

COUNTY COMMISSION-REGULAR SESSION

JANUARY 22, 2013

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS TUESDAY MORNING, JANUARY 22, 2013, 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. Hood gave the invocation. The pledge to the flag was led by Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CATHY ARMSTRONG	TY BOOMERSHINE
MARK BOWERY	BRYAN BOYD
LINDA BRITTENHAM	MO BROTHERTON
DARLENE CALTON	JOHN K. CRAWFORD
O. W. FERGUSON	JOHN GARDNER
	BAXTER HOOD
BILL KILGORE	DWIGHT KING
ED MARSH	WAYNE MCCONNELL
RANDY MORRELL	BOB NEAL
PATRICK W. SHULL	MIKE SURGENOR
R. BOB WHITE	EDDIE WILLIAMS

21 PRESENT 3 ABSENT (ABSENT-HARKLEROAD, HOUSER, JOHNSON)

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. Marsh to approve the minutes of the December 17, 2012 Regular Session of County Commission. Said motion was approved by voice vote.

SULLIVAN COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

Tuesday, January 22, 2013
9:00 A.M.

Agenda for Commission Meeting in Regular Session

- Commission Called to Order by Sheriff Wayne Anderson
- Chairman Steve Godsey Presiding
- Invocation
- Pledge to the American Flag
- Roll Call by Jeanie Gammon, County Clerk
- Approval of Commission Meeting Minutes for Previous Month
- Confirmations, Elections, and Appointments
- Public Comment
- Proclamations
- Approval of Notary Publics
- Recess – Public Hearing – Zoning Issues
- Resolution Agenda
- Adjourn

SULLIVAN COUNTY
BOARD OF COUNTY COMMISSIONERS



SECTION 2

January 22, 2013

Proclamations:

None

Presentations:

By Shirlene Booker -- U. T. Extension Office Annual Update

By Don Reimer, General Manager Of Shooter's Edge

By Richard Venable From NETWORKS

Appointments:

To Holston River Regional Library Board

To Sullivan County Library Board

The following resolutions and/or amendments have been added to today's agenda:

None

NEW BUSINESS
Waiver of the Rules
16 Votes Required for Approval

SULLIVAN COUNTY
BOARD OF COUNTY COMMISSIONERS



January 2013

Agenda Item	Resolution
<div>REZONING ACTION <i>13 Votes Required for Approval</i></div>	
1 Amendments to the Sullivan County Zoning Resolution	2013-01-00
<div>OLD BUSINESS <i>13 Votes Required for Approval</i></div>	
2 Resolution Authorizing The Acceptance And Appropriation Of Grant Contract From The Tennessee Emergency Management Agency (TEMA) To Contract For The Update Of The Sullivan County Multi-Jurisdictional Local Hazard Mitigation Plan To Meet 44 CFR 201.6	2012-12-118
<div>NEW BUSINESS <i>First Reading</i></div>	
3 Resolution To Place STOP Signs On Rosemary Lane, Willow Court, Natalie Court, And Cattail Court Where They Intersect With Kings Road In The 6th Commissioner District	2013-01-01
4 Waiver Of Rules -- See Below	2013-01-02
5 Resolution For The Sullivan County Board Of Commissioners To Authorize The County Mayor To Make And Sign An Application For Community Development Block Grant Funds For Water Line Extension To Seneker Lane In Blountville	2013-01-03
6 Resolution To Submit Grant Application, Accept And Appropriate Funds For Sullivan County Sheriff's Department For An Edward Byrne Memorial Justice Assistance Grant (JAG)	2013-01-04
7 Resolution To Accept And Appropriate A Rebate From Vertex Standard Corporation In The Amount Of \$3,440.00 To The Emergency Management Agency	2013-01-05
8 Resolution Authorizing Lease Agreement With Rocky Springs Baptist Church For Use Of Former Rocky Springs Voting Location	2013-01-06
<div>NEW BUSINESS <i>Waiver of Rules</i> <i>16 Votes Required for Approval</i></div>	
4 Resolution To Submit Grant Application, Accept And Appropriate Funds For Sullivan County Sheriff's Department For A Tennessee Governor's Highway Safety Office Multiple Violations Grant	2013-01-02

SULLIVAN COUNTY COMMISSION

Public Comment Session
Tuesday, January 22, 2013

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓1	STEVE A. THOMPSON	528 SHADY VIEW RD	KINGSPORT, TN	
✓2	Angie Stanley	512 512 Teaberry Circle	Kingsport TN	
✓3	Jennifer Fox	433 Oakmont Dr.	Kingsport, TN	
✓4	Karen Morrell	691 Riverside Rd.	Bluff City, TN	
5	Jeanne Bourne	1631 Cooke Valley Rd	Kingsport TN	
✓6	Comm. Gardner / Dr Jeanne			
✓7	Bart Long			
✓8	Charles Leonard-			
9	Bill Childress - BHU.			
10				
11				
12				
13				
14				
✓15	Commissioner John Gardner			

Lo M. Hume

**Sullivan County Board of Commissioners
Blountville, Tennessee**

Confirmation of Appointment

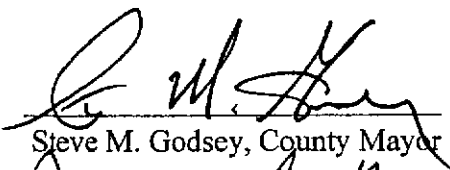
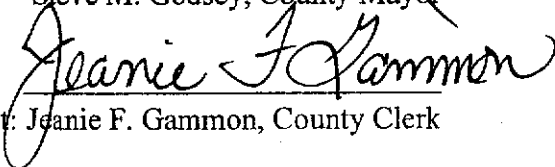
Whereas the Sullivan County Library Board recommends the following appointment to the Holston River Regional Library Board:

Michael Miller
1074 Silver Grove Road
Bluff City, TN 37617

Now therefore, the Sullivan County Board of Commissioners hereby confirms the appointment as set below:

Holston River Regional Library
Michael Miller – Term January 2013 – June 2016

Confirmed this 22nd day of January 2013.


