COUNTY COMMISSION- REGULAR SESSION

JANUARY 17, 2012

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS TUESDAY MORNING, JANUARY 17, 2012, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and Comm. Joe Herron gave the invocation. The pledge to the flag was led by Comm. White.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

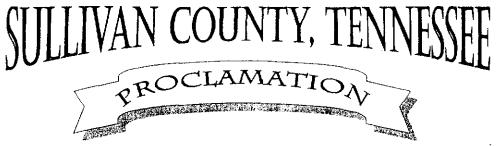
CATHY ARMSTRONG	TY BOOMERSHINE
MARK BOWERY	BRYAN K. BOYD
	MO BROTHERTON
DARLENE CALTON	JOHN K. CRAWFORD
	JOHN GARDNER
TERRY HARKLEROAD	JOE HERRON
BAXTER HOOD	
MATTHEW J. JOHNSON	BILL KILGORE
DWIGHT KING	ED MARSH
WAYNE MCCONNELL	RANDY MORRELL
BOB NEAL	
R. BOB WHITE	EDDIE WILLIAMS

20 PRESENT 4 ABSENT (ABSENT-BRITTENHAM, FERGUSON, HOUSER, SURGENOR)

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. Morrell and seconded by Comm. Calton to approve the minutes of the December 19, 2011 Regular Session Of County Commission. Said motion was approved by voice vote.

Director of Schools, Jubel Yennie addressed the Commission with an update concerning the School Board and school system.										
Shirlene Booker, UT Extension Director addressed the Commission with the 2011										
yearly report.										
W4 P =										



To Honor School Board Appreciation Week

WHEREAS, an excellent public education system is vital to the quality of life of our communities and to the economic development of our State, and

WHEREAS, school board members represent a tremendous resource as local decision makers, diligently working to meet the challenges of a dynamic world while ensuring that every child receives the services needed for a quality education; and

WHEREAS, school board members recognize the importance of educational reform and accept the responsibilities involved with implementing such initiatives as the Tennessee Diploma Project and the First to the Top Act; and

WHEREAS, the men and women of our local school boards are elected by the people and deserve recognition and thanks for their countless hours of service to public education in Tennessee.

NOW THEREFORE BE IT RESOLVED, that the Sullivan County Board Of Commissioners and Sullivan County Mayor Steve Godsey, on behalf of the citizens of Sullivan County, do declare the week of January 22-28, 2012 to be:

SCHOOL BOARD APPRECIATION WEEK

and encourage all citizens to join us in this worthy observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 17th day of January, 2012.



Oteve M. Godsey Mayor of Sullivan County



Sullivan County

3258 HWY. 126 SUITE 101 BLOUNTVILLE, TENNESSEE 37617



BRANCH OFFICES
Tennessee Courthouse — Bristol
Bristol 989-4366
City Hall — Kingsport
Kingsport 224-1790

Jeanie F. Gammon

County Clerk
Phone 323-6428

December 29, 2011

To: Sullivan County Commissioners

Re: Appointment of Constable

This is to notify you that there is a vacancy in the 5th District of Sullivan County for the office of Constable due to the resignation of Mr. Allen Durham.

This is to further notify you that the election to fill this vacancy is to be held on January 17, 2012, at the Regular Commission Meeting in the Commission Meeting Room, Blountville, Tennessee, at 9:00 A.M.

This notice is given in accordance with T.C.A. Section 5-5-113, which requires ten (10) days notice, prior to this date.

Kanie Gammon, County Clerk

cc: Mayor Steve Godsey County Attorney Dan Street Effective this date I Allen Durham would like to resign as Constable of District 5, I have relocated out of the district and no longer live within the district. I have enjoyed serving the people of District 5 and hope to serve in the future of the district I now reside in.

Thank You,

Allen Durfram

For: Constable Appointment

STATE OF TENNESSEE COUNTY OF SULLIVAN

My Commission Expires: 8/3///

AFFIDAVIT OF QUALIFICATON OFFICE OF CONSTABLE

I, Kenny Dean "Bo" Perry I after being duly sworn
according to law, depose and say that in accordance with the provisions of Tennessee
Code Annotated § 8-10-102:
1. I am at least twenty-one (21) years of age;
2. I am a qualified voter of Constable District;
3. I have the ability to read and write;
4. I have not been convicted in any federal or state court of a felony; and
5. I have not been separated or discharged from the armed forces of the United States with other than an honorable discharge.
This 6th day of January, 2012.
Affiant's Signature
Address: 230 Troy Rof.
Bly FC7, TN 37618
Phone: 423-963-8688
STATE OF TENNESSEE COUNTY OF SULLIVAN
Subscribed and sworn to before me, the undersigned Notary for the State and
County aforesaid, this 6th day of January, 20/2.
Notary Public

Kenny Dean "Bo" Perry II

Education

1992 Graduate

Sullivan East High School Bluff City, TN

1992 - 2000

Attended Northeast St Tech

Blountville, TN

- Computer Engineering
- Electronic Engineering
- Machine Tool Tech
- Courses in Small Business Management

Professional experience

Current Reserve Deputy Unicoi County Sheriff's Dept.

Self Employed Contractor (PC Field Engineer)

2006 - 2011 Halifax Corporation Richmond, VA

Computer Field Engineer

- Provide asset management to VDOT Bristol
- Troubleshoot various HP Desktops & Laptops
- Troubleshoot network issues pertaining to HP assets
- Inventory Management
- Computer Technician
- Field Technician covering 35 sites throughout SW Virginia
- Image Design and Implementation

2006 Unicoi County Sheriff's Dept

Dispatch Deputy/IT

- Computer Technician
- Dispatcher
- Deputy

2004 - 2006 Bluff City Police Dept / City of Bluff City Bluff City, TN

Detective/Police Officer

- Investigations/Police Officer
- **Animal Control**
- Water Plant Apprentice
- Computer Tech
- Sex Offender Registry Database Admin
- Neighborhood Watch Director
- Homeland Security Officer
- Training Assistant
- Internal Affairs Investigator

2003 - 2004 Norandex Piney Flats, TN

Warehouse/Truck Driver

- · Deliver products in local area
- Shipping and receiving
- Warehouse Management

1997 – 2003 Self-Employed Bluff City,TN

Owner/Operator

- Management
- Accounting and Book Keeping
- New and Used Computer Sales & Service
- PC Repair
- PC Setup & Design
- Internet Wiring and Install
- Network Design & Setup
- Windows 95,98,ME, 2000 Pro, NT 4.0, 2000Server
- Office 95, 97, & 2000
- Server Setup
- Web Design
- Dreamweaver and Fireworks
- Customer Service
- Phone Support

11/11/2000- 4/2001 Business Information Systems Piney Flats, TN

Computer/Network/Internet Technician

- PC Repair
- PC Setup & Design
- Dumb Terminal Networking
- Serial Communications
- Network Design & Setup
- Unix
- Linux
- Windows 95,98,ME, 2000 Pro, NT 4.0, 2000Server
- Office 95, 97, & 2000
- Server Setup
- Web Design
- Navision
- Dreamweaver
- Customer Service
- Phone Support

2000- 2001 Tac Worldwide/ TechAid Longwood, FL

Computer/Network Technician

- Network Configuration
- PC Setup
- Router Configuration
- Switch Configuration
- Migration or Operating Systems
- Network troubleshooting
- Workstation Troubleshooting
- Network Admin
- NT Admin
- Novell Admin

1999 – 2000 Washington Co Sheriff's Office Johnson City, TN

Crime Analyst / M.I.S.

