

COUNTY COMMISSION-REGULAR SESSION

JANUARY 20, 2015

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS TUESDAY MORNING, JANUARY 20, 2015, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD VENABLE, COUNTY CHAIRMAN, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Chairman Richard Venable. Sheriff Wayne Anderson opened the commission and Comm. Matthew Johnson gave the invocation. The pledge to the flag was led by Sheriff Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

MARK BOWERY	DARLENE CALTON
MICHAEL B COLE	JOHN CRAWFORD
JOHN GARDNER	SHERRY GREENE GRUBB
ANDY HARE	
MACK HARR	JOE HERRON
BAXTER HOOD	DENNIS L HOUSER
MATTHEW JOHNSON	BILL KILGORE
KIT MCGLOTHLIN	RANDY MORRELL
BOB NEAL	BOBBY RUSSELL, JR.
CHERYL RUSSELL	PATRICK W SHULL
ANGIE STANLEY	MARK VANCE
R. BOB WHITE	EDDIE WILLIAMS

23 PRESENT 1 ABSENT (ABSENT-HARKLEROAD)

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. White and seconded by Comm. Crawford to approve the minutes of the December 15, 2014 Regular Session. Said motion was approved by voice vote.

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Blountville, Tennessee

Appointment to Sullivan County Regional Planning Commission

Whereas in accordance with Tennessee Code Annotated §13-4-101, as duly adopted by Sullivan County, Tennessee, the County Mayor has the authority to appoint members to the Sullivan County Regional Planning Commission;

Now therefore, the Sullivan County Mayor does hereby make the following appointment to the Sullivan County Regional Planning Commission to fill out the unexpired term of Stacy Ivester:

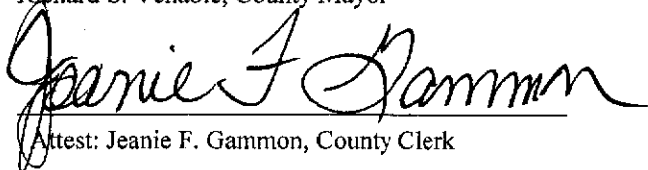
Ms. Linda Brittenham
292 Hamilton Hill Road
Bluff City, TN 37618

Term expires: June 15, 2016

Approved and confirmed this 20th day of January 2015.



Richard S. Venable, County Mayor



Attest: Jeanie F. Gammon, County Clerk

Commission Action:

- Approved by Roll Call Vote
- Approved by Voice Vote
- Rejected on Vote

AYE	NAY	PASS	ABSENT
23			1

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Blountville, Tennessee

Confirmation of Appointment

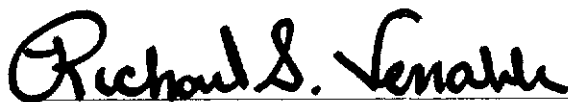
Whereas Sullivan County Mayor, Richard S. Venable, recommends in favor of appointing Mark Vance to the Pre-Hospital Care Committee;

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


Pre-Hospital Care Committee

Mark Vance

Confirmed this 20th day of January 2015.



Richard S. Venable, County Mayor


 Attest: Jeanie F. Gammon, County Clerk

Commission Action:

- Approved by Roll Call Vote
 Approved by Voice Vote
 Rejected on Vote

AYE	NAY	PASS	ABSENT
23			1

SULLIVAN COUNTY CLERK
 JEANIE GAMMON COUNTY CLERK
 3258 HIGHWAY 126 SUITE 101
 BLOUNTVILLE TN 37617
 Telephone 423-323-6428
 Fax 423-279-2725

Notaries to be elected January 20, 2015

PAMELA JANE ADKINS	KATRINA L HUNLEY
JUDY C BLALOCK	LUTHER H. ICENHOUR JR.
JANICE LYNN BLEVINS	SHANNON KERN
JEANETTE D CAMPBELL-MIRUCKI	GENEVA A LESTER
BRENDA G. CHASE	PAULA LYNNE LONG
TINA COFFMAN-MOSS	WILLIAM DEREK MALCOLM
KALEE MARIE COLE	KAYE CARROLL MATHESON
ELIZABETH F. COLE	TERRY MCCROSKEY
LOCKIE COLEMAN-DAY	ALICIA LYNN MONNO
STEVEN GERALD CROSS	PAMELA M. OTEY
JULIA J DAVIS	BRENDA S PHIPPS
JODI DOYLE	RUTH N. PREAST
HEATHER R. DUBY	ANGELIQUE C. REED
SANDRA EVERETTE	BRENDA L RIFFLE
KIMBERLY R FERGUSON	NANCY LEE SHELTON
ELLEN S. FERGUSON	CATHERINE M. SIKSAY
SHELBY FRAZIER	LISA M SNYDER
J. PAUL FRYE	VICTORIA CORINNE STAMPER
STEPHEN L. GILLY	LYNN LYLE STEWART
LENA ANN GRIFFIN	JAMIE LYNN UTSMAN
SHIRLEY ELAINE GRIFFITH	JANE WILKINSON
THOMAS D. HENSLEY	JOYCE EARLENE WOOD

PERSONAL SURETY
 BURKE POWERS INSURANCE
 COMPANY
 BENNETT & EDWARDS
 10,000.00
 DONNA L. DAVIS
 LORI MANN
 GARY R. MALCOLM
 DRU M. MALCOLM
 WESTERN SURETY COMPANY

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. CALTON TO
 APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY
 ROLL CALL VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
SURETY BONDS

January 20, 2015

NAME OF NOTARY

Elizabeth Williams Bright
Brandi Michelle Clevinger
Donald W. Cole
Deborah Lynn Corns
Dona Dye
Richard Blayne Howard
Dreama Parsons

PERSONAL SURETY

Charles Edwin Williams
Larry Clarke
Linda J. Hawks
Nathan D. Willis
Dreama Parsons
Jonathan Pickering
Sarah Fleenor

PERSONAL SURETY

Charles W. Hunt
Jim Street
Mark W. Cole
William C. Shipley
Sarah Fleenor
Mark Madgett
Michelle Yearly

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. CALTON TO
APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS
APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT.

Resolutions

COMM. 2/7/8	No. 2	No. 3	No. 4	No. 5	No. 6	No.	No.	No.	No. 00078
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MEMBERS	2/7/8		2/8/8		2/9/8		2/10/8		2/11/8		2/12/8		2/13/8		2/14/8		2/15/8		
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
Harr	✓			✓	✓		✓		✓										
Herron	✓			✓	✓		✓		✓										
Hood	✓			✓	✓		A		A										
Houser	✓			✓	✓		✓		✓										
Johnson	✓			✓	✓		✓		✓										
Kilgore	✓			✓	P		✓		✓										
Klothin	✓			✓	✓		✓		✓										
Norrell	✓			✓	✓		✓		✓										
Neal	✓			✓	✓		✓		✓										
Russell	✓			✓	✓		✓		✓										
Russell	✓			✓	✓		✓		✓										
Shull	✓			✓	✓		✓		✓										
Smiley	✓			✓	✓		✓		✓										
Vance	✓			✓	✓		✓		✓										
Whitaker	✓			✓	✓		A		A										
Williams	✓			✓	✓		✓		✓										
Bowery	✓			✓	✓		✓		✓										
Carlton	✓			✓	✓		✓		✓										
Cole	✓			✓	✓		✓		✓										
Cauford	✓			✓	✓		✓		✓										
Edner	✓			✓	✓		✓		✓										
Grubbs	✓			✓	✓		✓		✓										
Hare	✓			✓	✓		✓		✓										
Miller	A		A	A	A		A		A		A		A		A		A		

23 Aye
1 Absent

23 Aye
1 Abs.

21 Aye
1 Abs.

21 Aye
3 Abs.

21 Aye
3 Abs.

000732

OMMN.

No. No. No. No. No. No. No. No. No.

7 8 9 10

IS Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay

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RESOLUTIONS ON DOCKET FOR JANUARY 20, 2015

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE ZONING RESOLUTION	NO REZONING NO ACTION TAKEN 01-20-15
#2 ADOPT THE SULLIVAN COUNTY HIGHWAY DEPARTMENT ROAD ATLAS	APPROVED 01-20-15
#3 AUTHORIZE THE TRANSFER OF THE FORMER KINGSLEY ELEMENTARY SCHOOL TO SULLIVAN COUNTY	APPROVED 01-20-15
#4 ADOPTION OF A REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE SOUTHSIDE SHOPPING CENTER REDEVELOPMENT DISTRICT	APPROVED 01-20-15
#5 MOVE THE SULLIVAN COUNTY DEFERRED COMPENSATION PROGRAM TO THE STATE OF TN DEFERRED COMPENSATION PROGRAM ADMINISTERED BY THE TREASURER FOR THE STATE OF TENNESSEE	APPROVED 01-20-15
#6 SELL COUNTY OWNED DELINQUENT TAX PROPERTY IN THE 2 ND CIVIL DISTRICT	APPROVED 01-20-15
#7 PROCLAIM THE MONTH OF JANUARY 2015 AS RADON ACTION MONTH	APPROVED 01-20-15
#8 AUTHORIZE THE TRANSFER (LOANING) OF FUNDS FROM THE GENERAL PURPOSE SCHOOL FUND TO THE INNOVATION ACADEMY FUND TO PROVIDE TEMPORARY FINANCING FOR THE FISCAL YEAR ENDING JUNE 30, 2015	APPROVED 01-20-15
#9 AMEND THE 2014-2015 GENERAL PURPOSE SCHOOL FUND BUDGET FOR THE LEAPS GRANT AWARDED BY THE STATE OF TENNESSEE IN THE AMOUNT OF \$85,000.00	APPROVED 01-20-15
#10 AMEND THE 2014-2015 GENERAL PURPOSE SCHOOL FUND BUDGET FOR A UTRUST GRANT IN THE AMOUNT OF \$28,000.00	APPROVED 01-20-15
#11 RESOLUTION MEMORIALIZING O.W. FERGUSON	APPROVED 01-20-15

SULLIVAN COUNTY
BOARD OF COUNTY COMMISSIONERS



January 2015

Agenda Item

Resolution

CONSENT AGENDA

- 2 Resolution to Adopt the Sullivan County Highway Department Road Atlas** 2014-12-81

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.)