Steve M. Godsey, County Mayor

Attest: Jeanie F. Gammon, County Clerk

Commission Action:

☒ Approved by Roll Call Vote
☐ Approved by Voice Vote
☐ Rejected by Vote

Aye	Nay	Pass	Absent
21			3

Michael J. Miller
1074 Silver Grove Rd.
Bluff City, TN 37618
Phone # (423) 538-8886
e-mail: mjmillier38@charter.net

EDUCATION:

B.S in Chemical Engineering – University of Tennessee (1961) and several advanced courses from ETSU and UT in statistics, chemistry, polymer science and personnel management.

LEADERSHIP:

1. In Work Place:

Employed by Eastman Chemical Company in Kingsport, TN from 1961 to 1994 (retired). During employment, I held Supervisory positions in research, development and technical service as related to plastics processing and evaluation. I was active in developing industry standards through ASTM Committee D-20 on Plastics. On retirement, I was presented a life time membership in ASTM for outstanding accomplishments in development of plastics specifications and test methods. At my retirement from Eastman, I was in charge of the Polymers Evaluation Laboratory in Plastics Technical Service with responsibility for 25 technicians, chemists and engineers.

2. In Community:

Involved in several community related activities over the years, but most recently I am presently serving as Secretary/Treasurer of the Bluff City Morning View Cemetery Association Board of Directors.

3. In Church:

I have been a member of Bluff City United Methodist Church for 56 years. During this time I have served as Church School Teacher for 46 years, Chairman of Administrative Council, Lay Leader and various boards and committees.

SPECIAL INTERESTS

In retirement, I enjoy traveling, reading, gardening and community projects. I have especially enjoyed working with my United Methodist Men's Club on several renovation projects of community homes and AME Zion Church. Other very rewarding projects have been assisting with after school tutoring of 4th grader's and "bell choir" sponsored by my Church. I often use the Bluff City Branch of the Sullivan County Library System to supplement my reading needs.

**Sullivan County Board of Commissioners
Blountville, Tennessee**

Confirmation of Appointment

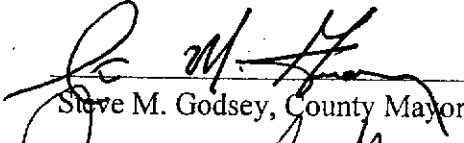
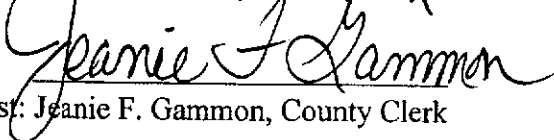
Whereas the Sullivan County Library Board recommends the following appointment to the Board:

Robert E. Henshaw
230 Cooks Valley
Kingsport, TN 37664

Now therefore, the Sullivan County Board of Commissioners hereby confirms the appointment as set below:

Sullivan County Library Board
Robert E. Henshaw – Term July 2013 – June 2016

Confirmed this 22nd day of January 2013.


Steve M. Godsey, County Mayor

Attest: Jeanie F. Gammon, County Clerk

Commission Action:

☒ Approved by Roll Call Vote
☐ Approved by Voice Vote
☐ Rejected by Vote

Aye	Nay	Pass	Absent
21			3

Robert E. Henshaw
230 Cooks Valley Road
Kingsport, TN 37664
423-782-0212

EDUCATION:

East Tennessee State University
December 1973 Bachelor of Science in Criminal Justice

National Institute of Correction, Boulder, Colorado
April 1986 Two-week course in Correctional Management

National Judicial College, Reno, Nevada
November 1997 One-week course on "Teamwork: Judges and Probation Officers"

EXPERIENCE

- 9/1/08 to Present: Tn Department of Correction
196 Montgomery St Johnson City, Tn 37604 423-434-6800
Supervisor: Terence Davis, Assistant Commissioner
Position: District Director for East Tn
Supervise 3 Dep DD, 2 Admin Sec and 2 Account Clerk/basically
Chief Executive Officer for 24 East Tennessee Tn counties
- 8/1/07 to 8/31/2008: Tn Board of Probation and Parole
196 Montgomery St Johnson City Tn 37604 423-434-6800
Supervisor: Danny McGinnis (now retired)
Position: Deputy District Director for Northeast Tn
Supervised 5 managers/basically chief operating officer for
7 Northeast Tn counties
- 6/16/1985 to 8/1/2007: Dept of Correction/Board of Probation & Parole
P. O. Box 425, Blountville, TN 37617; Phone: 423-279-3205
Supervisor: Danny McGinnis (now retired)
Position: Probation Manager 1 assigned to Sullivan Co
Supervise probation and parole officers and special programs.
Coordinate efficient delivery of services with DOC, BOPP, Judges,
DA's Office and Defense Attorneys.
- 8/16/77 to 6/15/85: TN Department of Correction
P. O. Box 425, Blountville, TN 37617; Phone: 423-279-3205
Supervisor: Paul Lewis (now retired)
Position: Probation Officer assigned to Sullivan Co
Supervise offenders on probation (and parole '77-'79). Conduct
background investigations for the Court and DOC.
- 3/77 to 8/15/77: Sullivan County Sheriff's Department
P. O. Box 610, Blountville, TN 37617; Phone: 423-279-7509
Deputy sheriff, served circuit and criminal process, patrol county.
- 3/75 to 9/30/76: Virginia Department of Correction
313 William Street, Fredericksburg, VA; Phone: Unknown
Juvenile probation officer.
- 1974 to 1989: U. S. Army Reserves
Inactivated self at rank of Captain (Infantry)