- · Gather data for the use in criminal investigations and traffic patrol
- Website design and maintenance
- New PC setup
- Network Administration
- Migration from Novell to NT 4.0
- Backups

1998 -- 1999 Appalachia Business Communications Gray, TN

Service Technician

- Repair various brands of Copiers, Fax Machines, and Printers
- On-Site repairs
- Vehicle Inventory tracking
- Travel

1992 – 1998 Kenny Perry Siding Bluff City, TN

Sales/Installer

- Sell Siding, Soffitt, Replacement windows, and Gutter.
- Assist in the installation of all of these products

References Inv. Ken Potter (423) 388-0355 Criminal Investigator

Sgt. David Walker (423) 388-0107 Criminal Investigator

Chief Greg Depew (423) 538-3700 Bluff City Police Dept.

Certifications

Current POST Certified In-Service 2011

Glock Certified Armorer

Certified in Chemical Spray

ASP Expandable Baton Instructor

Handcuffing Instructor

Doppler Radar Certified

Firearms Qualified 2011

HP & Dell Certified Computer Engineer

A+ Certified

SULLIVAN COUNTY BOARD OF COMMISSIONERS Blountville, Tennessee

Appointment As A Constable in Sullivan County

Pursuant to TCA §8-10-102 To Fill the Unexpired Term of Constable Who Resigned In the 5th Civil District -- Term Expires August 2012

Candidates As Follows Who Have Filed Affidavits With Sulliva

n County Clerk's Office:	<u>VOTES</u>
Kenny Dean "Bo" Perry, II	20
Dean "Bo" Perry, II Majority Of Votes And I Approved This 17th Day Of January 2012.	

Commission Action:

X Approved by Roll Call Vote

___ Approved by Voice Vote

__ Rejected on Vote

Kenny

Has Received The

AYE	NAY	PASS	ABSENT
20			4

SULLIVAN COUNTY CLERK JEANIE F. GAMMON COUNTY CLERK 3258 HIGHWAY 126 SUITE 101 BLOUNTVILLE TN 37617

Telephone 423-323-6428

Fax

423-279-2725

Notaries to be elected January 17,2012

STEPHANIE R ARNOLD DEBBIE BAKER MELISSA D. BELL DAVID A. BLYTHE JADA MICHELLE BOLDEN WENDA P BRANSON WILLIAM R. BRANSON VANDRA BRASWELL SABRINA S. BROWN CAROL L. BUCHANAN LINDA HICKS CAMPBELL CHARLES J. CLONCE, JR. EMILY NICOLE COCKERHAM ANGELA DANIELLE CRAIN MALLORY M. CROSS KAREN H DUNKIN CARLA ELLIOTT MARY KAY ENGLISH CAROLYN S. FERRELL VICKI LYNN GILLIAM

KAREN A. GILMORE SUSAN R. HALE LISA D. HENSLEY

FLOYD CLIFTON HORNE SHEILA YVETTE HOUSER MARY ANN HOUSER VALERIE J. JACKSON MONICA FAITH JOHNSTON ELIZABETH A. MESSIMER DONNA S. MURPHY PAMELA MURRAY AMY LEANNE NELSON ANITA E. OVERBAY JERRY PETZOLDT EDNA M. POTTS ANGEL L. PRUITT CRISTY G ROBINSON PAMELA JEAN SHIPLEY SHIELA S SHOUN ANITA K. SMITH SUSAN D. SNAPP BLAINE E. WADE MARTHA M. WALKER HEATHER ELIZABETH WEATHERLY **KEVIN WAYNE WHITE**

PERSONAL SURETY JAMES G POWERS JANET LESTER WESTERN SURETY COMPANY **RONALD E SMITH DAVID PRINCE** ANGEL L. PRUITT

UPON MOTION MADE BY COMM. HARKLEROAD AND SECONDED BY COMM. CRAWFORD TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 18 AYE, 6 ABSENT.

STATE OF TENNESSEE COUNTY OF SULLIVAN

APPROVAL OF NOTARY SURETY BONDS

January 17, 2012

NAME OF NOTARY

JIMMY D. BELL LORETTA LYNN COLLEY DIANE S. HITE ROBIN A. KETRON

PERSONAL SURETY

SANDRA H. BELL LINDA JOHNSON ANDREW L. CARRIER JEREMY E. HARR

PERSONAL SURETY

GEORGE F. BELL DOROTHY JUDSON SHIRLEY I. CARRIER LISA KODAK

UPON MOTION MADE BY COMM. HARKLEROAD AND SECONDED BY COMM. CRAWFORD TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLLECALL VOTE OF THE COMMISSION. 18 AYE, 6 ABSENT.

SULLIVAN COUNTY COMMISSION

Public Comment Session Tuesday, January 17, 2012

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
1	Gary W Melvin	1344 Silver Grove Rd B	Bluff City TN	13346
/2	Fratherine Stal	land 528 Kallen Dr. =	Kpt. TN 37660	1
/3,	Phil Kerron/Triten	Insurance P.O. Box 3232 Blount	Me, TN 37617	
4	Susan Hitt 1270 M	lorning Dove Dr Kir	1950at, 7W 37663	
5	Haudelle Desa		ingopoet TH 37660	_
6	John Hill	1270 Morning Dove &	DR KPT TN 37663	_
7 -	Chlistia Dant Jul	Do 1993 Hoot Dat Hottow Ro	Norton VA 24213	~
/ 8	Richard white	477 Outh other Rd	Kussout, Jann 37660	
-9-	Low ToBin	328 Mais ST. Bluss. Cin ?	N 37618	
√ 10	Jumy Hawking	368 TRI STATE Lime Rd	BLOUNTVILLE TN	
/ 11	Jammy Ban	1 524 KAVENDR KOT	5. TRI 37660	•
12	CJ. Buddy Holly	701 Gravela Rd. Kot	· To. 37660	
/ 13	Frances Osa	u 529 Kallen Der	Kint In 37680	
14	william & Cr	on 529 Italian Dr.	7660 942	i
<u>/ 15</u>	Johnny M.BR	lown 124 Sugarcane Lan	e 37617	
	I			

SULLIVAN COUNTY COMMISSION Public Comment Session Tuesday, January 17, 2012

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
/_1	Quyen Quillin	613 W. Valley View Circle K.	Pt, TN 37664	
/ 2	RICHARD PIKE	409 WICKLOW DR KPT T.		Ø
/3/	Roy Hicks	455 Ether agard ad	376/7	
/ 4	PAULD JUSTICE	349 HIDDEN VALLEY RD KG	PTT 37663	
/ 5	William Haga	2414 Hwy Il W Bristol, T	n 37620	
/ 6	Kerin Skarpner	679 deckys llex PA #20 7	Tris 1 1 77620	V
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REZONING OVERVIEW SULLIVAN COUNTY COMMISSION MEETING