- 7 RESOLUTION To Proclaim the Month of January 2015 as Radon Action Month** 2015-01-03

NOW THEREFORE BE IT RESOLVED that Sullivan County, Tennessee does hereby proclaim the month of January 2015 as Radon Action Month and encourage all citizens to join in this worthy observance.

- 8 RESOLUTION to Authorize the Transfer (Loaning) of Funds from the General Purpose School Fund to the Innovation Academy Fund to Provide Temporary Financing for the Fiscal Year Ending June 30, 2015** 2015-01-04

NOW THEREFORE BE IT RESOLVED THAT the members of the Sullivan County Commission on this 20th day of January, 2015 authorize the Sullivan County Board of Education as follows;

SECTION 1: The General Purpose School Fund to transfer (loan) up to \$200,000 to the Innovation Academy Fund to provide financing to cover (temporary) cash flow needs for non-payroll expenses; and,

SECTION 2: The \$200,000 transfer (loan) shall remain in the Innovation Academy Fund as a designated fund balance from the General Purpose School Fund and may be repaid at any time as noted in this resolution approved by the Board of Education and the County Commission.

- RESOLUTION to amend the 2014 – 2015 General Purpose School Fund
9 Budget for the LEAPS Grant awarded by the State of Tennessee in the
amount of \$85,000.00** 2015-01-05

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of January, 2015 hereby approves amending the General Purpose School Fund budget in the amount of \$85,000.00 for the LEAPS grant. Account Codes to be assigned by the Business Manager of the Sullivan County Department of Education.

- 10 RESOLUTION to amend the 2014 – 2015 General Purpose School Fund
Budget for a Utrust Grant in the amount of \$28,000.00** 2015-01-06

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of January, 2015 hereby approves amending the General Purpose School Fund budget in the amount of \$28,000.00 for the Utrust grant. Account Codes to be assigned by the Business Manager of the Sullivan County Department of Education.

***CONSENT AGENDA APPROVED 01-20-15 ROLL CALL 23 AYE, 1 ABSENT**

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2015-01-00

To the Board of Sullivan County Commissioners and Richard S. Venable, Mayor of Sullivan County, meeting in Regular Session this 20th day of January 2015.

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.

Duly passed and approved this 20th day of January 2015.

Attest: _____
Jeanie Gammon, County Clerk

Approve: _____
Richard S. Venable, County Mayor

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

	County Commission
ACTION	NO REZONING NO ACTION TAKEN

Sullivan County, Tennessee
Board of County Commissioners

Item 2
No. 2014-12-81
Attachment

To the Board of Sullivan County Commissioners and Richard S. Venable, Mayor of Sullivan County, meeting in Regular Session this 15th day of December, 2014

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

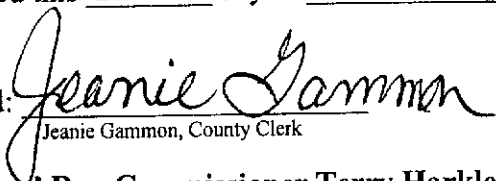
WHEREAS, attached hereto is a summary of the revisions dated December 1, 2014, which are necessary to bring the official Sullivan County Road Atlas up-to-date.

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 20th day of January, 2015 ~~2014~~.

Attested:


Jeanie Gammon, County Clerk

Approved:


Richard S. Venable, County Mayor

Sponsored By: Commissioner Terry Harkleroad
Prime Co-Sponsor(s): Commissioner John Gardner

Actions: 1st Reading 12/15/14; Placed on Consent Agenda 01-15-15.
APPROVED 01-20-15 23 AYE, 1 ABSENT

DECEMBER 2014
ATLAS CHANGES

DATE	SUBDIVISION AND ROAD	C.D.	TAXMAP	LENGTH	ROW	CLASS	P.B. & Pg.
Additions							
Mar-14	Massengill Park Phase II Massengill Park Road Ext.	8	56	0.09	40	1	54-349
Nov-13	The Farm Phase I Cardiff Way	20	134	0.16	50	1	54-298
	Addison Court	20	134	0.06	40	1	54-298
	total gained from additions			0.30			
Deletions							
Nov-14	Ridgecrest Ave. (part) 0.46 remains in SC					annexed by Kingsport	-0.04
Changes							
	Catawba Lane (ROW Correction)			from 40 to 30-40			
	Easy Street (ROW Correction)			from 50 to 30-50			
	Fall Creek Road (ROW Correction)			from 60 to 50-60			
	Hillard Road (Length Correction)			from 0.02 to 0.01			-0.01
	Hamilton Road (Length Correction)			from 3.05 to 3.15			0.10
	Unnamed Road # 3 (state acquired in construction)			delete from atlas			0.10
name change							
						total gain from changes/deletions	0.30
						total gain from additions	-0.05
				TOTAL MILEAGE GAIN			0.25

Sullivan County, Tennessee
Board of County Commissioners

Item 3
No. 2014-12-82

To the Board of Sullivan County Commissioners and Richard S. Venable, Mayor of Sullivan County, meeting in Regular Session this 15th day of December, 2014.

RESOLUTION To Authorize the Transfer of the Former Kingsley Elementary School to Sullivan County

WHEREAS, the Sullivan County Board of Education voted on September 2, 2014 to turn the former Kingsley Elementary School property over to Sullivan County for disposition as it deems appropriate.

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the transfer of the former Kingsley Elementary School property to Sullivan County. The County Mayor is hereby authorized to execute any and all documents necessary to complete such transfer of title.

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 20th day of January, 2015~~2014~~.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsored By: Commissioner Terry Harkleroad
Prime Co-Sponsor(s): Commissioners Matthew Johnson, Mark Bowery

Actions: 1st Reading 12/15/14;
APPROVED 01-20-15 23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 4
No. 2014-12-86
Attachments
AMENDED

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of December 2014.

RESOLUTION FOR ADOPTION OF A REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE SOUTHSIDE SHOPPING CENTER REDEVELOPMENT DISTRICT

WHEREAS, Bristol Housing ("Bristol Housing") pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, Bristol Housing has prepared a document entitled "Redevelopment Plan for Identified Districts & Study Areas" in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended which has been adopted by the City Council of the City of Bristol, Tennessee pursuant to Resolution No. 06-14; and

WHEREAS, as previously authorized by the Sullivan County Commission, Bristol Housing conducted a public hearing on December 3, 2014, to determine the necessity for the adoption of a Redevelopment Plan for the Southside Shopping Center Redevelopment District on behalf of Sullivan County which includes the use of tax increment financing; and

WHEREAS, the comments and findings of said public hearing, along with the Project Proposal for the Southside Shopping Center Redevelopment District have been presented to the Sullivan County Commission; and

WHEREAS, Bristol Housing and the City Council of the City of Bristol, Tennessee have recommended the adoption of the Redevelopment Plan and the proposed tax increment financing amendment and have also recommended approval of the use of tax increment financing for a Project known as The Villas at Lavinder Lane to be located within the Southside Shopping Center Redevelopment District.

NOW, THEREFORE, be it resolved by the Sullivan County Commission as follows:

1. That the Redevelopment Plan for the Southside Shopping Center Redevelopment District, along with the proposed Amendment, as presented and recommended by Bristol Housing, a copy of the Plan and Amendment being attached hereto as ~~Exhibit A~~, are hereby approved, and the factual findings contained therein are affirmed and adopted by the Sullivan County Commission.

2. That use of tax increment financing as described in the Southside Shopping Center Redevelopment Plan as amended for use in support of the project known as The Villas at Lavinder Lane is hereby approved.

3. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement this Plan.

4. That the Bristol Housing is hereby authorized and empowered to implement the Redevelopment Plan on behalf of Sullivan County.

5. This resolution is restricted solely to the Southside Shopping Center Redevelopment District and is not an approval or denial of any other Redevelopment Plan or District.

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 20th day of January, 2015 ~~2014~~.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsor: Commissioner Mark Vance

Prime Co-Sponsor(s): Commissioners Bob Neal, Cheryl Russell, Bob White

ACTIONS: 1st Reading 12/15/14; Amended 1/15/15; Additional addendums added 1/15/15

APPROVED 01-20-15 21 AYE, 1 NAY, 1 PASS, 1 ABSENT

Amendment 1

Be it further Resolved that whereas this is a project planned and promoted by the City of Bristol and the Bristol Tennessee Housing and Redevelopment Authority, and Sullivan County wishes to respect the wishes of such entities, it is hereby noted that Sullivan County relies upon the City of Bristol and the Bristol Tennessee Housing and Redevelopment Authority to comply with all laws relevant to this project, including those laws regarding redevelopment of blighted and dilapidated areas, urban renewal, including *T.C.A. §§ 13-20-201 et seq.*, and related law regarding Tax Increment Financing for such projects, and to not exceed the statutory authority permitted therein.

Amendment 2

Be it further Resolved that whereas this is a project planned and promoted by the City of Bristol and the Bristol Tennessee Housing and Redevelopment Authority, and Sullivan County wishes to respect the wishes of such entities, concern has been expressed to Sullivan County that despite representations that this project is to develop and construct upscale, middle-income apartments, there are rumors that the property being the subject matter of this project and the housing to be developed thereon may or will be used for low-income government subsidized housing, Section 8 housing (Section 8 of the Housing Act of 1937), or similar low-income housing subsidies; accordingly be it hereby noted that approval of this Resolution by Sullivan County, and the continued compliance by Sullivan County with the terms and effects of this Resolution, are strictly conditioned on the promises and assurances, and the faithful compliance with said promises and assurances, from the City of Bristol, the Bristol Tennessee Housing and Redevelopment Authority, and the developer/developers of this project that the property being the subject matter of this project shall never be used for low-income government subsidized housing, Section 8 housing, or similar low-income housing subsidies, for as long as Sullivan County tax revenue from this project is used as part of the Tax Increment Financing approved herein.