PERSONAL:

Married almost 37 years – wife, Joy
Two adult daughters – Rachel, TN Dept. of Education social worker in Knoxville
Jessica Connell, Unum manager in Chattanooga
Hobbies – Golf , yard work and reading
Native of Caroline County, Virginia

REFERENCES:

Barry Staubus, District Attorney, 423-279-3278
Phyllis H. Miller, Retired Criminal Court Judge, 423-288-3772
R. Jerry Beck, Judge, 423-224-1701
Robert H Montgomery, Judge, 423-278-2732

More upon request.

**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 22,2013

WESLEY DUANE ACKLIN, II
LISA J. AKERS
KATHY E. ARNOLD
BRIAN STERLING BISHOP
BRENDA S. BOWERS
CHARLES E BRANSON
BILLIE A. BREEDING
ZONA L. DENETTE
DOROTHY R. DYKES
JENNY A. EVERHART
CYNTHIA M. FLOYD
JESSICA T. GOAD
ROBERT K. HARRIS
JAMES L. HYLER
KAREN JOBE
CARMEN LEIGH JOHNSON
ALICIA MICHELLE JORDAN
PEG S. KUH BANDER
TINA LYNN LANE
ANN M. LARKEY

MICHELLE R LEMLY
DARCEE L. LUCHINI
DANIEL BICKLEY MINOR
MEGAN KERI MONROE
SARA E. NIDIFFER
FAITH MARIA PHILLIPS
SHAWN DAVID PORTER
DARRELL E. RASNAKE
BRENNAN C. ROCKETT
BONNIE RISNER ROMANCZUK
JEREMY CALVIN SALTER
RANDI SEARAY
MONNICA DIANE SPROLES
TIM STINNETT
KASEY ELIZABETH THRIFT
REBECCA ANN VEST
VALERIE ANN WARUSZEWSKI
AMY A. WILLIAMS

PERSONAL SURETY
MERCHANTS BONDING COMPANY
TIM LANE 422 ROLLER ST.
JANE M HARRIS 217 LEBANON RD.
EDWARDS TIPTON AND WITT
AGENCY
10,000.00

UPON MOTION MADE BY COMM. MCCONNELL AND SECONDED BY
COMM. KILGORE TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION
WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.

**STATE OF TENNESSEE
COUNTY OF SULLIVAN**

**APPROVAL OF NOTARY
SURETY BONDS**

January 22, 2013

NAME OF NOTARY

**DAGMAR LYNN BURKE
TIMOTHY W. HUDSON
DEBBIE L. ISLEY
REBA C. KILGORE
CLARA SHEPHERD
DAVID W. TIPTON**

PERSONAL SURETY

**BRANDIE N. ROLLER
TRACEY HUDSON
TIMOTHY W. HUDSON
LINDA B. SALYER
JOSEPH SHEPHERD
A.D. JONES**

PERSONAL SURETY

**JAMES A. BURKE
E. LYNN DOUGHERTY
EDWIN P. FORRESTER
EDEL G. SKELTON
FRANK GIBSON
CHRISTOPHER LAISURE**

**UPON MOTION MADE BY COMM. MCCONNELL AND SECONDED BY COMM. KILGORE
TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS
APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.**

SULLIVAN COUNTY COMMISSION MEETING

January 22 2013

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

[illegible]

AGENDA

Sullivan County Board of County Commission

January 22, 2013

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, January 22, 2013 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No 10/12/#1 James Lingerfelt
Reclassify 3.80 acres of property located at 260 Old Weaver Pike from R-1(Low Density/single-Family Residential District) to R-3 (Manufactured Residential Dwelling Park District) for the purpose of being an old mobile home park into compliance with the Sullivan County Zoning Resolution. Property ID No Tax Map 083, Parcel 12200 located in the 3rd Civil District.
Sullivan County Planning
- (2) File No 10/12/#2 Ronnie Jones
Reclassify property located at 264 Moreland Drive from R-1(Low Density/single-Family Residential District) to B-1 (Convenience Neighborhood Business District) for the purpose of allowing a duplex. Property ID No Tax Map 076B, Group A, Parcel 04700 located in the 13th Civil District.
Kingsport Planning