January 17, 2012

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

Application No.	File No.	Applicant	Neighbor Opposition	Staff Planning Commission Recommendation Recommendation		nning Commission tecommendation	Current Zone	Requested Zone	Civil District	
1	11/11/#1	Kevin Skarpness	Yes	Deny	Bristol	Deny	Bristol	A-1	R-3	6th
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AGENDA

Sullivan County Board of County Commission

January 17, 2012

The Sullivan County Board of County Commissioners will hold a public hearing on Tuesday, January 17, 2012 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

(1) File No 11/11#1 Kevin Skarpness

Reclassify property located at 679 Deck Valley Road from A-1 (General Agricultural/Estate Residential District to R-3(Manufactured Residential Dwelling Park District) for the purpose of bring existing mobile home park into compliance. Property ID No Tax Map 18, Parcel 24.00 located in the 6th Civil District. **Bristol Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING

11/11/11

A request for rezoning is made by the person named below; said request to go before the Bristol Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners. Property Owner: Kevin Skarpness 1-4-2012 12:00 NOON Meeting Date 12/19/2011 Time 6:00PM Address: 679 Deck Valley Rd, Lot 20 Bristol, TN 37620 Place Easley Annex Building/Bristol Phone 423-279-0896 Date of Request 11/01/2011 Planning Commission Approved Denied V Property Located in 6 Civil District County Commission Approved X

| | 7 | 7 | 9 | Denied _____ Other Roll Call 20 Aye, 4 Absent Signature of Applicant Final Action Date 01-17-12 PROPERTY IDENTIFICATION Tax Map No. 018 Group 🕹 Parcel 02400 Zoning Map 8 Zoning District A-1 Proposed District R-3 Property Location: 679 Deck Valley Road, Bristol Purpose of Rezoning: to bring existing mobile home park into zoning compliance 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. N FO AND SUBSCRIBED before me this ____ day of _____

RESOLUTIONS ON DOCKET FOR JANUARY 17, 2012

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING	APPROVED
RESOLUTION	01-17-12
#2 STOP A RESOLUTION THAT HAS FAILED IN THE SULLIVAN	APPROVED
COUNTY COMMISSION FROM BEING REVIVED FOR ANOTHER	01-17-12
	01-17-12
VOTE	
#3 ADOPT THE SULLIVAN COUNTY HIGHWAY DEPARTMENT	APPROVED
	01-17-12
ROAD ATLAS	01-17-12
#4 REQUEST TWO (2) PART-TIME POSITIONS FOR THE	APPROVED
CORRECTIONS DAY WORKER PROGRAM	01-17-12
#5 APPROVE FOR SULLIVAN COUNTY TO PAY OVER FUNDS	APPROVED
COLLECTED FROM VICTIMS ASSISTANCE ASSESSENT FEE TO	01-17-12
THE CHILD ADVOCACY CENTER	" " "
THE CHIED HOV GONET CENTER	
#6 REGULATE THE KEEPING AND/OR HARBORING OF	FAILED
BARKING DOGS IN SULLIVAN COUNTY, TENNESSEE	01-17-12

#7 REQUEST THE TENN DEPT OF TRANSPORTATION TO	APPROVED
CONDUCT A TRAFFIC STUDY AT THE INTERSECTION OF HWY	01-17-12
421 AND STATE ROUTE 44	
	_
#8 SULLIVAN COUNTY TO ADOPT THE COUNTY POWERS ACT	APPROVED
PURSUANT TO T.C.A. 5-1-118	01-17-12
1 CREOTIVE TO 1,C.11, 5-1-110	01-17-12
#9 REQUESTING THAT THE TN GENERAL ASSEMBLY REPEAL	APPROVED
T.C.A. 33-7-304 PUBLIC CHAPTER 531, SECTION 45 AND TO	01-17-12
REQUIRE THE STATE OF TN TO CONTINUE TO BE	
FINANCIALLY RESPONSIBLE FOR OUTPATIENT AND	
INPATIENT MENTAL HEALTH EVALUATIONS AND	
TREATMENT FOR INDIVIDUALS CHARGED WITH	
MISDEMEANOR OFFENSES ONLY	
]
#10 AUTHORIZE THE SULL CO HWY DEPT TO PICK UP	1 ST READING
VEGETATIVE DEBRIS, SUCH AS BRUSH, LEAVES AND TREE	01-17-12
LIMBS ON THE CITY OR STATE ROADS WHERE THE PROPERTY	VI 1/ 14/
OWNERS REMAIN UNINCORPORATED	
O WIERO REMEMI OWNOOM OWNED	

Sullivan County, Tennessee Board of County Commissioners

Item 1 No. 2012-01-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of January 2012.

RESOLUTION To Consider Amendment(s) To The <u>Sullivan County Zoning Plan:</u> Zoning Map Or The Zoning Resolution

WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the <u>SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution</u>.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.

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

Duly passed and approved this 17th day of January 2012.

Attested:

eanie Gammon, County Clerk

Approved:

teve M. Godsey Chinty Mayor

Sponsor: John Crawford

Prime Co-Sponsor(s): John Gardner

2012-01-00	County Commission
ACTION	Approved 01-17-12 Voice Vote

Notes:

Sullivan County, Tennessee Board of County Commissioners

Item 2
Administrative/ Budget/Executive
No. 2011-12-110
Amendment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

Resolution To Stop A Resolution That Has Failed In The Sullivan County Commission From Being Revived For Another Vote

WHEREAS, a resolution that has gone through first reading and the three main committees has been subjected to thorough discussion and does not need to take up more valuable time at a later date; and

WHEREAS, Commissioners are elected by the voting public to address many issues and needs in Sullivan County and it is counterproductive to the entire process if our effectiveness is limited by unnecessary attention to a subject that has already had a Full Commission vote, and has been rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby agrees that a Failed Resolution is not to be revived taking up valuable time that is needed for other important County business.

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.

Approved this 17th day of January 2012.

Jeanie Gammon, County Clerk

Sponsored By: John Crawford

Prime Co-Sponsor(s): Matthew Johnson, W. G. "Bill" Kilgore

2011-12-110	Administrative	Budget	Executive	County Commission	
ACTION	No Action 12-5-11	Approved 12-8-11	Approved 12-6-11	Approved 01-17-12 19 Aye, 1 Nay, 4 Abse	nt

Notes: 1st Reading 12-19-11;

Amended by Sponsor 12-19-12 (attached)

Amendment No. 1 To Resolution No. 2011-12-110

December 19, 2011

Whereas, it is standard procedure for a resolution to be considered upon first reading by suspending the rules with a 2/3 vote of the Full County Commission (16 votes), commonly referred to as "Waiver Of Rules"/"First Reading".

Whereas, when a resolution is brought before the Full Sullivan County Commission on First Reading, and a vote is taken at that time on a Waiver Of The Rules which nets less than 13 votes in its failure, it is to be removed from the agenda that day and cannot be returned to another agenda for a minimum of 30 days following that vote.