**SOUTHSIDE SHOPPING CENTER REDEVELOPMENT DISTRICT
TAX INCREMENT FINANCING AMENDMENT**

Tax-increment financing ("TIF") is a redevelopment tool to be administered by housing and redevelopment authorities codified at Tenn. Code Ann. §§13-20-204 and 205, et. seq. The purpose of TIF is to provide an economic stimulus for blighted property in need of redevelopment. Upon adoption of this Amendment, TIF may be utilized to finance eligible redevelopment costs for a redevelopment project known as The Villas at Lavinder Lane ("The Villas") to be located within the existing Bristol Tennessee Southside Shopping Center Redevelopment District subject to the provisions of this Amendment. The TIF shall be administered as follows:

A. District History.

The Southside Shopping Center Redevelopment District was designated as a preferred Redevelopment District by Bristol Housing in 2005. The site originally contained the former Winn-Dixie Grocery Store as the primary anchor, a pharmacy, beauty shop, Tennessee Department of Motor Vehicle License Center, consignment shop, the United States Post Office, and several other small businesses, all of which closed prior to the current owner purchasing the property in 2005. The Southside Shopping Center area was considered a high priority for designation as a redevelopment district by the Redevelopment Task Force Committee in their original study. The area is located on the Bluff City Highway and Lavinder Lane, and lies southeast of Volunteer Parkway. The Redevelopment District has 1 parcel containing approximately 6.6 acres valued in 2014 at \$384,200, for an average value of \$58,212.00 per acre. In 1978, this same property sold for \$975,000.

This area includes the former site of the Southside Shopping Center. The Southside Shopping Center Redevelopment Area came under stress by the relocation of the Winn-Dixie anchor, other businesses, and the relocation of the United States Post Office, leaving a vacant deteriorating complex. Upon purchase of the property in 2005, the current owner subsequently razed the property, with concurrence of the City officials, to eliminate the dilapidating structure and eliminate an identified hazardous location. This area is recognized as having a potential economic return to the City due to the presence of adequate utilities and its location on the Bluff City Highway and proximity to Volunteer Parkway. Delay to the redevelopment of this site will have a deteriorative impact on the adjacent residential and commercial area.

The Redevelopment Plan and associated Tax Increment Financing potential, will allow the redevelopment of a well-located site. The site has remained unused in the intervening nine years and while having considerable potential, has not been redeveloped thus continuing to add to the blight of the area and surrounding properties. The existing blighted influence, lack of structures and deteriorating paved areas would be eliminated by implementation of the proposed Redevelopment Project. Redevelopment of this area would also provide the opportunity to introduce a common architectural theme and other aesthetic improvements which would serve as a catalyst for adjoining property owners along the Bluff City Highway.

Based on the foregoing circumstances and conditions, the Board of Commissioners of Bristol Housing has determined that the District is blighted as defined by TCA 13-20-201 et seq. The District experiences the following conditions:

1. Long-term vacant and underutilized property.
2. The deterioration of site or other improvements and impact to the surrounding properties.
3. Blighting effect of demolished site and exposed deteriorating paved area.

It is recommended that the project be redeveloped, rehabilitated and/or renovated in order to correct such blighted, deteriorated and dilapidated conditions.

B. District Zoning and Land Use.

The redevelopment of the District shall comply with the Zoning Ordinances and building codes as well as other applicable rules, laws, ordinances, codes and regulations of the City. Bristol Housing shall also review the Plan and any redevelopment projects within the District with appropriate City agencies and officials to ensure that the Plan and the proposed redevelopment activities conform with local objectives relating to appropriate land uses, improved traffic flow, public transportation, public utilities, recreation and community facilities and other public improvements and needs. For a more complete description of the requirements and restrictions of the Zoning Ordinances of the City, reference should be made to the Ordinances themselves. This property should continue to be zoned commercial by the City of Bristol and should be considered for a mixed-use development, combining the needs of office and retail in the overall development of a new center.

The City and Bristol Housing will cooperate in the planning and construction of improvements to the streets, roadways, sidewalks, curbs and gutters, parking systems, lighting, landscaping and traffic signalization and control.

The Southside Shopping Center Redevelopment District is shown on the map attached as Exhibit A.

C. Estimated Cost of the Project.

The total estimated costs of all the proposed improvements to be made by East Tennessee Investment, LLC (the "Developer") for the Villas, is \$7,569,908. The proposed improvements include removal of the existing asphalt, utility and site work and construction of 124 units of 1, 2 and 3 bedroom apartments plus 13 stand alone garages and other related amenities (the "Redevelopment Project"). In addition, the Bristol Housing will be paid an annual administration fee equal to five percent of the total annual tax increment revenue received by Bristol Housing. The Project will be located upon Sullivan County Tax Map 037D, Control Map 037D, Group F, Parcel 008.00 which is the sole tax parcel within the Southside Shopping Center Redevelopment District (the "Project Area"). A map of the

Project Area is attached hereto as Exhibit A. The TIF shall be limited to eligible expenditures for the Redevelopment Project within the Project Area.

D. Sources of Revenue to Finance the Cost of the Project.

The primary sources of revenue to pay for the Redevelopment Project are proceeds in the amount of \$6,055,926 from a permanent loan to the Developer, Developer investment of \$513,982, and tax-increment based debt (to be issued by the Bristol Housing in the form of bonds, notes, or other indebtedness) in an amount not to exceed \$1,100,000.00, but in no event in an amount to exceed the estimated amount of debt that can be amortized over the 15 year increment periods which are hereby authorized by City of Bristol (the "City") and Sullivan County, Tennessee (the "County"). Current projections suggest that the tax increment from the proposed improvements within the Project Area will be sufficient to retire this amount of indebtedness within a fifteen year amortization period for both the City and the County.

The total current property tax assessment for the Project Area is \$153,680.00. This results in annual property tax payments to the City in the amount of \$3,457.80 and annual property tax payments to the County in the amount of \$3,542.94. The Redevelopment Project would result in a total estimated assessed value for property within the Project Area of \$3,040,000.00. Based on current tax rates, this would result in total estimated annual city taxes of \$68,400.00 and total estimated annual county taxes of \$70,084.16. Because Sullivan County has dedicated \$0.1077 of its \$2.3054 tax rate for repayment of indebtedness and the City of Bristol has dedicated \$0.3402 of its \$2.25 tax rate for repayment of indebtedness, that portion of the increment, pursuant to Tenn. Code Ann. §§13-20-205 and 9-23-103, shall not be allocated as provided in Paragraph E below but shall be collected and paid to the respective taxing agency as all other property taxes are collected and paid. Thus, the estimated total available increment from Sullivan County taxes after the administration fee and statutory debt service set aside is \$60,261.02. The estimated total available increment from City of Bristol taxes after the administration fee and statutory debt service set aside is \$52,366.79 resulting in an estimated total annual available tax increment from City and County of \$112,627.81. A detailed calculation of these estimated projections is attached hereto as Exhibit B. The redevelopment of the Project Area will not occur to the degree proposed without the use of tax-increment financing.

E. Amount and the Final Maturity of Bonded or other Indebtedness to be Incurred.

The amortization period for any indebtedness backed by the tax-increment revenue generated within the Project Area shall be no more than fifteen years from the date of issuance of the debt. In any event, the final maturity date of all indebtedness issued pursuant to this Amendment shall be on or before April 15, 2031. Upon retirement of all bonds, loans, or other indebtedness incurred and payable from tax-increment funds, or at such time as monies on deposit in the tax-increment fund or funds are sufficient for such purpose, all property taxes resulting from the incremental development of the project shall be retained by the appropriate taxing agency for disbursement according to law.

F. Impact of the Tax-Increment Financing Provisions Upon Taxing Agencies.

The total assessment of the City of Bristol's real property tax base for the 2013 tax year is approximately \$566,604,335. The total assessment of Sullivan County's real property tax base for the 2013 tax year is approximately \$2,990,802,295.00. The current assessment of the Project Area represents .00027% of the City of Bristol's property tax base and .000051% of the Sullivan County property tax base. The estimated assessment of the Proposed Improvements would represent .00537% of the current City of Bristol tax base and .00102% of the current Sullivan County tax base. Based on these small percentages, the City and the County (the two taxing agencies affected by this Redevelopment Project) will not be substantially impacted financially by this tax-increment financing provision.

The development of the Redevelopment Project will result in additional residents and economic activity within the Redevelopment District. It is estimated as many as 50 new jobs could be created during the construction phase of the Redevelopment Project which would result in \$1.5M in salaries over the course of the project and \$1.2M in local business income. While all these numbers rely on certain assumptions and projections, the end result of the Redevelopment Project is a substantial economic boost to the City and County. The Redevelopment Project will also meet a substantial need for apartment units in the City and County.

G. Division of Property Taxes.

Upon approval of this Amendment, the taxes levied and collected over the Project Area shall be collected by the appropriate taxing authorities in the same manner as provided by law, except that said taxes shall be divided as follows:

1. The portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency, upon the assessed value of such property within the Project Area as of the 2014 tax year (which is the year of approval of this TIF amendment) ("Base Assessment"), shall be allocated to, and when collected, shall be paid to, the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; provided, that in any year in which taxes of the Project Area are less than the Base Assessment and the Dedicated Taxes, there shall be allocated and paid to those respective taxing agencies only those taxes actually imposed and collected; and provided further, that, in any year or years in which the Base Assessment would be diminished solely due to a rate reduction under Title 67, Chapter 5, Part 17, of the Tennessee Code, the Base Assessment shall nevertheless be established at the amount originally determined.

2. Subject to the restraints herein and applicable law, all the taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid into a special fund or funds of Bristol Housing to pay the administration fee and to pay the principal of and interest on any bonds, loans or other indebtedness incurred or to be incurred by Bristol Housing to finance or refinance, in whole or in part, eligible redevelopment expenses of the Redevelopment Project contemplated by the Redevelopment Plan, and such other expenses as may be allowed by law.

3. Upon retirement of all bonds, loans or other indebtedness incurred by Bristol Housing and payable from such special fund or funds, or at such time as monies on deposit in such special fund or funds are sufficient for such purpose, all taxes levied each year in excess of the Base Assessment and Dedicated Taxes shall, when collected, be paid to the respective taxing agency as taxes levied by such taxing agencies on all other property are paid, and Bristol Housing shall give notice to all affected taxing agencies of such retirement. Excess taxes beyond amounts necessary to fund or reserve for eligible expenditures may be applied to principal and interest of debt incurred to finance such eligible expenditures or shall revert to the taxing agency general fund. In any event, the division of property taxes required by this document shall not continue for any tax year beyond 2030.