10/12/12 #1

3

PETITION TO SULLIVAN COUNTY FOR REZONING

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: James Lingerfelt

Address: 2272 Bullock Hollow Road
Bristol, TN 37620

Phone 361-3064 Date of Request 10/29/2012

Property Located in 3rd Civil District

X 
Signature of Applicant

James L. Lingerfelt

OFFICE USE ONLY

Meeting Date 12/18/2012 Time 6:00PM

Place Old blountville Courthouse

Planning Commission Approved ✓
12/18/12 6:00pm Denied _____

County Commission Approved X
1-22-13 9:11am Denied _____

Other Roll Call Vote 21 Aye, 3 Absent

Final Action Date 01-22-13

PROPERTY IDENTIFICATION

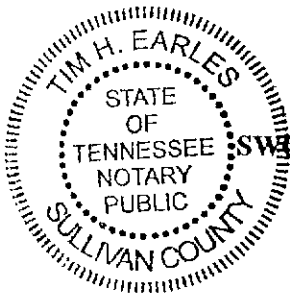
Tax Map No. 83 / Group _____ / Parcel 122.00

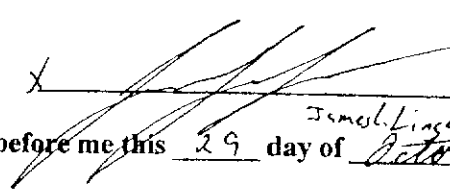
Zoning Map 18 Zoning District R-1 Proposed District R-3

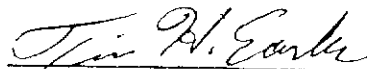
Property Location : 260 Old Weaver Pike

Purpose of Rezoning: To bring mobile home park into compliance with zoning.

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.



X 
SWORN TO AND SUBSCRIBED before me this 29 day of October, 2012.



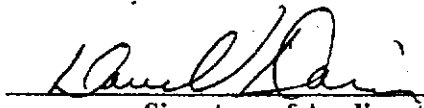
Notary Public

My Commission Expires: 9-27-2015

10/12/12

PETITION TO SULLIVAN COUNTY FOR REZONING

~~Kingsport~~ 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: Ronnie L JonesAddress: 4735 Upper Possum Creek Rd
Gate City, VA 24251Phone 276-386-6270 Date of Request 11/13/2012Property Located in 13th Civil District


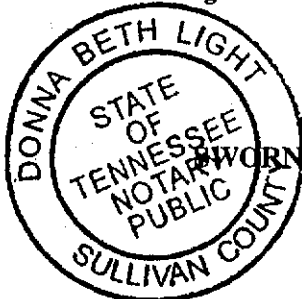
Signature of Applicant

OFFICE USE ONLYMeeting Date 12/20/2012 Time 7:00PMPlace Kingsport City Hall, 2nd FloorPlanning Commission Approved ☒ ✓
Denied ☐County Commission Approved ☒ X
Denied ☐

Other Roll Call Vote 21 Aye, 3 Absent

Final Action Date 01-22-13**PROPERTY IDENTIFICATION**Tax Map No. 076B / Group A / Parcel 047.00Zoning Map 15 Zoning District R-1 Proposed District ~~R-1~~ B-1Property Location : 264 Moreland Drive, Kingsport, TN 37664Purpose of Rezoning: Request to change to allow for duplex

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 13th day of November, 2012.

Vic Davis ☒ 12/3/12

Donna Beth Light
Notary Public

My Commission Expires: 27 Sept. 2015

[illegible]

[illegible]

RESOLUTIONS ON DOCKET FOR JANUARY 22, 2013

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 01-22-13
#2 AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF GRANT CONTRACT FROM THE TN EMERGENCY MANAGEMENT AGENCY (TEMA) TO CONTRACT FOR THE UPDATE OF THE SULLIVAN COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN TO MEET 44 CFR 201.6	APPROVED 01-22-13
#3 PLACE STOP SIGNS ON ROSEMARY LANE, WILLOW COURT, NATALIE COURT, AND CATTAIL COURT WHERE THEY INTERSECT WITH KINGS ROAD IN THE 6 TH COMM. DISTRICT	APPROVED 01-22-13
#4 SUBMIT GRANT APPLICATION, ACCEPT FUNDS AND APPROPRIATE FUNDS	APPROVED 01-22-13
#5 SULLIVAN COUNTY BOARD OF COMMISSIONERS AUTHORIZE THE COUNTY MAYOR TO MAKE AND SIGN AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS	APPROVED 01-22-13
#6 SUBMIT GRANT APPLICATION, ACCEPT FUNDS AND APPROPRIATE FUNDS	APPROVED 01-22-13
#7 ACCEPT AND APPROPRIATE A REBATE FROM VERTEX STANDARD CORPORATION IN THE AMOUNT OF \$3,440.00 TO THE EMERGENCY MANAGEMENT AGENCY	APPROVED 01022-13
#8 AUTHORIZE LEASE AGREEMENT WITH ROCKY SPRINGS BAPTIST CHURCH FOR USE OF FORMER ROCKY SPRINGS VOTING LOCATION	1 ST READING 01-22-13

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2013-01-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January 2013.

RESOLUTION To Consider Amendment(s) To The SULLIVAN COUNTY ZONING PLAN: 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 SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution.

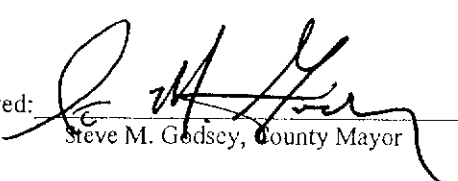
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) 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.