By Sponsor: John Crawford

AMENDMENT Approved with Resolution 01-17-12

Sullivan County, Tennessee Board of County Commissioners

Item 3
Executive
No. 2011-12-114
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

RESOLUTION To Adopt The Sullivan County Highway Department Road Atlas

WHEREAS, annually the Sullivan County Highway Department reviews and updates a listing of County Roads as required by the Tennessee law; and

WHEREAS, attached hereto is a summary of the revisions dated December 1, 2011, which are necessary to bring the official Sullivan County Road Atlas up-to-date.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the adoption of the Sullivan County Road Atlas as amended. (The Sullivan County Road Atlas in its entirety is on record and available in the Office of the Sullivan County Highway Department for review.)

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.

Approved this <u>17th</u> day of <u>January</u> 2012.

Jeanie Gammon, County Clerk

Sponsored By: Dwight King Eddie Williams

Prime Co-Sponsor(s): Eddie Williams Wayne McConnell

2011-12-114	Administrative	Budget	Executive	County Commission
ACTION	No Action 1-9-12	No Action 12-8-11; *Deferred 1-5-12	Approved 12-6-11	Approved 01-17-12 20 Ave. 4 Absent

Notes: 1st Reading 12-19-11;

^{*1-5-12} Budget Committee Deferred Action Awaiting Appearance of Highway Commissioner

December 2011 Atlas Changes

DATE	SUBDIVISION AND ROAD	C.D	TAXMAP	LENGTH	ROW.	CLASS	P.B. & Pg
Additions							
	N/A						
		,					
	no new subdivision streets have been approved		 				
			-				
	total gained from addition	ons		0			
				ļ 			
Deletions			<u> </u>				
Apr-11	Adair Court			d by Kir			-0.05
Dec-11	Arlington Circle			d by Kir			-0.28
Dec-11	Arlington Court			d by Kir			-0.07
Dec-11	Arlington Drive			d by Kir			-0.12
Dec-11	Arlington Place			d by Kir			-0.05
Dec-11	Beechwood Court			d by Kir			-0.14
Dec-11	Beechwood Drive	_		d by Kin			-0.90
Oct-11	Buchelew Drive			d by Kir			-0.51
Apr-11	Cedar Crest Drive			d by Kin			-0.05
Арг-11	Claymore Drive (part) .20 remains			d by Kin			-0.29
Dec-11	Colonial View Road			d by Kir			-0.23
Apr-11	Coralwood Court			d by Kin			-0.05
Apr-11	Coralwood Drive (part) .07 remains			d by Kir			-0.22
Apr-11	Cory Way			d by Kir			-0.10
Dec-11	Countryshire Court			d by Kir			-0.57
Oct-11	De Lee Drive			d by Kir			-0.52
Dec-11	Edgewood Circle			d by Kir			-0.05
Oct-11	Edison Street			d by Kir			-0.10
Dec-11	Edmond Circle			d by Kir			-0.03
Oct-11	Fairlawn Drive (part) .01 remains			d by Kir			-0.21
Oct-11	Fletcher Avenue			d by Kir			-0.01
Dec-11	Foothills Road			d by Kir			-0.19
Jan-11	Garmon Drive (part) .04 remains	 _		d by Kir			-0.03
Apr-11	Glade Mill Drive			d by Kir			-0.12
Oct-11	Gleason Street			d by Kir			-0.05
Oct-11	Gregory Road (part) .10 remains		annexe	d by Kir	igsport		-0.10

December 2011 Atlas Changes

		L Kin nanad	-0.30
Dec-11	Grove Drive	annexed by Kingsport	-0.09
Jan-11	Harding Road (part) .08 remains	annexed by Kingsport	-0.05
Jan-11	Julip Drive	annexed by Kingsport	
Dec-11	Kendrick Creek Road (part) .39 remains	annexed by Kingsport	-1.02
Apr-11	Kingfisher Court	annexed by Kingsport	-0.12
Oct-11	Lebanon Road (part) 2.36 remains	annexed by Kingsport	-0.33
Dec-11	Lindkaye Drive	annexed by Kingsport	-0.09
Арг-11	Lookout Drive	annexed by Kingsport	-0.12
Oct-11	Meadow Brook Drive	annexed by Kingsport	-0.21
Dec-11	Meadow Crest Drive	annexed by Kingsport	-0.05
Dec-11	Meadow Dale Circle	annexed by Kingsport	-0.05
Dec-11	Meadow Glade Circle	annexed by Kingsport	-0.05
Dec-11	Meadow Glen Circle	annexed by Kingsport	-0.03
Dec-11	Meadow Lane (part) .20 remains	annexed by Kingsport	-1.45
Jan-11	Meadow Lane Extension	annexed by Kingsport	-0.02
Oct-11	Montford Drive	annexed by Kingsport	-0.08
Jan-11	Montvue Road	annexed by Kingsport	-0.06
Dec-11	Morning Dove Drive (part) .03 remains	annexed by Kingsport	-0.18
Dec-11	Oak Court	annexed by Kingsport	-0.03
Dec-11	Oakmont Drive (part) .27 remains	annexed by Kingsport	-0.41
Dec-11	Parkway Drive	annexed by Kingsport	-0.28
Dec-11	Partridge Place	annexed by Kingsport	-0.12
Jan-11	Pawnee Court	annexed by Kingsport	-0.09
Dec-11	Pheasant Court	annexed by Kingsport	-0.05
Dec-11	Quail Heights Court	annexed by Kingsport	-0.10
Dec-11	Quail Hill Circle	annexed by Kingsport	-0.05
Jan-11	Red Oak Lane (part) .05 remains	annexed by Kingsport	-0.12
Oct-11	Ridgemont Drive (part) .03 remains	annexed by Kingsport	-0.12
Oct-11	Rosehaven Court	annexed by Kingsport	-0.10
Dec-11	Scenic Court	annexed by Kingsport	-0.09
Dec-11	Shadyside Drive (part) .60 remains	annexed by Kingsport	-0.05
Oct-11	Shipley Ferry Road W. (part) .30 remains	annexed by Kingsport	-0.35
Apr-11	Sir Echo	annexed by Kingsport	-0.55
Jan-11	Spearhead Circle	annexed by Kingsport	-0.01
Jan-11	Spring Lane	annexed by Kingsport	-0.04
Apr-11	Springbrook Drive	annexed by Kingsport	-0.11
Oct-11	Stella Street	annexed by Kingsport	-0.05
Jan-11	Summer Hills Court	annexed by Kingsport	-0.12
Dec-11	Sylvan Drive	annexed by Kingsport	-0.10
Dec-11	Teal Court	annexed by Kingsport	-0.10

December 2011 Atlas Changes

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		ength correction)	-		m .10 to			-0.03
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		(ROW correction)			n 50 to 3			0.00
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							total	-13.40
Dec-11	Wrennwood Court			armex	eu by N	ingsport		-0.00
Dec-11 Dec-11	Wood Haven Drive					ingsport ingsport		-0.22 -0.06
Dec-11	Wilmont Drive (part) .14 remains annexed by Kingsport Wood Haven Drive annexed by Kingsport				-0.01			
Jan-11	Widener Road	·		annexed by Kingsport				-0.09
Dec-11	White Oak Lane			annexed by Kingsport				-0.12
Jan-11	Warrior Falls Drive		annexed by Kingsport					-0.14
Dec-11	Tiffany Court		annexed by Kingsport					-0.13
Oct-11	Tenneva Street		annexed by Kingsport				-0.15	