H. Property Tax Assessments and Collection.

1. The appropriate assessor shall, in each year during the period in which taxes are to be allocated to Bristol Housing pursuant to Paragraph (E) (2), compute and certify the net amount, if any, by which the current assessed value of all taxable property located within the Project Area which is subject to taxation by the particular taxing agency exceeds the base assessment. The net amount of any such increase is referred to in this subdivision as the incremental value for that particular year.

2. In any year in which there exists a tax increment to be allocated to Bristol Housing, the appropriate assessor shall exclude it from the assessed value upon which the appropriate assessor computes the tax rates for taxes levied that year by the taxing agency. However, the assessor shall extend the aggregate tax rate of such taxes against the Base Assessment and the incremental value and shall apply the taxes collected therefrom as provided herein.

3. If in any year property comprising a portion of the Project Area shall be removed from the tax rolls of a taxing agency, the Base Assessment for the Project Area shall be reduced by the amount of the Base Assessment allocable to the property so removed for each subsequent year in which taxes are to be allocated to a particular authority pursuant to the above provisions.

I. Documentation for Assessor's Office.

Upon approval of this Amendment, Bristol Housing shall transmit to the assessor of property and the chief financial officer for each taxing agency affected, a copy of the description of all land within the Project Area (including tax parcel numbers), the date or dates of the approval of the redevelopment plan or amendment thereto, a copy of the resolution approving the redevelopment plan or approving an Amendment thereto, a map or plat indicating the boundaries of such property and the Base Assessment with respect to the Project Area, and taxes shall thereafter, when collected, be allocated and paid in the manner provided herein.

J. Excluded Taxes

Notwithstanding anything to the contrary in this section, taxes levied upon property subject to tax-increment financing provisions by any taxing agency for the payment of principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the State of Tennessee (herein "Dedicated Taxes"), shall not be subject to allocation as provided in Paragraph E but shall be levied against the property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

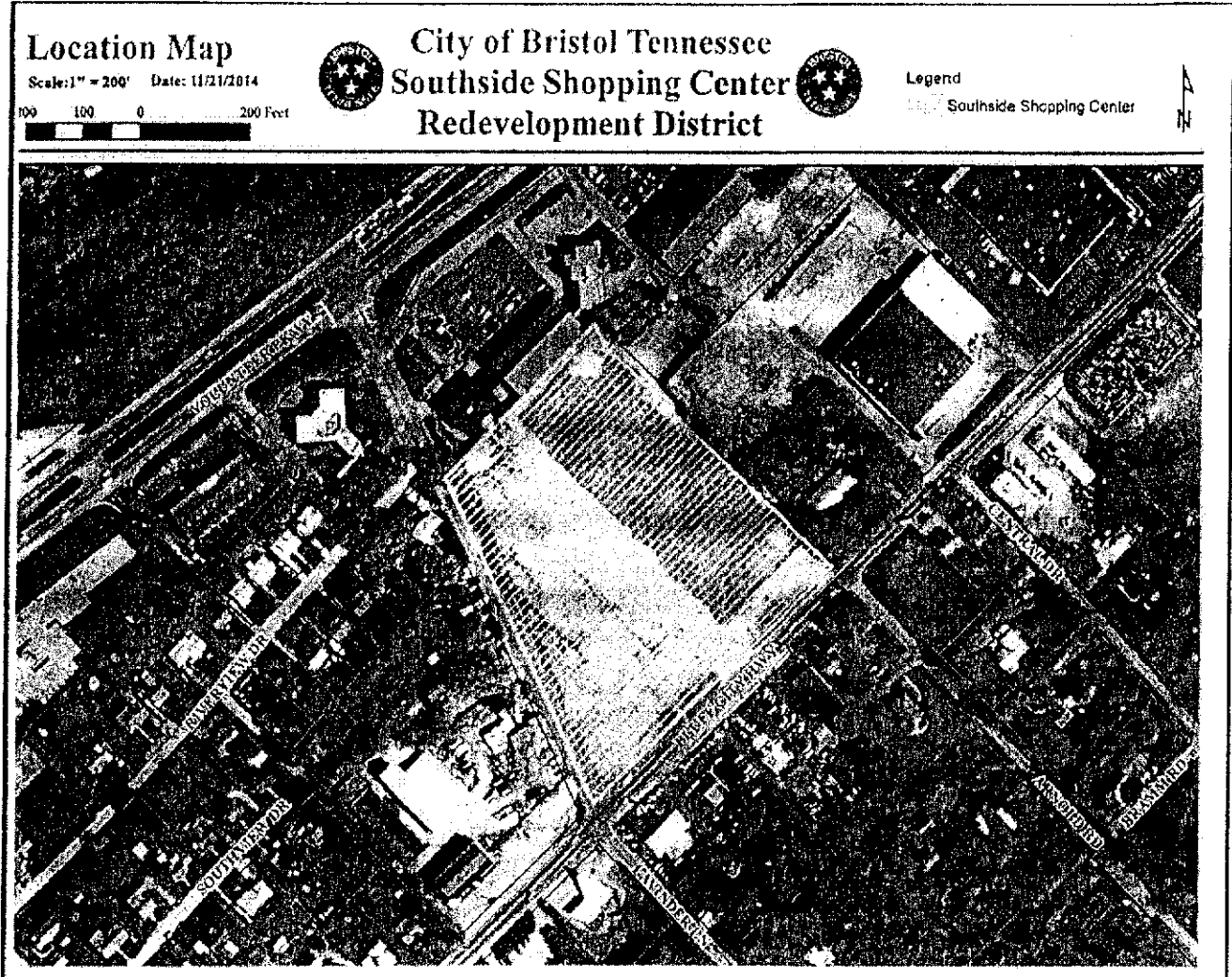
K. Interpretation

This tax-increment financing amendment is being proposed pursuant to *Tenn. Code Ann. § 13-20-201, et. seq.* and *Tenn. Code Ann. § 9-23-101, et. seq.* and all relevant provisions are hereby incorporated herein by reference. All provisions of this Amendment shall be construed in a manner consistent with said Code sections.

L. Conditions of Tax-Increment

Bristol Housing shall enter into a redevelopment agreement with Developer which requires Developer to pursue and complete the Redevelopment Project in a diligent manner, and in accordance with plans and specifications approved by Bristol Housing. The redevelopment agreement to be entered into between Bristol Housing and Developer shall contain such terms as Bristol Housing believes reasonably necessary to accomplish this purpose.

Map of Southside Shopping Center and Redevelopment District



Resolution No. 2014-12-86

Added 1/15/15

TIF CALCULATION - SOUTHSIDE

Total Original Assessed Value	\$153,680.00
County Tax Rate	2.3054
City Tax Rate	2.25
Total Proposed Assessed Value	\$3,040,000.00
County Debt Service Set Aside	0.1667
City Debt Service Set Aside	0.3402
Total Proposed County Taxes	\$70,084.16
Current County Taxes	\$3,542.94
Proposed County Increment	\$66,541.22
County Debt Service Set Aside	\$4,811.50
Total Available County Increment	\$61,729.73
Net County Increment after Fee	\$58,643.24
Total Proposed City Taxes	\$68,400.00
Current City Taxes	\$3,457.80
Proposed City Increment	\$64,942.20
City Debt Service Set Aside	\$9,819.26
Total Available City Increment	\$55,122.94
Net City Increment After Fee	\$52,366.79
Net Available City and County Increment	\$111,010.03

RESOLUTION NO. 14-08**SOUTHSIDE SHOPPING CENTER REDEVELOPMENT DISTRICT
TAX INCREMENT FINANCING AMENDMENT**

WHEREAS, pursuant to Resolution No. 06-14, a Redevelopment Plan was approved for the Southside Shopping Center Redevelopment District (the "District") by the City Council of the City of Bristol, Tennessee ("City Council") on February 7, 2006; and

WHEREAS, said Redevelopment Plan anticipated the possible use of tax-increment financing ("TIF") as part of the redevelopment process; and

WHEREAS, Bristol Housing, as authorized by the City of Bristol, held a public hearing on December 3, 2014, to determine the necessity for the adoption of an Amendment to the Redevelopment Plan for the Southside Shopping Center Redevelopment District authorizing the use of TIF for the District; and

WHEREAS, Bristol Housing as authorized by Sullivan County, Tennessee held a public hearing on December 3, 2014, to determine the necessity for the adoption of a redevelopment plan which includes the use of tax increment financing on behalf of Sullivan County, Tennessee;

WHEREAS, Bristol Housing has determined that the Southside Shopping Center Redevelopment District is a blighted area as defined by T.C.A. § 13-20-201 in need of redevelopment and that the use of TIF will provide substantial assistance in the redevelopment of the Southside Shopping Center Property site;

WHEREAS, Bristol Housing has received a proposal for redevelopment of the Southside Shopping Center Property site from East Tennessee Investments, LLC ("Developer") which requests the use of TIF for a project to construct approximately 124 apartment units and related amenities to be known as the Villas at Lavender Lane (the "Project"); and

WHEREAS, Bristol Housing believes the Project is consistent with and advances the purposes of the Redevelopment Plan for the Southside Shopping Center Redevelopment District and is in the best interests of the City of Bristol, Tennessee and Sullivan County, Tennessee

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Bristol Housing hereby adopts the Tax Increment Financing Amendment to City of Bristol's existing Redevelopment Plan for the Southside Shopping Center Redevelopment District, a copy of which is attached as Exhibit A hereto and recommends the adoption of said amendment to the City Council of the City of Bristol.

2. Bristol Housing hereby adopts the Redevelopment Plan and the Tax Financing Amendment for the Southside Shopping Center Redevelopment District on behalf of Sullivan County, Tennessee and recommends the adoption of said plan and amendment to the Sullivan County Commission.

3. Upon approval of the Plan and Amendment by the City Council and County Commission, Bristol Housing hereby authorizes its Executive Director to finalize the terms of a redevelopment agreement with Developer, obtain tax increment financing consistent with the Redevelopment Plan and Amendment and execute all such documentation as may be reasonably necessary to implement the terms of the redevelopment agreement and financing.