22nd

Duly passed and approved this ~~24~~st day of January 2013.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsor: John Crawford
Prime Co-Sponsor(s): John Gardner

2013-01-00	County Commission
ACTION	Approved 01-22-13 Voice Vote

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Administrative/Budget
No. 2012-12-118

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 December 2012

RESOLUTION Authorizing The Acceptance And Appropriation Of Grant Contract From The Tennessee Emergency Management Agency (TEMA) To Contract For The Update Of The Sullivan County Multi-Jurisdictional Local Hazard Mitigation Plan To Meet 44 CFR 201.6

WHEREAS, Sullivan County recognizes the threat that natural disasters and hazards post to people and property; and

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, an adopted hazard mitigation plan is required as a condition of future grant funding for mitigation projects; and

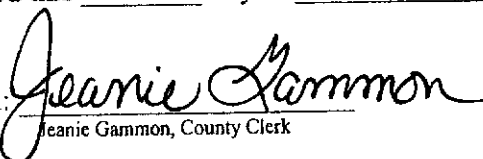
WHEREAS, said grant is funded with seventy-five percent (75%) or (\$47,100) being provided by TEMA and twenty-five percent (25%) or (\$15,820) being the local share which shall be funded through **in-kind** labor with no new money being requested.

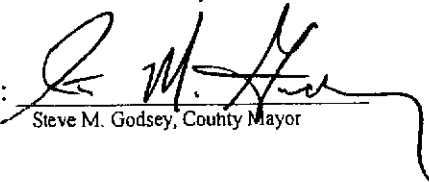
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan county, Tennessee, assembled in Regular Session on the 17th day of December, 2012 hereby approves the acceptance and appropriation of grant from TEMA to contract for update of the Sullivan County Multi-Jurisdictional Local Hazard Mitigation Plan to meet 44 CFR 201.6

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 22nd day of January 2013.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Mark Bowery

Prime Co-Sponsor(s): Bob White, Linda Brittenham

2012-12-118	Administrative	Budget	Executive	County Commission
ACTION	Approved 1-7-13	Approved 1-10-13	Approved 1-8-13	Approved 01-22-13 17 Aye, 7 Absent

Notes: 1st Reading 12-17-12;

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Executive
No. 2013-01-01
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January 2013

RESOLUTION To Place STOP Signs On Rosemary Lane, Willow Court, Natalie Court, And Cattail Court Where They Intersect With Kings Road In The 6th Commissioner District

WHEREAS, Commissioner Ty Boomershine requested the Sullivan County Highway Department to make this change; 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 traffic sign placement in Sullivan County:


6th Commission District

**To Place STOP Signs On Rosemary Lane, Willow Court, Natalie Court,
And Cattail Court Where They Intersect With Kings 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 22nd day of January 2013.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Ty Boomershine

Prime Co-Sponsor(s): Dwight King , Randy Morrell

2013-01-01	Administrative	Budget	Executive	County Commission
ACTION	Approved 1-7-13	Approved 1-10-13	Approved 1-8-13	Approved 01-22-13 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**
P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

Terry A. Shaffer
Highway Commissioner

147 County Hill Road • Blountville, TN
Phone (423) 279-2820 • Fax (423) 276-2876

RESOLUTION REQUEST REVIEW

DATE: 12-13-2012

TO: Sullivan County Commission

REQUEST MADE BY: Ty Boomer-shine

SUBJECT: To place stop signs on Rosemary LN
Willow CT - NATALIE CT - CATTAIL CT
All which Insects with Kings RD

6th COMMISSIONER DISTRICT

Dwight King

☒ APPROVED BY HIGHWAY DEPARTMENT

☐ DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

Roger Cooper 12/13/2012 Terry Shaffer
TRAFFIC COORDINATOR DATE HIGHWAY COMMISSIONER DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Administrative/Budget
No. 2013-01-02

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January 2013

RESOLUTION To Submit Grant Application, Accept Funds And Appropriate Funds

WHEREAS, Sullivan County Sheriff's Office has been awarded a Tennessee Governor's Highway Safety Office Multiple Violations Grant for the 2012-2013 Fiscal Year in the amount of \$73,315.00. The grant funds are to be used to purchase equipment and supplies that will be used in enforcing traffic violations and cover some overtime pay for officers to conduct Highway Safety activities.

WHEREAS, the Sheriff's office has received this grant for many years in the past and has taken numerous impaired and reckless drivers off the roadways.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the grant funding from the Tennessee Governor's Highway Safety Office in the amount of \$73,315.00 for use by the Sullivan County Sheriff's Office.


BE IT RESOLVED that the County Mayor is authorized to enter into any and all agreements, assurances, and/or contracts to accept grant funds to implement this project.

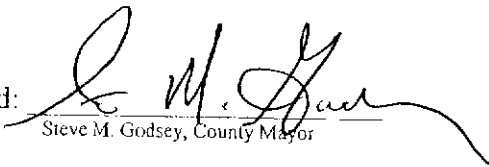
BE IT FURTHER RESOLVED that upon approval of said grant application, Sullivan County is hereby authorized to receive, appropriate, and expend said grant funds; not to exceed the above amount (\$73,315.00), as required by the grant contract. Account codes have already been established.