Sullivan County, Tennessee Board of County Commissioners

Item 4 Administrative/Budget No. 2011-12-116

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

Resolution To Request Two (2) Part-Time Positions For The Corrections Day Worker Program

WHEREAS, the Sullivan County Sheriff's Department Corrections division now operates the "Day Worker" program with 3 part time employees and 1 full time employee paid from the Jail. The full time employee is a female working evenings to cover the cleaning crew for County Buildings. It is no longer possible for this person to be used in this capacity as she is needed in the Jail due to the number of female inmates and female employees required to cover this. This was done on a trial basis until someone could be placed in the part time position to cover the evening "day worker" crew. The 3 part time employees work daily taking crews to various places doing work all over Sullivan County which has ranged from mowing grass and cleaning to working in the recycling center and working on the Santa Train and many things in between. We have had 614 persons sentenced to this program versus doing "jail time" at a cost savings of around \$41.00 per day per person. They have put in a total of 60,200 working hours; minimum wage value of those hours worked would have been around \$436,000.00.

There are several issues that necessitate the need for 2 additional part time persons for the Day Worker program. If someone is sick or on vacation or an emergency arises for someone scheduled to work; there is no one to fill in that position. The sentenced workers are scheduled to report and someone has to be there to oversee the work crew for that time. These positions will pay \$10.00 per hour and each person will average 20-30 hours per week per year therefore requiring additional funding of \$34,000.00.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session approve 2 additional part time positions and appropriate an additional \$34,000.00 to cover the personnel and payroll benefits cost in the Day Worker Program. for five months.

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.

Approved this <u>17th</u> day of <u>January</u> 2012.

Jeanie Gammon, County Clerk

Approved

Sponsored By: John Crawford

Prime Co-Sponsor(s): Matthew Johnson

2011-12-1	16 Administrative	Budget	Executive	County Commission
ACTIO	No Action 1-9-12	Approved 1-5-12	Approved 1-3-12	Approved 01-17-12 18 Aye, 2 Pass, 4 Absent

Notes: 1st Reading 12-19-11;

Amended by Sponsor 01-17-12 to change the amount in the last paragraph from \$34,000.00 to \$14,166.67 for five months.

Sullivan County, Tennessee Board of County Commissioners

Item 5 Budget No. 2011-12-119 Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of December, 2011.

RESOLUTION To Approve For Sullivan County To Pay Over Funds Collected From Victims Assistance Assessment Fee To The Child Advocacy Center

WHEREAS, this body established a "victims assistance assessment" fee of \$45 per applicable case less \$3 Clerk Fee in 2008 per resolution 2008-05-73 with the Child Advocacy Center of Sullivan County designated as the recipient of these funds; and

WHEREAS, the fee collected by the Courts of Sullivan to a total of more than \$25,000 to be paid over to the Sullivan County Child Advocacy Center.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the disbursement of the \$25,000 to be paid to the Child Advocacy Center of Sullivan County. (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.

Approved this <u>17th</u> day of <u>January</u> 2012.

canie Gammon, County Clerk

Sponsored By: Bryan Boyd

Prime Co-Sponsor(s): Cathy Armstrong

2011-12-119	Administrative	Budget	Executive	County Commission
ACTION	No Action 1-9-12	Approved 1-5-12	Approved 1-3-12	Approved 01-17-12 20 Aye, 4 Absent

Notes: 1st Reading 12-19-11;

Sullivan County, Tennessee
Board of County Commissioners

10 Resolution

10 Resolution

10 Resolution

Administrative
No. 2008-05-73
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May, 2008.

RESOLUTION To Accept Tennessee Code Annotated 40-24-109 to Establish A Victims Assistance Assessment of \$45.00

WHEREAS, Tennessee Code Annotated 40-24-109, allows for any county legislative body to establish a "victims assistance assessment" of \$45.00, to fund a program which assists victims of crime; and

WHEREAS, this assessed fee will be collected from any person who: A) enters a plea of guilty; B) is found guilty by a judge or jury; C) enters a plea of nolo contendere; D) enters a plea pursuant to any of the diversionary sentencing statutes to any criminal offense described in subsection (d); E) is found guilty, or enters a plea of guilty or nolo contendere to the offense of attempting or conspiring to commit any such offense; F) is found to be criminally responsible as principal for the commission of any such offense; (d) except as provided in subsection (e), the provisions of subsection (c) shall apply to any conduct made criminal by the laws of this state.

(e) This section shall not apply to: (1) crimes for which the law imposes as a maximum possible punishment a fine of less than five hundred dollars (\$500) and no imprisonment; and (2) violations of the motor vehicle laws except driving under the influence of an intoxicant as prohibited by $\delta55-10-205$, where the reckless driving was proximately caused by the use of an intoxicant; (f) whether a person convicted of a crime is exempted from payment of the assessment imposed by this section shall be determined by the offense for which such person was convicted and the maximum possible sentence authorized by law for such person actually receives; (g) (1) the victims assistance assessment shall be subject to the provisions of $\delta8-21-401$ and shall be in addition to all other taxes, costs, and fines.

WHEREAS, The Child Advocacy Center serves child victims of severe sexual and physical abuse by offering services such as forensic interviews, court preparation, and victims advocacy; and

WHEREAS, The Child Advocacy Center requests to become the designated recipient of this fee. The Center shall receive forty-two (\$42.00) of the forty-five (\$45.00) dollars collected, with a three dollar (\$3.00) fee for processing and handling going to the court clerk; and

WHEREAS, this resolution take effect immediately upon its passage, pursuant to TCA 40-24-109

HT De Mment 10 Resolution No. 2011-12-119

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County Tennessee meeting in regular session hereby allow the Circuit Court Clerk of Sullivan County to be authorized to collect the forty-five (\$45.00) established "Victims Assistance Fee", and distribute forty-two of those dollars to the Child Advocacy Center.

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.

Approved this 16th day of June

Attested: Approved: L. W. Steve M. Godsey, County Mayor

Sponsored By: Mark Vance

Prime Co-Sponsor(s): Buddy King, Cathy Armstrong, Joe Herron

2008-05-73	Administrative	Budget	Executive	County Commission
ACTION	No Action 6-2-08	Approved 6-5-08	Approved 6-4-08	Approved 06-16-08 22 Aye, 2 Absent

Notes: 1st Reading 05-19-08;

Sullivan County, Tennessee Board of County Commissioners

Item 6 Administrative No. 2012-01-01 Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of January 2012

RESOLUTION Regulating The Keeping And/Or Harboring Of Barking Dogs In Sullivan County, Tennessee

WHEREAS, there exists certain activities, practices and/or uses of property that are detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience and/or welfare of the inhabitants of Sullivan County; and

WHEREAS, in Sullivan County barking, howling and/or whining dogs are detrimental or liable to be detrimental, to the health, morals, comfort, safety, convenience and/or welfare of the inhabitants of Sullivan County; and

WHEREAS, pursuant to powers found at <u>T.C.A.</u> §6-2-201(22) and (23), it is desirable to declare as unlawful, and/or a public nuisance, certain disruptive dogs which adversely affect the health, morals, comfort, safety, convenience and/or welfare of citizens;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby declare that it is detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience and/or welfare of the inhabitants of Sullivan County to keep or harbor a dog or dogs that bark, howl, or whine in an excessive, continuous, or untimely fashion which disturbs the repose of any citizen, or disturbs the peace and quiet of a neighborhood. Pursuant to T.C.A. §6-2-201 (22) and (23), such activities are declared a public nuisance and the following provisions, regulations and limitations regarding same are hereby adopted:

SECTION I - DEFINITIONS

County. Sullivan County exclusive of territory under the jurisdiction of the municipalities of Kingsport, Bristol and Bluff City.