Commissioner Donna Felty moved that the foregoing Resolution be adopted.

Seconded by Commissioner Scott Morefield and upon roll call the vote was as follows:

AYE

NAY

Scott Morefield, Commissioner

Donna Felty, Commissioner

Gerald Holmes, Vice-Chair

Ella Kane, Chair

The Chair declared the motion passed and Resolution 14-08 adopted.

CERTIFICATION

This Resolution was duly considered and adopted by the Bristol Housing Board of Commissioners meeting in regular session this 3rd day of December, 2014.

Ella Kane
Chair

ATTEST:

[Signature]
Secretary

"Exhibit A"
Pages 21-30



Bristol, Tennessee

Redevelopment Plan

For

Identified Districts

&

Study Areas

Bristol Tennessee Housing and Redevelopment Authority

December 2005



Southside Shopping Center Redevelopment District

DISTRICT DESCRIPTION

The Southside Shopping Center Redevelopment District originally contained the former Winn-Dixie Grocery Store as the primary anchor, a pharmacy, beauty shop, Tennessee Department of Motor Vehicle License Center, consignment shop, the United States Post Office, and several other small businesses. The Post Office is the only venture still in operation. The Southside Shopping Center area has a high priority for designation as a redevelopment district by the Redevelopment Task Force Committee. The area is located on the Bluff City Highway and Lavender Lane, and lies southeast of Volunteer Parkway. The Redevelopment District contains 1 parcel and contains approximately 6.6 acres valued at \$977,000.00, for an average value of \$148,030.00 per acre.

This area includes Southside Shopping Center. The Southside Shopping Center Redevelopment Area has come under stress by the relocation of the Winn-Dixie anchor, other businesses, and the expected relocation of the United States Post Office. This area is recognized as having a potential economic return to the City due to the presence of adequate utilities and its location on the Bluff City Highway and proximity to Volunteer Parkway. Delay to the redevelopment of this site will have a deteriorative impact on the adjacent residential area.

The Redevelopment Plan would allow consolidation of parcels of land. Some of these parcels are underutilized, and have non-functional building design and are occupied by nonconforming uses. The existing blighted influence, vacant structures, poor maintenance of buildings and grounds, nonconforming uses would be eliminated by implementation of a Redevelopment Plan. Redevelopment of this area would also provide the opportunity to introduce a common architectural theme and other aesthetic

improvements that would serve as a catalyst for adjoining property owners along the Bluff City Highway.

The City Codes Enforcement Division has determined through inspections that there have been commercial Fire Code Violations and commercial Building Code Violations within the District within the last year.

Based on the foregoing circumstances and conditions, the Board of Commissioners of the Bristol Tennessee Housing and Redevelopment Authority and the City of Bristol, Tennessee City Council has determined that the District is blighted as defined by TCA 13-20-200. The District experiences the following conditions:

1. Deterioration or obsolete buildings.
2. The deterioration of site or other improvements.
3. Faulty arrangement and design and obsolete layout in connection with size, adequacy and landscaping.

It is recommended that the project be redeveloped, rehabilitated and/or renovated in order to correct such blighted, deteriorated and dilapidated conditions.

ZONING AND LAND USE

This property should continue to be zoned commercial by the City of Bristol and should be considered for a mixed-use development, combining the needs of office and retail, as well as light industrial, in the overall development of a new center. The redevelopment of this area will achieve the elimination of blight while fostering new economic growth to a retail area that has been substantially harmed with the deterioration of the shopping center. This influence has negatively impacted the adjacent properties. Improvements to the Old Bluff City Highway intersection with Lavender Lane should be incorporated with the redevelopment of this site and its relationship with the adjacent retail developments should be better established through the design of the project. The preservation of the Post Office location would help maintain the identity of the area and provide a known destination to area residents.

The redevelopment of the District shall comply with the Zoning Ordinance, other rules, laws, ordinances, codes and regulations of the City, including building codes and other ordinances shall apply. Further, the Authority shall review the Plan and any redevelopment plans within the District with appropriate City agencies and officials to ensure that the Plan and the proposed redevelopment activities conform with local objectives relating to appropriate land uses, improved traffic flow, public transportation, public utilities, recreation and community facilities and other public improvements and needs. For a more complete description of the requirements and restrictions of the Zoning Ordinances of the City, reference should be made to the Ordinances themselves.

The City and the Authority will cooperate in the planning and construction of improvements to the streets, roadways, sidewalks, curbs and gutters, parking systems, lighting, landscaping and traffic signalization and control.

The Southside Shopping Center Redevelopment District is shown on the following maps. Other pertinent data includes the ownership of property, the acreage, location and appraised value are available upon request at the Bristol Tennessee Housing and Redevelopment Authority office.

Location Map

Scale: 1" = 200' Date: 11/17/2005



Drawn By: J.H.L.

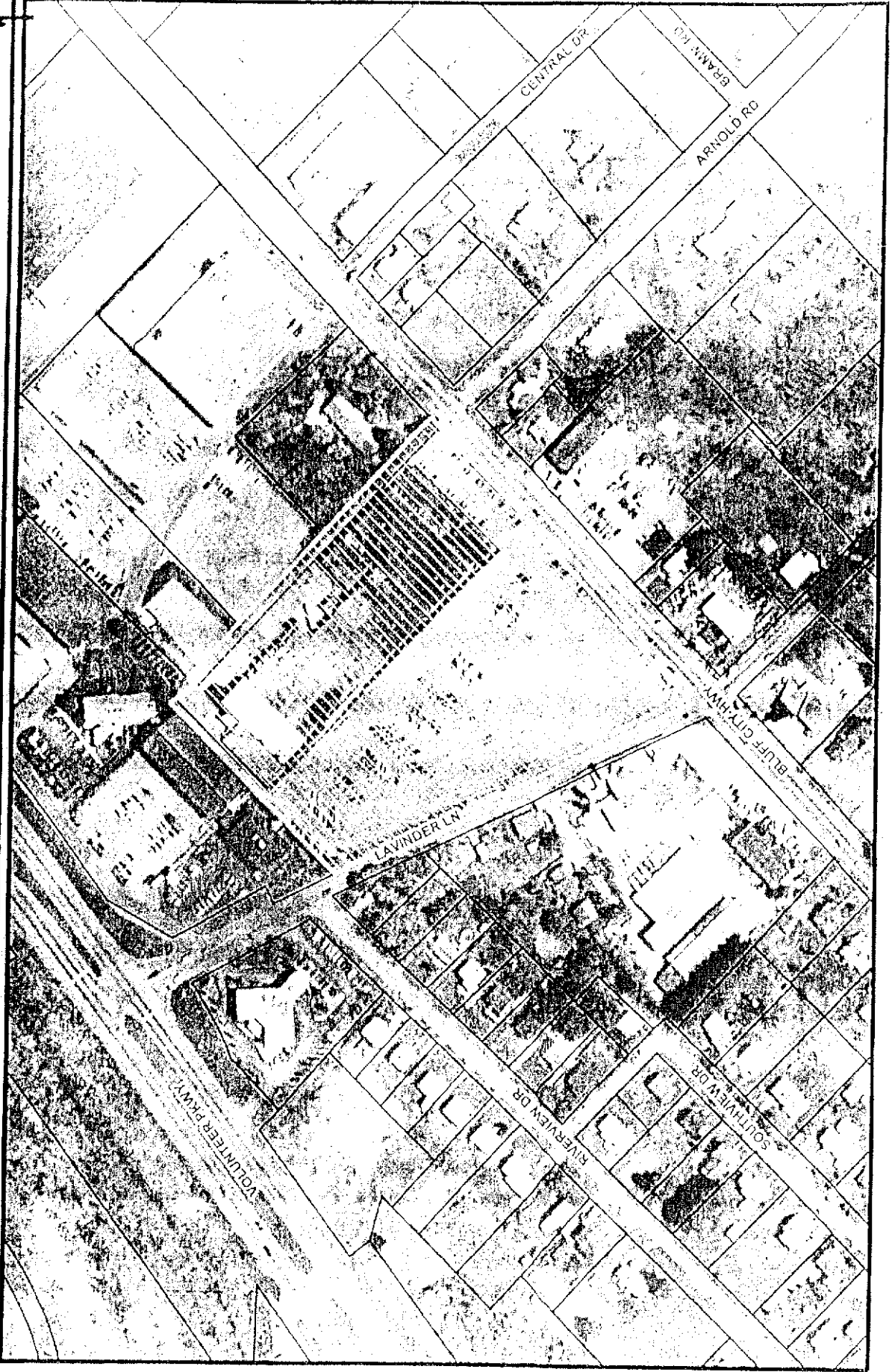


City of Bristol Tennessee Southside Shopping Center Redevelopment District



Legend

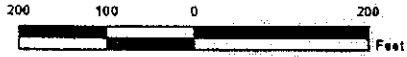
Southside Shopping Center



Zoning Map

Scale: 1" = 200'

Date: 11/17/2005



Drawn By: J.L.L.