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 22nd day of January 2013.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Wayne McConnell

Prime Co-Sponsor(s): Linda Brittenham, Mark Bowery, John Crawford

2013-01-02	Administrative	Budget	Executive	County Commission
ACTION		Approved 1-10-13		Approved 01-22-13 21 Aye, 3 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Budget/Executive
No. 2013-01-03

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January 2013

RESOLUTION For The Sullivan County Board Of Commissioners To Authorize The County Mayor To Make And Sign An Application For Community Development Block Grant Funds

WHEREAS, the Sullivan County Commission recognizes the need for a water line extension to Seneker Lane in Blountville; and

WHEREAS, Sullivan County does not have the financial resources to correct the water problems without the assistance of grant funds; and

WHEREAS, the Sullivan County Commission understands that the Tennessee Small Cities' Community Development Block Grant (CDBG) program provides assistance to municipalities for this purpose; and

WHEREAS, Tennessee Code Annotated Section §8-4-401 authorizes cities and counties to use the CDBG program.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby authorizes the County Mayor to make and sign an application for \$406,728.00 of CDBG funds to assist in the water line extension to serve Seneker Lane at an estimated total cost of \$484,200.

BE IT FURTHER RESOLVED that the County commits matching funds for the project in the amount of \$77,472.00.

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 22nd day of January 2013.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsored By: ~~Ferry Harkleroad~~ Michael Surgenor

Prime Co-Sponsor(s): ~~Matthew Johnson~~, Michael Surgenor Wayne McConnell

2013-01-03	Administrative	Budget	Executive	County Commission
ACTION		Deferred 1-10-13		Approved 01-22-13 16 Aye, 5 Nay, 3 Absent

Notes: Waiver of rules requested.

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Administrative/Budget
No. 2013-01-04

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2013

RESOLUTION To Submit Grant Application, Accept Funds And Appropriate Funds

WHEREAS, Sullivan County Sheriff's Office is submitting an application for an Edward Byrne Memorial Justice Assistance Grant (JAG) for the 2012-2013 Fiscal Year. This grant has been awarded to the Sheriff's Office for the past several years. This year the grant is in the amount of \$21,732.00. This is a 100 percent funding grant. No matching funds are required.

WHEREAS, the program funds will be used to purchase equipment and supplies that will be used in specific areas of law enforcement.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves Sullivan County Sheriff's Office submitting an application to the Department of Justice for a "JAG" GRANT with total funding in the amount of \$21,732.00.

BE IT RESOLVED that the County Mayor is authorized to enter into any and all agreements, assurances, and/or contracts to accept grant funds to implement this project.

BE IT FURTHER RESOLVED that upon approval of said grant application, Sullivan County is hereby authorized to receive, appropriate, and expend said grant funds; not to exceed the above amount (\$21,732), as required by the grant contract. Account codes have already been established.

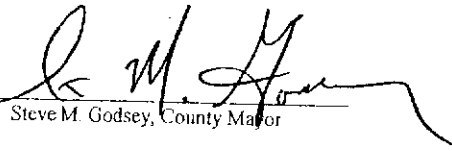
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 22nd day of January 2013.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: John Crawford

Prime Co-Sponsor(s): Matthew Johnson, Bob White

2013-01-04	Administrative	Budget	Executive	County Commission
ACTION		Approved 1-10-13		Approved 01-22-13 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Administrative/Budget
No. 2013-01-05

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2013

RESOLUTION To Accept And Appropriate A Rebate From Vertex Standard Corporation In The Amount Of \$3,440.00 To The Emergency Management Agency

WHEREAS, Sullivan County was awarded Tennessee Emergency Management Agency (TEMA) grant funds for the 2009 grant period; and

WHEREAS, all expenditures were made within the grant period and the account has since been closed; however, a rebate was received from Vertex Standard Corporation after the close of the grant and close of the FY2012 making it impossible to utilize the rebate for emergency management purposes.

WHEREAS, the Emergency Management Agency is continually examining ways to ease any financial burden on Sullivan County using this rebate money instead of county tax dollars is one avenue of completing this task.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the ~~21st~~^{22nd} day of January, 2013 hereby approve appropriating the rebate funds from the Vertex Standard Corporation in the amount of \$3,440.00 to account code 54410; Object Code 400 to be used for the purchase of computer equipment and software as was the original intent of the grant.


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 22nd day of January 2013.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Bob White

2013-01-05	Administrative	Budget	Executive	County Commission
ACTION		Approved 1-10-13		Approved 01-22-13 20 Aye, 1 Nay, 3 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Budget/Executive
No. 2013-01-06
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2013

RESOLUTION Authorizing Lease Agreement With Rocky Springs Baptist Church For Use Of Former Rocky Springs Voting Location

WHEREAS, Sullivan County previously leased to the Rocky Springs Ruritan Club certain property generally known as the former Rocky Springs voting location to be used for community purposes; and

WHEREAS, the Rocky Springs Ruritan Club has ceased to exist since June, 2010; and

WHEREAS, Rocky Springs Baptist Church has requested that Sullivan County lease said property to it for use by the church as well as the Rocky Springs community.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee hereby authorize the attached Lease Agreement between Sullivan County and Rocky Springs Baptist Church for use of the former Rocky Springs voting location as set forth in the Lease Agreement for a period of ten (10) years. The County Mayor is hereby authorized to execute the Lease Agreement on behalf of 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.