Kennel. A facility, compliant with all laws and regulations, housing dogs, cats, or other household pets where grooming, breeding, boarding, training or selling of animals is conducted as a business.

SECTION II –NUISANCE-DOG

It shall be unlawful to keep or harbor any dog which barks, howls, or whines, in an excessive, continuous, or untimely fashion which disturbs the repose of any citizen, or disturbs the peace and quiet of a neighborhood.

SECTION III - ADMINISTRATIVE POWERS

This Resolution may be enforced by employees of the Sullivan County Sheriff and/or any employee of Sullivan County so designated by the Sullivan County Mayor, (hereinafter "County Officer").

SECTION IV - INSPECTION; INTERFERENCE

(a) Inspections. Whenever it is necessary to make an inspection regarding any of the provisions of this Resolution, or whenever there is reasonable cause to believe that there exists at any household or upon any premises any violation of this Resolution, County Officer is hereby empowered to inspect such property at any reasonable time and perform any duty imposed upon him by this Resolution.

If such property is unoccupied, the County Officer shall make a reasonable effort to locate an owner or other persons having control of the property and advise such person of potential violations.

If such property is occupied, the County Officer shall present proper credentials to the occupant and advise the occupant of potential violations.

(b) Interference. It shall be unlawful for any person to interfere with, hinder, resist, or obstruct county officers or employees while carrying out any investigation under this article and offenders shall be subject to the penalties and/or fines set forth in Section V for doing so.

SECTION V - VIOLATIONS AND PENALTIES

- (a) Any person(s), firm, or corporation violating any portion of this Resolution shall be subject to a civil fine and/or penalty as follows:
 - (1) Owners of such animal(s) or property upon which such animals are found will receive one (1) warning from County Officer.
 - (2) For the first offense: By a fine of not less than \$25.00 and not more than \$50.00. Each day the violation continues shall constitute a separate offense.
 - (3) For the second or more offense or offenses: The violator shall be subject to a fine of not less than \$50.00 and not more than \$100.00. Each day the violation continues shall constitute a separate offense.
 - (4) A Kennel is not excluded from this prohibition.
- (b) In addition, the County may choose to seek civil redress in a court of competent jurisdiction, it being the intent of Sullivan County to have both civil fines and/or penalties as well as the power to seek injunction or mandamus in this area. Such court may order the person to remove any such dog(s) from the person's property, order the dog(s) removed to animal control for adoption, pay a civil fine and/or penalty, or pay damages resulting from such violations, or any other remedy at law or equity.

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.							
Approved this day of	2012.						
Attested: Jeanie Gammon, County Clerk	Approved: Steve M. Godsey, County Mayor						

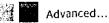
Sponsored By: Joe Herron Prime Co-Sponsor(s): Eddie Williams

2012-01-01	Administrative	Budget	Executive	County Commission	
ACTION	No Action 1-9-12	Approved 1-5-12	No Action 1-3-12	Failed 01-17-12 12 Ave. 6 Nay. 2 Pass	, 4 Absent

Notes:

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Tenn. Code Ann. § 6-2-201 (Copy w/ Cite)

Tenn. Code Ann. § 6-2-201

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Title 6 Cities And Towns

Mayor-Aldermanic Charter

Chapter 2 Powers of Municipalities with Mayor-Aldermanic Charter

Part 2 Municipal Authority Generally

Tenn. Code Ann. § 6-2-201 (2011)

6-2-201. General powers.

Every municipality incorporated under this charter may:

- (1) Assess, levy and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for municipal purposes;
 - (2) Adopt classifications of the subjects and objects of taxation that are not contrary to law;
 - (3) Make special assessments for local improvements;
 - (4) Contract and be contracted with;
- (5) Incur debts by borrowing money or otherwise, and give any appropriate evidence thereof, in the manner provided for in this section;
- (6) Issue and give, sell, pledge or in any manner dispose of, negotiable or nonnegotiable interest-bearing or noninterest-bearing bonds, warrants, promissory notes or orders of the municipality, upon the credit of the municipality or solely upon the credit of specific property owned by the municipality or solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the municipality, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits;
 - (7) Expend the money of the municipality for all lawful purposes;
- (8) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the municipality or state;
- (9) Condemn property, real or personal, or any easement, interest, or estate or use therein, either within or without the municipality, for present or future public use; the condemnation shall be effected in accordance with the terms and provisions of title 29, chapter 16, or in any other manner provided by law;
 - (10) Take and hold property within or without the municipality or state upon trust, and

administer trusts for the public benefit;

- (11) Acquire, construct, own, operate and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or any estate or interest therein, or any other utility that is of service to the municipality, its inhabitants, or any part of the municipality, and further, may issue debt for these purposes under the Local Government Public Obligations Act, compiled in title 9, chapter 21;
- (12) Grant to any person, firm, association or municipality, franchises for public utilities and public services to be furnished the municipality and those in the municipality. The power to grant franchises embraces the power to grant exclusive franchises. When an exclusive franchise is granted, it shall be exclusive not only as against any other person, firm, association, or corporation, but also against the municipality itself. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The board may prescribe, in each grant of a franchise, the rates, fares, charges and regulations that may be made by the grantee of the franchise in accordance with state and federal law. Franchises may by their terms apply to the territory within the corporate limits of the municipality at the date of the franchises, and as the corporate limits may be enlarged, and to the existing streets, alleys and thoroughfares that may be opened after the grant of the franchise;
- (13) Make contracts with any person, firm, association or corporation for public utilities and public services to be furnished the municipality and those in the municipality. The power to make contracts embraces the power to make exclusive contracts. When an exclusive contract is entered into, it shall be exclusive against any other person, firm, association or corporation. These contracts may be entered into for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each such contract entered into the rates, fares, charges, and regulations that may be made by the person, firm, association or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the municipality at the date of the contract, and as the corporate limits may be enlarged, and to the then existing streets, alleys and thoroughfares and to any other streets, alleys and other thoroughfares that may be opened after the grant of the contract;
- (14) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities, compel reasonable extensions of facilities for these services, and assess fees for the use of or impact upon these services. Nothing in this subdivision (14) shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (12) and (13);
- (15) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take and appropriate property therefor under §§ 7-31-107 -- 7-31-111 and 29-16-114, or any other manner provided by general laws;
- (16) (A) Construct, improve, reconstruct and reimprove by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits, and assess a portion of the cost of these improvements on the property abutting on or adjacent to these streets, highways or alleys under, and as provided by, title 7, chapters 32 and 33;
- (B) Subdivision (16)(A) may not be construed to prohibit a municipality with a population of not less than seven hundred (700) nor more than seven hundred five (705), according to the 1990 federal census or any subsequent federal census, from installing and maintaining a traffic control signal within its corporate limits, and any such municipality is expressly so authorized;

provided, that no device shall be installed to control traffic on a state highway without the approval of the commissioner of transportation;