City of Bristol Tennessee Southside Shopping Center Redevelopment District



Legend

Southside Shopping Center

000810



Utility Map

Scale: 1" = 200'

Date: 11/17/2005

200 100 0 200 Feet

Drawn By: JAL

City of Bristol Tennessee Southside Shopping Center Redevelopment District



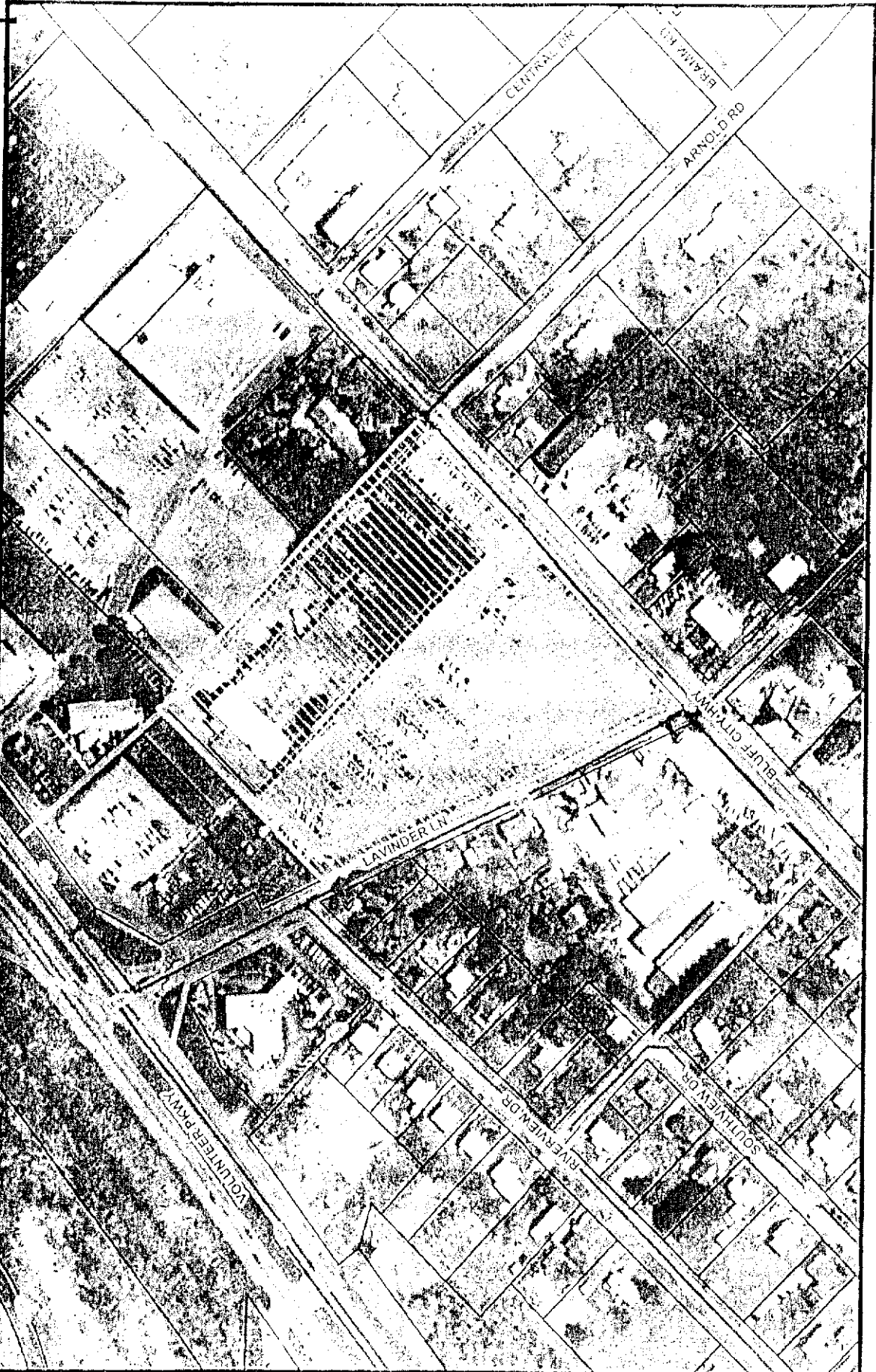
Legend

Fire Hydrant

Water Line

San. Sewer Lines

Southside Shopping Center



Sullivan County, Tennessee
Board of County Commissioners

Item 5
No. 2015-01-01
Attachment

To the Honorable Richard S. Venable, Chairman, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January, 2015.

RESOLUTION TO MOVE THE SULLIVAN COUNTY DEFERRED COMPENSATION PROGRAM TO THE STATE OF TENNESSEE DEFERRED COMPENSATION PROGRAM ADMINISTERED BY THE TREASURER FOR THE STATE OF TENNESSEE.

WHEREAS, by Resolution #23 passed on March 16, 1987, Sullivan County adopted the National Association of Counties (NACO) Deferred Compensation Program and established the Sullivan County Deferred Compensation Plan ("457(b) Plan") which is a voluntary employee tax-deferred savings plan for all eligible County employees and elected officials; and

WHEREAS, Nationwide Retirement Solutions is the Plan Administrator for the Sullivan County Deferred Compensation Plan; and

WHEREAS, Nationwide Retirement Solutions charges an "Asset Based Fee" of either .70%, .80% or .95% of the dollar value of each participant's savings in the Deferred Compensation Plan. This fee is deducted from each participating county employee's savings held in the Deferred Compensation Plan. The actual percentage amount charged, .70%, .80% or .90%, is determined by the investment fund wherein the county employee's money is invested. [Although this fee is generally shown as an annual percentage, this fee is actually figured and deducted from the employees' savings on a daily basis. The amount of the daily fee is determined by dividing the relevant percentage, i.e., either .70%, .80% or .90%, by 365 (days) and then multiplying that number by the dollar value of the employees' savings in each investment fund every day]; and

WHEREAS, this Asset Based Fee is charged by Nationwide Retirement Solutions for as long as the employee keeps his Deferred Compensation money in the Plan, including both during employment and after employment, which could be as long as forty, fifty, even more than sixty years; and

WHEREAS, the State of Tennessee has recently offered Tennessee counties and cities the opportunity to participate in the State of Tennessee Deferred Compensation Program known as "The Tennessee State Employees Deferred Compensation Plan", which is administered by the Treasurer for the State of Tennessee and Great-West Financial; and whereas

WHEREAS, the State of Tennessee Deferred Compensation Program currently charges an Asset Based Fee ranging from a low of .00% to a maximum of ~~.50%~~ .25%; and

WHEREAS, a reduction in the Asset Based Fee from .70%, .80% and .95% to a fee ranging from a maximum fee of ~~5%~~ .25% to as low as .00% can make a large difference in the value of employees' Deferred Compensation investments over time; and

WHEREAS, it is the plan of the State of Tennessee to provide on one website participants' balances in both the State of Tennessee Deferred Compensation Program and the Tennessee Consolidated Retirement System which will be an additional convenience for county employees; and

WHEREAS, it is in the best interest of Sullivan County employees to transfer the Sullivan County Deferred Compensation Program to the State of Tennessee Deferred Compensation Program; and

WHEREAS, it is necessary that the attached Resolution and Participating Employer Agreement be adopted and approved by the legislative body of Sullivan County to effectuate the transfer of Sullivan County's Deferred Compensation Plan from Nationwide to the State of Tennessee Deferred Compensation Program,

NOW THEREFORE BE IT RESOLVED that the attached Resolution and Participating Employer Agreement are hereby passed, adopted and agreed to by the legislative body of Sullivan County in order to effectuate the transfer of the Sullivan County Deferred Compensation Plan ("457(b) Plan") to the State of Tennessee Deferred Compensation Program, and the Mayor of Sullivan County is hereby authorized to sign the Participating Employer Agreement and any other documents necessary and to take any other action necessary to effectuate such transfer.

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

Approved this 20th day of January, 2015.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

Approved: Richard S. Venable
Richard S. Venable, Chairman, County Commission

Introduced By: Commissioner Eddie Williams

Seconded By: Commissioner Randy Morrell

All Commissioners Voting "Aye"

ACTIONS: 1/16/15 Typo corrected;

APPROVED 01-20-15 21 AYE, 3 ABSENT

Waiver of rules



TENNESSEE STATE
EMPLOYEES DEFERRED COMPENSATION
PLAN AND TRUST
- 457(b)
RESOLUTION AND
PARTICIPATING EMPLOYER AGREEMENT

Sullivan County
[Participating Employer]

Administered by:
Treasurer, State of Tennessee
502 Deaderick Street, 9th Floor
Andrew Jackson State Office Building
Nashville, Tennessee 37243
Telephone: 615-532-2347

RESOLUTION

WHEREAS, Sullivan County, Tennessee (hereinafter referred to as the "Employer") has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a governmental 457(b) deferred compensation plan, funded by employee deferrals and, if elected pursuant to Section I and/or K of the Participating Employer Agreement, employer contributions;

WHEREAS, Tennessee Code Annotated, Section 8-25-111(a) allows a Tennessee local governmental entity to participate in the State of Tennessee's 457(b) deferred compensation plan subject to the approval of the Chair of the Tennessee Consolidated Retirement System (hereinafter referred to as the "Chair");

WHEREAS, the liability for participation and the costs of administration shall be the sole responsibility of the Employer and/or its employees, and not the State of Tennessee;

WHEREAS, the Employer has also determined that it wishes to encourage employees' saving for retirement;

WHEREAS, the Employer has reviewed the Tennessee State Employees Deferred Compensation Plan and Trust Adoption Agreement for a Section 457(b) Eligible Deferred Compensation Plan for Governmental Employers, as adopted by the State of Tennessee, as amended and restated effective December 22, 2010, and as amended by Amendment Number One signed December 22, 2010, and Amendment Number Two signed February 8, 2012, as well as the Section 457(b) Eligible Deferred Compensation Plan for Governmental Employer Basic Plan Document (collectively known as the "Plan" or "Plan Document");

WHEREAS, the Employer wishes to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

WHEREAS, the Employer is eligible to become a Participating Employer in the Plan, pursuant to Article XVII of the Plan Document;

WHEREAS, the Employer is concurrently executing a Participating Employer Agreement for the Plan; and

WHEREAS, the County Commission ("Governing Authority") of the Employer is authorized by law to adopt this resolution approving the Participating Employer Agreement on behalf of the Employer;

NOW, THEREFORE, the Governing Authority of the Employer hereby resolves:

1. The Employer adopts the Plan Document for its Employees; provided, however, that for the purpose of the Plan, the Employer shall be deemed to have designated irrevocably the Chair as its agent, except as otherwise specifically provided herein or in the Participating Employer Agreement.
2. The Employer acknowledges that the Plan does not cover, and the Trustees of the Plan ("Trustees") have no responsibility for, other employee benefit plans maintained by the Employer.