Approved this _____ day of _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2013-01-06	Administrative	Budget	Executive	County Commission
ACTION		Approved 1-10-13		

Notes: **1st Reading 01-22-13;**

LEASE AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2013, by and between COUNTY OF SULLIVAN, TENNESSEE, hereinafter called "Lessor", and ROCKY SPRINGS BAPTIST CHURCH, hereinafter called "Lessee";

WITNESSETH:

That for and in consideration of the mutual covenants and agreements herein contained, it is mutually agreed as follows:

1. Lessor does hereby demise, let and lease a certain parcel of property generally known as the former Rocking Springs voting location and previously leased by Rocky Springs Ruritan Club, located in the 20th Civil District of Sullivan County, said property being more particular described as follows:

Beginning at an iron pin 200 feet, more or less, from the southwest corner of the Rocky Springs Baptist Church, said point being the corner for Sullivan County Voting Place and Rocky Springs Baptist Church and in the right-of-way of Rocky Springs Road; thence leaving said right-of-way with the boundary line of Rocky Springs Baptist Church S. 27° 45' E., a distance of 103.42 feet to an iron pin corner for Sullivan County Voting Place; thence N. 60° 16' E. a distance of 149.58 feet to a point and iron pin; thence with a line N. 29° 17' W., a distance of 105.30 feet to a point and iron pin in the right-of-way of Rocky Springs Road; thence with said right-of-way S. 59° 32' W., a distance of 146.84 feet to the Point of Beginning, containing .355 acres, more or less; and being the same property conveyed to Sullivan County, Tennessee by deed dated February 1, 1978 from B. H. Dougherty and wife, Nannie Lee Dougherty of record in the Register's Office for Sullivan County at Blountville, Tennessee in Deed Book 152C, at Page 736, to all of which reference is hereby made.

The property herein leased is subject to any and all covenants, conditions, restrictions and reservations contained in former deeds and other instruments of record applicable to said property, insofar as same is presently binding thereon, and to any easements apparent from an inspection of

said property.

2. The term of this Lease shall be for a period of ten (10) years beginning _____, 2013 and ending at midnight on _____, 2023. Lessor may terminate this Lease Agreement for any or no cause at any time upon sixty (60) days notice as set forth herein in Paragraph 13.

3. Lessee shall pay rent at the rate of \$1.00 per year, nonproratable in the event of termination of this Lease Agreement as provided herein, said rent payable at the end of each year. Said rent shall be paid to the Lessor at the Office of Sullivan County Mayor, Courthouse, 3411 Highway 126, Suite 206, Blountville, Tennessee 37617.

4. The premises demised herein shall be used by Lessee for purposes ordinarily and customarily associated with churches and their service to the community. The aforesaid covenant of the Lessee is an essential condition, term, and covenant of this Lease Agreement and a non-discretionary obligation of the Lessee to perform. In the event the Lessee should fail to carry out its' activities in accordance with the aforesaid covenant such breach of Lessee's covenant shall be good cause for this Lease Agreement to be terminated upon thirty (30) days written notice to Lessee by Lessor.

5. Lessee shall not assign this Lease nor sub-let the premises without written consent of Lessor.

6. All additions, fixtures or improvements which may be made by Lessee during the term of this Lease Agreement or any extension thereof shall, unless otherwise agreed upon, become the property of Lessor and remain upon the premises as a part thereof and shall be surrendered with the premises at the termination of this Lease Agreement as provided herein at no cost or additional expense to Lessor.

7. All personal property placed or moved upon or into the above described premises shall be at the sole risk of Lessee and/or owner of such personal property and the Lessor shall not be liable for any damages to such personal property. Further, Lessor shall not be liable to Lessee or third parties for damages received by bursting or leaking of water pipes, roof leaks, fire or any other casualty to any improvement or personal property presently located on the premises or hereinafter located or constructed; or for other casualty or for damages resulting from any negligence of Lessee or any third party, or any occupant, invitee or user of the premises, or from any spectator or any other person whomsoever.

8. (a) Lessee shall save harmless and indemnify Lessor from and against all loss, liability, claim and/or expense due to injury to person or property that may be incurred by Lessee or any third party by reason of any accident or from any damage, neglect, or misadventure arising from or in any way growing out of the use, misuse or abuse of the premises demised herein, and Lessee will maintain adequate insurance for such purposes, including general public liability insurance in the minimal amounts set forth in subsection (b) of this paragraph. Lessee shall also maintain adequate insurance to cover the contents of any building or structure presently existing or hereafter constructed on the aforescribed premises utilized by Lessee or third parties, or for their purposes. Lessor shall not be liable to Lessee or to any other person for injury, claim, loss or damage to any property or to any person, for which loss Lessee shall insure and save harmless Lessor from any and all loss and/or liabilities whatsoever.

(b) Lessee agrees to maintain at all times during the term of this Lease Agreement general public liability insurance in the minimal amount of One Million Dollars (\$1,000,000) per person and One Million Dollars (\$1,000,000) per occurrence and shall list Sullivan County as an additional insured on the policy.

(c) Lessee shall have no obligation to maintain fire insurance on buildings existing at the time of this Agreement, such insurance may be provided at the sole discretion of Lessor as Lessor deems necessary in the name of Lessor. Lessor shall not be required to insure any building, addition or structure constructed by or at the instance of Lessee.

(d) Lessee agrees to furnish to Lessor Certificates of Insurance demonstrating that the Lessee has complied with the terms of this section of this Lease Agreement.

9. Lessee agrees to pay all utility bills, insurance expenses and all construction and maintenance expenses and other charges incurred on its behalf pertaining to the use of the property herein demised and any improvements thereon.

10. Lessee accepts the premises as is. Lessee shall bear all expenses and obligation to maintain the property during the term of the lease, and all extensions thereof, including, but not limited to, maintenance of utility service, ingress/egress, maintenance of any and all buildings, structures located upon the premises, and maintenance of the grounds. Lessor shall bear no obligation to maintain the premises or make any improvements to the premises in any way.