- (17) Assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice and earth, cutting and removing obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, the cleaning and rendering sanitary or removing, abolishing and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance of the board;
- (18) Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;
- (19) Collect and dispose of drainage, sewage, ashes, garbage, refuse or other waste, or license and regulate their collection and disposal, and the cost of collection, regulation or disposal may be funded by taxation, special assessment to the property owner, user fees or other charges;
- (20) License and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law;
- (21) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege or calling not prohibited by law;
- (22) Define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, businesses, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers;
- (23) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;
- (24) Inspect, test, measure and weigh any article for consumption or use within the municipality, and charge reasonable fees therefor, and provide standards of weights, tests and measures in such manner as may be provided pursuant to title 47, chapter 26, part 9;
- (25) Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures in accordance with general law, and inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent their use and require any alteration or changes necessary to make them healthful, clean or safe;
- (26) Provide and maintain charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services;
- (27) Purchase or construct, maintain and establish a correctional facility for the confinement and detention of persons who violate laws within the corporate limits of the city, or to contract with the county to keep these persons in the correctional facility of the county and to enforce the payment of fines and costs in accordance with §§ 40-24-104 and 40-24-105 or through contempt proceedings in accordance with general law;
- (28) (A) Enforce any ordinance, rule or regulation by fines, forfeitures and penalties, and by other actions or proceedings in any court of competent jurisdiction;

- (B) Provide by ordinance for court costs as provided in the Municipal Court Reform Act, compiled in title 16, chapter 18, part 3;
- (29) Establish schools, to the extent authorized pursuant to general law, determine the necessary boards, officers and teachers required therefor, and fix their compensation, purchase or otherwise acquire land for or assess a fee for use of, or impact upon, schoolhouses, playgrounds and other purposes connected with the schools, purchase or erect all necessary buildings and do all other acts necessary to establish, maintain and operate a complete educational system within the municipality;
- (30) Regulate, tax, license or suppress the keeping or going at large of animals within the municipality, impound them, and in default of redemption, sell or kill them;
 - (31) Call elections as provided in this charter;
- (32) Have and exercise all powers that now or hereafter it would be competent for this charter specifically to enumerate, as fully and completely as though these powers were specifically enumerated; and
- (33) Create a design review commission, which shall have the authority to develop general guidelines and to develop procedures for the approval of the guidelines for the exterior appearance of all nonresidential property, multiple family residential property, and any entrance to nonresidential developments within the municipality; provided, that the authority is subordinate to and in no way exceeds the authority delegated to a municipal planning commission pursuant to title 13, chapter 4. Any property owner affected by the guidelines may appeal a decision by the design review commission to the municipality's planning commission or, if there is no planning commission, to the entire municipal legislative body.

HISTORY: Acts 1991, ch. 154, § 1; 1995, ch. 13, § 4; 1998, ch. 621, § 2; 1998, ch. 1126, § 1; 2006, ch. 796, § 1; 2011, ch. 453, § 1.

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Item 7 Executive No. 2012-01-02

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of January 2012

RESOLUTION To Request The Tennessee Department Of Transportation To Conduct A Traffic Safety Study At The Intersection Of Highway 421 And State Route 44

WHEREAS, this intersection opened up in the mid 1980's and traffic has greatly increased in this area (Hickory Tree Road) in the last few years resulting in a large number of accidents; and

WHEREAS, safety is a major concern for all citizens and the fact that some fatalities have taken place at this intersection prompts the need for immediate attention to the conditions that exist and probably would indicate the need for installation of either a caution light or traffic signal to remedy the danger.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby requests that the Tennessee Department Of Transportation (TDOT) conduct a traffic safety study with the result being that installation of a caution light or traffic signal be placed at the intersection of Highway 421 and State Route 44 (Hickory Tree 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.

Approved this 17th day of January 2012.

Attested: Approved: Approved: Steve M. Godsey, County Mayor

Sponsored By: Randy Morrell

Prime Co-Sponsor(s): Ty Boomershine, Dwight King

2012-01-02	Administrative	Budget	Executive	County Commission
ACTION	No Action 1-9-12	Approved 1-5-12	Approved 1-3-12	Approved 01-17-12 20 Aye, 4 Absent

Notes: Waiver of rules requested.

Item 8
Administrative/ Budget/Executive
No. 2012-01-03
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of January 2012

RESOLUTION For Sullivan County, Tennessee To Adopt The County Powers Act Pursuant To T.C.A. §5-1-118

WHEREAS, the General Assembly pursuant to T.C.A. §5-1-118 has granted to counties in Tennessee certain regulatory authority and powers granted to municipalities; and

WHEREAS, these powers are described in the law as the ability to define, prohibit, abate, suppress, prevent, and regulate all acts, practices, conduct, businesses, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers, and prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may be established, conducted or maintained; and

WHEREAS, it is the intent of the Sullivan County Commission to adopt and exercise any and all of these powers as allowed by law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby adopts and exercises all regulatory authority and powers granted to it pursuant to T.C.A. §5-1-118.

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.

Sponsored By: Eddie Williams

Prime Co-Sponsor(s): Mark Bowery, Bob White, Bob Neal
All Commissioners Voting in the Affirmitive

Administrative Budget Executive County Commission
Approved 01-17-12

ACTION No Action 1-9-12 19 Ave. 5 Absent

Notes:

2012-01-03

Title 5 Counties Chapter 1 General Provisions Part 1 Countles Generally

Tenn. Code Ann. § 5-1-118 (2011)

5-1-118. County powers shared with municipalities.

- (a) Counties, by resolution of their respective legislative bodies, in addition to other powers authorized by general law or private act, may exercise the following powers granted to all or certain municipalities by the following code sections:
 - (1) Section 6-2-201(3)-(8), (10)-(13), (18), (19), (26) and (28);
 - (2) Section 6-54-103;
 - (3) Section 6-54-110;
 - (4) Section 6-54-307; and
 - (5) Sections 6-54-601 -- 6-54-603.
- (b) Nothing in this part shall be construed as granting counties the power to prohibit or regulate normal agricultural activities.
- (c) (1) In addition to those powers granted to countles pursuant to subsection (a), any county may, by adoption of a resolution by a two-thirds (2/3) vote of their respective legislative bodies, exercise those powers granted to all or certain municipalities by § 6-2-201(22) and (23), except as provided in subsection (b) and subdivisions (c)(2) and (3). Any such regulations shall be enacted by a resolution passed by a two-thirds (2/3) vote of the county legislative body. The powers granted to counties in this subdivision (c)(1) apply only within the unincorporated areas. Nothing in this subdivision (c)(1) may be construed to allow any county to prohibit or in any way impede any municipality in exercising any power or authority the municipality may lawfully exercise. If, prior to April 17, 2002, a county has adopted a resolution by a two-thirds (2/3) vote, pursuant to previous acts enacted by the general assembly, to exercise the powers granted in accordance with this subdivision (c)(1), no further action by the legislative body of such county is necessary to continue exercising such powers.
- (2) The powers granted by § 6-2-201(22) and (23) shall not apply to those activities, businesses, or uses of property and business occupations and practices that are subject to regulation pursuant to title 57, chapters 5 and 6; title 59, chapter 8; title 60, chapter 1; title 68, chapters 201-221; or title 69, chapters 3, 7, 10 and 11.
- (3) All court decisions and statutory laws relating to variances and non-conforming uses applicable to zoning ordinances and land use controls shall apply to the enforcement and exercise of those powers granted pursuant to subdivision (c)(1).