3. The Employer acknowledges that it may not provide employer contributions to the Plan on behalf of any of its employees that exceed three percent (3%) of the respective employees' salary if the employees are members of the Tennessee Consolidated Retirement System or of any other retirement program financed from public funds whereby such employees obtain or accrue pensions or retirement benefits based upon the same period of service to the Employer.
4. The Employer hereby adopts the terms of the Participating Employer Agreement, which is attached hereto and made a part of this resolution. The Participating Employer Agreement (a) permits all employees of the respective entity to make elective deferrals; (b) sets forth the Employees to be covered pursuant to Section I and/or K of the Participating Employer Agreement for employer contributions, if any; (c) outlines the benefits to be provided by the Participating Employer under the Plan; and, (d) states any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Participating Employer Agreement, so long as the amendment is not inconsistent with the Plan, the Internal Revenue Code ("hereinafter known as the 'Code' "), Tennessee law, or other applicable law and is approved by the Chair.
5. The Chair may amend the Plan on behalf of all Employers, including those Employers who have adopted the Plan prior to a restatement or amendment of the Plan, for changes in the Code, the regulations thereunder, Tennessee law, revenue rulings, other statements published by the Internal Revenue Service ("IRS"), including model, sample, or other required good faith amendments, and for other reasons that are deemed at the Chair's sole discretion to be in the interest of the Plan. These amendments shall be automatically applicable to all Employers.
6. The Chair will maintain, or will have maintained, a record of the Employers and will make reasonable and diligent efforts to ensure that Employers have received all Plan amendments.
7. The Employer shall abide by the terms of the Plan, including amendments to the Plan and Trust made by the Chair, all investment, administrative, and other service agreements of the Plan, and all applicable provisions of the Code, Tennessee law, and other applicable law.
8. The Employer accepts the administrative services to be provided by the Tennessee Treasury Department and any services provided by Plan vendors. The Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants' Accounts and/or charged to the Employer.
9. Subject to the provisions of Section 17.06 of the Plan, the Employer may terminate its participation in the Plan, including but not limited to, its contribution requirements pursuant to the Plan, if it takes the following actions:
 - a. A resolution must be adopted by the Governing Authority of the Employer terminating the Employer's participation in the Plan.

- b. The resolution must specify the proposed date when the participation will end, which must be at least six calendar months after notice to the Chair and the Employer's employees.
- c. The Chair shall (i) determine whether the resolution complies with the Plan, and all applicable federal and state laws, (ii) determine an appropriate effective date, and (iii) provide appropriate forms to terminate ongoing participation. Distributions under the Plan of existing accounts to Participants will be made in accordance with the Plan Document.
- d. Once the Chair determines the appropriate effective date, the Employer shall immediately notify all its Employees participating in the Plan of the termination and the effective date thereof.
- e. The Chair can, in the Chair's sole discretion, reduce the six month notice and withdrawal period to a shorter period if the Employer so requests, but in no event shall the period be less than three months.
10. The Employer acknowledges that the Plan Document contains provisions for Plan termination by the Trustees, subject to applicable Tennessee law.
11. The Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Trustees to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be timely transferred by the Employer to the Trust Fund pursuant to and in the manner provided by the Chair. The Employer acknowledges that if the Employer fails to remit the requisite contributions in a timely manner, the Chair reserves the right, at the Chair's sole discretion, to terminate the Employer's participation in the Plan. In such event, the Chair shall notify the Employer of the effective termination date, and the Employer shall immediately notify all its employees participating in the Plan of the termination and the effective date thereof. Notwithstanding the foregoing, the Employer acknowledges that it is the sole responsibility of the Employer to remit the requisite reports and contributions to the Plan and that neither the State, the Chair, the Trustees, its employees, or agents shall have any responsibility or liability for ensuring or otherwise monitoring that this is done. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.
12. The Employer agrees to offer and enroll only those persons, whether appointed, elected, or under contract, wherein an employee-employer relationship is established, providing service to the Employer for which compensation is paid by the Employer.

- 13. The Employer understands that IRS rules and Tennessee law limit participation in the Plan to governmental entities and their respective employees. The Employer will notify the Chair in writing within ten (10) calendar days if it ceases to be a governmental entity under applicable federal or Tennessee law, and/or if it discovers that it is transferring or having transferred employee deferrals and/or employer contributions to the Plan on behalf of an individual who does not meet the requirements in Paragraph 12 above.
- 14. The Employer acknowledges that the Chair and other Trustees are the fiduciaries of the Plan and have sole and exclusive authority to interpret the Plan and decide all claims and appeals for Plan benefits. The Employer agrees to abide by the Chair's decisions on all matters involving the Plan.
- 15. This resolution and the Participating Employer Agreement shall be submitted to the Chair for approval. The Chair shall determine whether the resolution and the Agreement comply with the Plan, and, if they do, shall provide appropriate forms to the Employer to implement participation in the Plan. The Chair may refuse to approve a Participating Employer Agreement executed by an Employer that, in the Chair's sole discretion, does not qualify to participate in the Plan.
- 16. The Governing Authority hereby acknowledges that it is responsible to assure that this resolution and the Participating Employer Agreement are adopted and executed in accordance with the requirements of applicable law.

Adopted by the Governing Authority on _____, _____, in accordance with applicable law.

By: _____
 Signature

 Printed Name

 Title

Attest: _____

Date: _____

[Governing Authority must assure that applicable law is followed in the adoption and execution of this resolution.]

contribution. Any Employer Matching Contributions attributable to the distribution of the automatic enrollment contributions will be forfeited and used for the purposes set forth in Section O below.

- e. An Employee who leaves employment and is rehired by the Participating Employer before a 12-continuous-month absence has occurred will be treated as subject to the automatic contribution schedule. An Employee who leaves employment and is rehired by the Participating Employer after a 12-continuous-month absence: *(Check one option below.)*

- i. will be treated as a new Employee, or
- ii. will not be treated as a new Employee

for purposes of determining the Employee's contribution rate in Section F.2.b above.

- G. **HOURS OF SERVICE.** Hours of Service shall be determined on the actual hours for which an Employee is paid or entitled to payment.

- II. **COMPENSATION DEFINITION.** Compensation means all cash compensation for services to the Employer, including salary, wages, fees, commissions, bonuses and overtime pay, that is includible in the Employee's gross income for the calendar year, plus amounts that would be cash compensation for services to the Employer includible in the Employee's gross income for the calendar year but for a compensation reduction election under Code §§ 125, 132(f), 401(k), 403(b), or 457(b) (including an election to defer compensation under Article III of the Plan). If elected below and to the extent permitted by the Treasury regulations or other similar guidance (including, without limitation, the requirements contained in Treasury Regulations §§ 1.457-4(d)(1) and 1.415-2(e)(3)(i)), "compensation" also means accrued bona fide sick, vacation or other leave payable after severance from employment so long as the Participant would have been able to use the leave if employment had continued and it is paid within the longer of two and one-half (2½) months after the Participant severs employment with the Employer or the end of the calendar year in which the Participant severs employment with the Employer.

The Participating Employer:

1. SHALL allow the deferral of leave provision described above.
2. SHALL NOT allow the deferral of leave provision described above.

- I. **MATCHING CONTRIBUTIONS.** *(Check and complete box 1 OR box 2 OR box 3 OR box 4.)*
 [NOTE: Any Matching Contribution will reduce, dollar for dollar, the amount a Participant can contribute.]

The Participating Employer shall:

1. NOT make Matching Contributions.
2. match ___% of Participant elective deferrals of up to ___% of Compensation.

3. match ___% of the first \$_____ of Participant elective deferrals.
4. match the percentage of Participant elective deferrals that the Employer determines in its discretion for the respective Plan Year.

If the Participating Employer elects Automatic Enrollment under Section F.2., Matching Contributions related to the distributed permissible withdrawal election will be placed in a forfeiture account and used in the manner provided in Section O below. Matching Contributions will not be made if a permissible withdrawal is taken before the date the Matching Contribution is allocated.

J. ALLOCATION OF MATCHING CONTRIBUTIONS. If Matching Contributions will be made, allocations will be made to each Participant who satisfies the requirements of Section E.2.a. of this Participating Employer Agreement.

K. NON-MATCHING CONTRIBUTIONS. *(If non-matching contributions will be made, check box 1 OR box 2.)* [NOTE: Any Non-Matching Contribution will reduce, dollar for dollar, the amount a Participant can contribute.]

1. The Participating Employer shall NOT make Non-Matching Contributions.
2. The Participating Employer shall contribute: *(Check and complete one box.)*
- a. an amount fixed by appropriate action of the Employer.
- b. ___% of Compensation of Participants for the Plan Year.
- c. \$_____ per Participant.
- d. an amount pursuant to Schedule 1 attached to this Agreement and which is referenced in Section E.2.b above.
- e. a contribution matching the Participant's contribution to the Employer's § 457(b) plan as follows: (Specify rate of match and time of allocation, e.g., payroll by payroll, monthly, last day of Plan Year.)
- _____
- _____

L. ALLOCATION OF NON-MATCHING CONTRIBUTIONS. If Non-Matching Contributions will be made, allocations will be made to each Participant who satisfies the requirements of Section E.2.b of this Participating Employer Agreement.

M. ROTH CONTRIBUTIONS. Participant Roth Contributions SHALL NOT BE allowed.

N. AFTER-TAX CONTRIBUTIONS. Participant After-tax Contributions are not permitted in a 457(b) Plan and, accordingly, SHALL NOT BE allowed.

