Blackburn

SUBJECT: To place a 25 MPH SPEED LIMIT on Hillsboro Road.

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5 CIVIL DISTRICT

4 COMMISSIONER DISTRICT

Garth Blackburn

Linda Brittenham

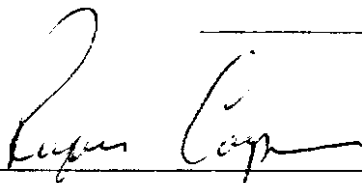
Dennis Houser

X RECOMMENDED BY HIGHWAY DEPARTMENT

\_\_\_\_ NOT RECOMMENDED BY HIGHWAY DEPARTMENT

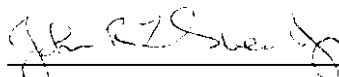
COMMENT: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



04/13/2006

TRAFFIC COORDINATOR



04/13/2006

HIGHWAY COMMISSIONER



Sullivan County, Tennessee  
Board of County Commissioners

Item 23  
Executive  
No. 2006-04-42  
*ATTACHMENT*

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Authorize Traffic Sign Changes in the 4<sup>th</sup> Civil District**

WHEREAS, Commissioner Mark Vance requested the Sullivan County Highway Department to make traffic sign changes on Sycamore Drive in the 4<sup>th</sup> Civil District (2<sup>nd</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:**

**4<sup>th</sup> Civil District (2<sup>nd</sup> Commission District)**

**To place 25 MPH Speed Limit signs on Sycamore Road.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor: Mark Vance**

**Prime Co-Sponsor(s): Sitgreaves, King (Buddy)**

HWY

2006-04-41	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 04-17-06;**

## RESOLUTION REQUEST REVIEW

**DATE:** April 12, 2006

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Mark Vance

**SUBJECT:** To place a 25 MPH SPEED LIMIT on Sycamore Drive.

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4 **CIVIL DISTRICT**

2 **COMMISSIONER DISTRICT**

Mark Vance

Jack Sitgreaves

James King

X **RECOMMENDED BY HIGHWAY DEPARTMENT**

       **NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

**COMMENT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

 04/13/2006  
**TRAFFIC COORDINATOR**

 04/13/2006  
**HIGHWAY COMMISSIONER**

Sullivan County, Tennessee  
Board of County Commissioners

Item 24  
Budget  
No. 2006-04-43

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Amend the EMS Fund Operating Budget**

WHEREAS, the EMS collections as of March 31, 2006 exceeded the prior year collections as of the end of March by more than \$150,000; and

WHEREAS, during the current year, the growth of collections has exceeded any additional payroll for overtime, etc.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the EMS Fund 116 budget be amended as follows:

<b>Appropriations-</b>		
<b>55130 .100</b>	<b>Personal Services</b>	<b>\$80,000</b>
 <b>Source-</b>		
<b>43120</b>	<b>Patient Charges</b>	<b>\$80,000</b>

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest:   
Jeanie Gammon, County Clerk

Approve:   
Richard S. Venable, County Mayor

**Sponsored By: Williams**  
**Prime Co-Sponsor(s): Harr**

2006-04-43	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 21 Aye, 3 Absent

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 25  
Administrative/Budget/Executive  
No. 2006-04-44

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of April 2006.

**RESOLUTION To Oppose Amendments to the Open Meetings Act (Sunshine Law)**

WHEREAS, SB2471 and HB2495 is being described as an "update" to the current Sunshine Law, it is not what the bill does and is riddled with consequences that will only hamper the work of county officials; and

WHEREAS, local county officials are already abiding by the current "sunshine law" that has been recognized by the courts as one of the most comprehensive and extensive in the nation; and

WHEREAS, under the proposed amendments of the current "sunshine law," if someone alleges that a county official has violated the sunshine law, that county official must provide proof that the law was not violated. Putting the burden of proof on the local official will invite a string of potentially harassing and frivolous lawsuits; and

WHEREAS, under the proposed amendments, if an accused county official cannot prove by "clear and convincing evidence" that there was no violation, the result is a \$50 civil penalty per person, per alleged violation and is subject to paying all court costs, attorney fees of the individual bringing the allegation, even if the allegations prove to be false; and

WHEREAS, under the proposed amendments, the distribution of information to members of the County Commission by electronic means, which include e-mails and other means is prohibited unless the information is made available to public at the same time. This would prohibit the county attorney from routinely sharing information with county officials unless the information is shared simultaneously with the public; and

WHEREAS, the existing law already provides for enforcement of the Sunshine Law through the courts by issuing injunctions, imposing penalties and taking other actions to enforce the law upon application of a citizen. The current law provides for due process in handling allegations, but the amendments would mandate judicial hearings regardless of the validity of the allegations; and

WHEREAS, the amendments as a whole, if enacted, will make it nearly impossible for county officials to conduct activities on behalf of their constituents and will have a substantial chilling affect on the ability of county officials to communicate with each other, even via telephone without violating the "updated" version of the Sunshine Law.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby strongly opposes the passage of SB2471 and HB2495.**

BE IT FURTHER RESOLVED that upon passage this resolution be sent to Representative William Baird, Senator Tommy Kilby, Senator Randy McNally and the state legislative representatives for Sullivan County.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Hereby approved this 17th day of April, 2006.

Attest: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approved: Richard S. Venable  
Richard S. Venable, County Mayor

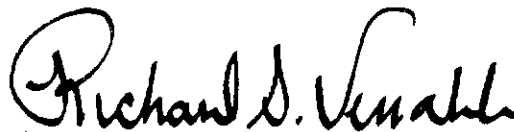
Sponsored By: O.W. Ferguson

Prime Co-Sponsor(s): Wayne McConnell

2006-04-14	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-17-06 20 Aye, 1 Nay, 3 Absent

Notes: Request Made 04-17-06 to add all Commissioners voting in the affirmative as Prime Co-Sponsors.

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR  
SESSION MAY 15, 2006.

A handwritten signature in cursive script, reading "Richard S. Venable". The signature is written in black ink and is positioned above a horizontal line.

RICHARD VENABLE

COMMISSION CHAIRMAN