HISTORY: Acts 1995, ch. 264, § 1; 2000, ch. 969, § 1; 2001, ch. 7, § 1; 2002, ch. 627, § 1; 2003, ch. 57, § 1.

Item 9
Administrative/ Budget/Executive
No. 2012-01-04
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of January 2012

RESOLUTION Requesting That The Tennessee General Assembly Repeal T.C.A. §33-7-304 Public Chapter 531, Section 45 And To Require The State Of Tennessee To Continue To Be Financially Responsible For Outpatient And Inpatient Mental Health Evaluations And Treatment For Individuals Charged With Misdemeanor Offenses Only

WHEREAS, on June 26, 2009, Governor Phil Bredesen signed into law new legislation making counties responsible for the cost of outpatient and inpatient mental health evaluations and treatment for defendants charged only with misdemeanors and court ordered to undergo said evaluations (see T.C. A. §33-7-304, Public Chapter 531, Section 45); and

WHEREAS, before the adoption of T.C.A. §33-7-304, Public Chapter 531, Section 45, the State of Tennessee paid all costs and expenses for outpatient and inpatient mental health evaluations and treatment ordered by the court for defendants charged with both misdemeanors and felonies; and

WHEREAS, this unfunded mandate transferred the cost of outpatient and inpatient mental health evaluations and treatments for criminal defendants charged only with misdemeanors from the State of Tennessee to the individual counties has resulted in serious financial ramifications for the counties already with the potential for untold costs in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby requests that our State Senator and State Representatives representing Sullivan County in the General Assembly sponsor legislation to repeal T.C.A. §33-7-304, Public Chapter 531, Section 45, which requires counties to pay for court ordered mental health evaluations and treatments for defendants charged with misdemeanors and that the State of Tennessee through its mental facilities and agencies provide at no cost to the counties of the State of Tennessee court ordered mental health evaluations and treatment of all defendants including those charged with misdemeanors.

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.

Approved this <u>17th</u> day of <u>January</u> 2012

Affested: //www.county.Clerk

_ Approved

Sponsored By: Mark Bowery

Prime Co-Sponsor(s): John Gardner

2012-01-04	Administrative	Budget	Executive	County Commission
	No Action 1-9-12			Approved 01-17-12 19 Aye, 5 Absent

Notes: Waiver of rules requested.

Amended by Sponsor to delete "Phil Bredesen" in the first paragraph above.

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Tenn. Code Ann. § 33-7-304

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*** CURRENT THROUGH THE 2011 REGULAR SESSION ***

Title 33 Mental Health and Intellectual and Developmental Disabilities Chapter 7 Security Units and Forensic Services Part 3 Forensic Services

Tenn. Code Ann. § 33-7-304 (2011)

33-7-304. Cost of evaluation and treatment.

- (a) The cost of evaluation and treatment under this part, if the defendant is charged with a misdemeanor, will be a charge upon the funds of the county. If the court finds the defendant financially able to pay all or part of the costs and expenses for the evaluation and treatment, the court may order the defendant to pay all or part of the costs and expenses. Payment shall be made to the clerk of the general sessions court for remittance to the person, agency or facility to whom compensation is due, or if the costs and expenses have been paid by the county, to the appropriate office of the county.
- (b) Costs of the care or treatment of any defendant ordered by the court and who is charged with a misdemeanor shall be paid by the state only when specifically authorized by law.

HISTORY: Acts 2009, ch. 531, § 45.

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Item 10 Executive No. 2012-01-05 Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of January 2012

RESOLUTION Authorizing The Sullivan County Highway Department To Pick Up Vegetative Debris, Such As Brush, Leaves And Tree Limbs On The City Or State Roads Where The Property Owners Remain Unincorporated

WHEREAS, the Sullivan County Highway Department has been requested by County taxpayers the continuance of brush removal; and

WHEREAS, the recent annexations of the municipalities within Sullivan County have in some cases only annexed the road right-of-way and have left the properties still unincorporated (County-only); and

WHEREAS, these property owners remain Sullivan County taxpayers and therefore should expect the same level of service as those along county roads; and

WHEREAS, the County Commission authorized the Highway Department brush pick-up per Resolution No. 2010-04-34 on April 19, 2010; and

WHEREAS, this addendum clarifies the continuance of such resolution in areas where the city has annexed the road only.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby allows the Sullivan County Highway Department to continue brush pick-up service to county property owners who remain in the county only and have not been annexed.

Waiver Of Rules Requested

This resolution shall take effect from and after its passage. All rescinded insofar as such conflict exists.	resolutions in conflict herewith be and the same
Approved this day of 2012	
Attested: Approv	ed: Steve M. Godsey, County Mayor
Sponsored By: Dwight King Prime Co-Sponsor(s): Eddie Williams, Mo Brotherto	on.

2012-01-05	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 01-17-12;

Attachment To Resolution No. 2012-01-05

Sullivan County, Tennessee Board of County Commissioners

Item 19 Executive No. 2010-04-34

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of April, 2010.

RESOLUTION To Approve Sullivan County Highway Department Being Allowed To Pick Up Brush, Leaves, And Limbs When Placed On A Sullivan County Right-Of-Way

WHEREAS, Sullivan County has provided this service through the Highway Department in past years for the citizens as an additional method of keeping the County neat and creating safer travel for drivers who use our local highways; and

WHEREAS, the Highway Department is well equipped to continue this service and has a very organized schedule for covering the various areas that need and request attention; and

WHEREAS, a majority of Sullivan County citizens have expressed their desire that this service be continued in their neighborhoods; and

WHEREAS, the taxpayers of Sullivan County depend on their elected officials, who actually work for them, to provide this service in an effort to work cooperatively in enhancing the appearance of our roadways and keeping them free of debris.

NOW THERFORE BE IT RESOLVED by the Board Of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session that we hereby allow the Sullivan County Highway Department to pick up brush, leaves, and limbs on any Sullivan County Right-Of-Way.

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.

Approved this 19th day of April

Sponsored By: Terry Harkleroad

Prime Co-Sponsor(s): Michael Surgenor, Joe Herron, Cathy Armstrong

2010-04-34	Administrative	Budget	Executive	County Commission
ACTION				Approved 04-19-10
L			-	22 Ave. 2 Nav

Amended by Sponsor: include Any limbs,
thees commercially cut down

Amendment #1 made by James King, 2nd by E. Kilgore to add the following to the end of Resolution: "according to whatever the law provides". Amendment

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR SESSION FEBRUARY 21, 2012.

STEVE GODSEY

COMMISSION CHAIRMAN