11. Lessee agrees not to make any alterations, additions, improvements or changes to the premises, interior or exterior, or to the equipment and fixtures provided by Lessor or to install any major appliances in the premises without first obtaining the written consent of Lessor.

12. Lessor shall have the right to enter the premises at all times which are necessary and this right shall exist whether or not Lessee shall be on the premises at such time.

13. (a) Lessor reserves the right to terminate this Lease Agreement for any reason or for no reason by giving notification to Lessee in writing sixty (60) days prior to the date when such termination becomes effective and the parties stipulate that the mailing of notice to the hereinafter stated address shall constitute compliance with this article of this Lease Agreement.

(b) Lessee reserves the right to terminate this Lease Agreement by giving written notification to Lessor in writing sixty (60) days prior to the date when such termination becomes effective, such notice to be sent to Lessor at the address hereinafter stated.

(c) Upon termination or expiration of this Lease Agreement, Lessee shall peacefully surrender said property to Lessor in as good a condition as it is now, ordinary wear and tear excepted.

14. All notices herein provided to be given or which may be given by either party to the other shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid, and addressed as follows:

To Lessor At: Office of the County Mayor
 Courthouse
 3411 Highway 126, Suite 206
 Blountville, Tennessee 37617

To Lessee At: Rocky Springs Baptist Church
 3297 Rocky Springs Road
 Piney Flats, Tennessee 37686

15. Lessee covenants and agrees with Sullivan County, Tennessee that it does not discriminate on the basis of race, sex, color, religion, national origin, age, disability or veteran's status in the provision of opportunity for service and benefits provided by the undersigned.

16. Lessee acknowledges, understands, covenants and agrees with Sullivan County as follows:

- a. Lessee is not in any way a part of Sullivan County government;
- b. Lessee is factually and legally independent and distinct from Sullivan County, Tennessee;
- c. No agency, partnership, association, joint venture, or other business relationship of

any kind or nature is hereby created or intended;

- d. The officers, employees, and/or agents of Lessee shall not be deemed or construed to be the employees or agents of Sullivan County, Tennessee for any purpose whatsoever;
- e. Nothing herein is intended to allow either party to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services; and
- f. Lessee will never represent or portray itself in any way which could contradict, appear to contradict, or be perceived by anyone or any entity as contradicting the terms set forth above, and Lessee will immediately correct any known representation, portrayal, and/or perception to the contrary.

IN WITNESS-WHEREOF, the parties hereto have executed their signatures of the day and year first above written.

SULLIVAN COUNTY, TENNESSEE

BY: _____
Steve Godsey, County Mayor

Lessor

ROCKY SPRINGS BAPTIST CHURCH

BY: _____
Printed Name: _____
Title: _____

Lessee

STATE OF TENNESSEE)
) SS
COUNTY OF SULLIVAN)

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Steve Godsey, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainor, and who, upon oath, acknowledged himself to be the County Mayor of Sullivan County, Tennessee, one of the within named bargainors, a political subdivision of the State of Tennessee, and that he as such County Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of said political subdivision by himself as County Mayor.

WITNESS my hand and official seal this ____ day of _____, 2013.

Notary Public

My commission expires: _____

STATE OF TENNESSEE)
) SS
COUNTY OF SULLIVAN)

Before me, the undersigned authority, of the state and county aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the _____ of Rocky Springs Baptist Church, one of the within named bargainors, and that he/she as such _____, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of Rocky Springs Baptist Church by himself/herself as _____.

WITNESS my hand and seal, this ____ day of _____, 2013.

Notary Public

My commission expires: _____

MOTION ON FLOOR

MOTION AS FOLLOWS:

UPON MAYOR GODSEY INFORMING THE COMMISSION THAT BY STATE STATUE IT IS THE RESPONSIBILITY OF THE MAYOR TO RESEARCH, INTERVIEW AND HIRE A BUDGET DIRECTOR AND INTRODUCING DAVID WARREN FOR THE POSITION, COMMISSIONER MARSH MADE A MOTION TO DEFER VOTING ON THE APPOINTMENT OF MR. WARREN UNTIL THE NEXT COMMISSION MEETING.

MOTION MADE BY: MARSH
SECONDED BY: GARDNER

ACTION: APPROVED
14 AYE, 6 NAY, 1 PASS, 3 ABSENT

MOTION ON FLOOR

MOTION AS FOLLOWS:


UPON CHAIR GODSEY ASKING THAT THE COMMISSION RECESS AND GO INTO EXECUTIVE SESSION AND THAT EVERYONE LEAVE THE COURTROOM EXCEPT THE COMMISSIONERS, MOTION WAS MADE BY KILGORE AND SECONDED BY CRAWFORD TO GO INTO EXECUTIVE SESSION. UPON APPROVAL OF MOTION, EVERYONE LEFT THE COURTROOM WITH NO MINUTES OR RECORDING ALLOWED.

EVERYONE WAS ALLOWED BACK INTO COURTROOM AFTER A LENGTHY TIME, COMMISSION CALLED BACK INTO SESSION AND A MOTION WAS THEN MADE TO ADJOURN.

MOTION MADE BY: KILGORE
SECONDED BY: CRAWFORD

ACTION: APPROVED VOICE VOTE
MCCONNELL – "NO"

**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION FEBRUARY 19, 2013.**



STEVE GODSEY
COMMISSION CHAIRMAN