- O. FORFEITURES.** Forfeitures of Matching Contributions, as provided in Section F.2.b, will be used first to reduce the Employer's Matching Contributions (if any), then to reduce the Non-Matching Contributions (if any), and then to offset Plan expenses.
- P. NORMAL RETIREMENT AGE.** Normal Retirement Age shall mean age 70½.
- Q. ROLLOVERS.** Rollovers from eligible Code § 457(b) plans, qualified plans under Code §§ 401(a), 403(a) and 403(b), Individual Retirement Accounts and Annuities described in Code §§ 408(a) and (b) SHALL BE allowed pursuant to Section 6.01 of the Plan. However, a direct rollover from an eligible plan under Code § 457(b), 401(k) or 403(b) shall exclude any portion of a designated Roth account. A rollover contribution that is a Participant rollover from an eligible plan under Code Section 457(b), 401(k), or 403(b) shall exclude distributions of a designated Roth account.
- R. TRANSFERS.** Transfers from other 457(b) plans SHALL BE allowed. If a Participant is also a participant in a tax-qualified defined benefit governmental plan (as defined in Code § 414(d)) that provides for the acceptance of plan-to-plan transfers with respect to the Participant, then the Participant may elect to have any portion of the Participant's Account Balance transferred to the defined benefit governmental plan. A transfer under this Section R may be made before the Participant has had a Severance from Employment as defined in Section W below.
- A transfer may be made under this Section if the transfer is either for the purchase of permissive service credit (as defined in Code § 415(n)(3)(A)) under the receiving defined benefit governmental plan or a repayment to which Code § 415 does not apply by reason of Code § 415(k)(3) or as otherwise allowed by the IRS
- S. UNFORESEEABLE EMERGENCY WITHDRAWALS.** In the case of an unforeseeable emergency, the Administrator SHALL allow distributions in accordance with Section 5.05 of the Plan. An unforeseeable emergency is a severe financial hardship resulting from a sudden illness, disability or accidental property loss, subject to strict IRS guidelines.
- T. PARTICIPANT LOANS.** The Administrator has directed the Trustee NOT to make Participant loans in accordance with Article IV of the Plan.
- U. QUALIFIED DOMESTIC RELATIONS ORDERS.** The Plan shall NOT accept qualified domestic relations orders as provided in Section 13.02 of the Plan.
- V. PAYMENT OPTIONS.** The forms of payment that will be allowed under the Plan, to the extent consistent with the limitations of Code § 401(a)(9) and proposed or final Treasury regulations thereunder, include a single lump-sum payment; installment payments for a period of years; partial lump-sum payment of a designated amount, with the balance payable in installment payments for a period of years; annuity payments (payable on a monthly, quarterly, or annual basis) for the lifetime of the Participant or for the lifetimes of the Participant and Beneficiary; and such other forms of installment payments as may be approved by the Administrator, which is not inconsistent with the Plan.
- W. DISTRIBUTIONS.** A Participant may request distributions as follows:

1. A Participant may request a distribution at any time upon Severance from Employment. "Severance from Employment" means the complete severance of the employer/employee relationship with any and all employers participating in the Plan, including retirement or death. Thus, a Severance from Employment would not occur if a Participant transfers employment (i) from one local government that participates in the Plan to another local government that participates in the Plan, or (ii) from the State to a local government that participates in the Plan, or (iii) from a local government that participates in the Plan to the State.
2. A Participant may request a distribution prior to Severance from Employment during the calendar year in which he or she reaches age 70½ or, thereafter, or, if earlier, upon death. A Participant may also request a distribution prior to Severance from Employment upon incurring an approved Unforeseeable Emergency.
3. A Participant may request a distribution from a Rollover Contribution Account at any time.

X. ADMINISTRATIVE INFORMATION.

The Participating Employer further understands and acknowledges that:

- This Participating Employer Agreement has not been approved by the Internal Revenue Service. Obtaining such approval, if desired by the Employer, is solely the responsibility of the Employer.
- The Chair of the Tennessee Consolidated Retirement System ("Chair") and the Participating Employers are not responsible for providing tax or legal advice to Participants.
- The Participating Employer has consulted, to the extent necessary, with its own legal and tax advisors.
- All capitalized terms which are used herein but not defined herein shall have the meanings set forth in the Plan Document.
- The Participating Employer will electronically remit in a timely manner, all employee and employer contributions to the Plan in a manner acceptable with the Plan's Third Party Administrator. The Employer's payroll administrator is responsible for reconciliation of all contributions to the Plan and shall provide the Plan Administrator with required contribution reconciliation reports. Each Employer is required to use the Plan Service Center to administer their employee contributions, indicative data, and enrollment information. If the Participating Employer fails to remit the requisite contributions in a timely manner, the Chair reserves the right, at the Chair's sole discretion, to terminate the Employer's participation in the Plan. In such event, the Chair shall notify the Employer of the effective termination date, and the Employer shall immediately notify all its Employees participating in the Plan of the termination and the effective date thereof. Notwithstanding the foregoing, the Employer acknowledges that it is the sole responsibility of the Employer to remit the requisite reports and contributions to the Plan and that neither the State, the Chair, the Trustees, its employees or agents shall have any responsibility or liability for ensuring or otherwise monitoring that this is done.

REPRODUCED FROM THE ORIGINAL FILED IN THE OFFICE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF TENNESSEE

- Participating Employers are required to use the investment options made available under the Plan. From time to time those investment options may be changed. If an investment option is eliminated, the Administrator may automatically reinvest the money in the eliminated investment option into a new investment option. After any appropriate black-out period, the affected Participants may re-direct money in the new investment option to any other available investment option. The Participants shall have no right to require the Administrator to select or retain any investment option. Any change with respect to investment options made by the Plan (on the Plan level) or a Participant (on the individual level), however, shall be subject to the terms and conditions (including any rules or procedural requirements) of the affected investment options.

This Participating Employer Agreement is duly executed on behalf of the Participating Employer by the undersigned authorized signatories.

PARTICIPATING EMPLOYER'S AUTHORIZED SIGNATORIES:

By: _____ By: _____
 Title: _____ Title: _____
 Date: _____ Date: _____

ACCEPTANCE OF PARTICIPATING EMPLOYER'S PARTICIPATION IN THE TENNESSEE STATE DEFERRED COMPENSATION PLAN AND TRUST BY THE TREASURER, STATE OF TENNESSEE, CHAIR OF THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM.

By: _____
 Title: Treasurer, State of Tennessee, Chair of the Tennessee Consolidated Retirement System
 Date: _____



SCHEDULE 1

TENNESSEE STATE

DEFERRED COMPENSATION PLAN AND TRUST- 457(b)

PARTICIPATING EMPLOYER AGREEMENT

Participating Employer Name: Sullivan County

<u>Classes of Eligible Employees</u>	<u>Contribution Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Sullivan County, Tennessee
Board of County Commissioners

Item 6
No. 2015-01-02
ATTACHMENT

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2015.

RESOLUTION To Sell County Owned Delinquent Tax Property in the 2nd Civil District

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding; and

WHEREAS, the current amount owed against the property is \$1,471.27 for the parcel; and

WHEREAS, a bid in the amount of \$1,000.00 has been received from Tim Tallman on the parcel of land located in the 2nd Civil District identified as Tax Map 038-C, Group B, Parcel 017.02; and

WHEREAS, in accordance with T.C.A. §67-5-2507 a legal notice has been published in a newspaper of general circulation in Sullivan County advising the public of such bid and potential sale of land; and

WHEREAS, during the ten day period after publication, the Office of the County Mayor received no raised bids on such property; and

WHEREAS, the Sullivan County Delinquent Tax Committee has reviewed the delinquency period, location, condition, and value of the property and took into consideration the bid placed upon the property; and the Committee has recommended that the County accept the bid;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the sale of property located in 2nd Civil District identified as Tax Map 038-C, Group B, Parcel 017.02 to Tim Tallman for the amount of \$1,000.00 for the parcel in accordance with T.C.A. §67-5-2507.

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 20th day of January 2015.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Sponsored By: Commissioner Eddie Williams

Prime Co-Sponsor(s): Commissioner Bob White, Randy Morrell, Mark Bowery

ACTIONS: APPROVED 01-20-15 WOR 21 Aye, 3 Absent

000826



STIPULATIONS OF PURCHASE

This Agreement dated the ____ day of _____, 2015, is entered into by and between **SULLIVAN COUNTY, TENNESSEE**, a political subdivision of the State of Tennessee, and **TIMMY TALLMAN**, a citizen and resident of Sullivan County, Tennessee, who is of sound mind and over eighteen (18) years of age.

WHEREAS, since September 2008, property located on the corner of Nita Street and Marlene Drive (Tax Map 038C, Group B, Parcel 017.02) ("Property"), and further identified as being a part of Lot G, Block 1, as shown on the re-plat of the Delaney Farm of the Estate of A. T. Smalling, has been in violation of Sullivan County's Property Maintenance Code due to the dilapidated, unsafe and unsanitary condition of the vacant structure located on the Property, which needs to be torn down and removed from the Property; and

WHEREAS, the previous owner of the Property is deceased; and

WHEREAS, Property was past due and owing in property taxes and was therefore sold in a tax sale on March 20, 2013; and

WHEREAS, the highest bidder for the Property did not pay for the Property in full, and Property was thus acquired by Sullivan County, Tennessee; and

WHEREAS, Timmy Tallman owns property adjacent to the Property and wishes to acquire the Property;

THEREFORE, upon payment of purchase price, **SULLIVAN COUNTY, TENNESSEE** will quitclaim its interests in the Property to **TIMMY TALLMAN** on the condition that **TIMMY TALLMAN** shall tear down the vacant structure located on the Property and remove the same and all material and rubbish from the Property within ninety (90) days of the date of such quitclaim.

SULLIVAN COUNTY, TENNESSEE

BY: _____
RICHARD S. VENABLE, Mayor

TIMMY TALLMAN

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

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

WITNESS my hand and official seal this ____ day of _____, 2015.

My commission expires:

Notary Public

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared TIMMY TALLMAN, with whom I am personally acquainted, or who proved to me on the basis of satisfactory evidence, and who acknowledged himself to be the within named bargainer, who executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal this ____ day of _____, 2015.

My commission expires:

Notary Public

Sullivan County, Tennessee
Board of County Commissioners

Item 7
No. 2015-01-03

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2015.

RESOLUTION To Proclaim the Month of January 2015 as Radon Action Month

WHEREAS, radon is a colorless, odorless, naturally-occurring radioactive gas that threatens the health of our citizens; and

WHEREAS, radon is the second leading cause of lung cancer deaths in the United States and the number one cause among non-smokers; and

WHEREAS, homes and other structures in all 95 counties have had elevated radon levels detected; and

WHEREAS, testing for radon is simple and inexpensive; and

WHEREAS, identified radon problems can be mitigated or repaired; and


WHEREAS, the Tennessee Department of Environment and Conservation and the U.S. Environmental Protection Agency are supporting efforts to encourage Americans to test their homes for radon, mitigate elevated levels of radon, and build new homes with radon-resistant materials and features;

NOW THEREFORE BE IT RESOLVED that Sullivan County, Tennessee does hereby proclaim the month of January 2015 as Radon Action Month and encourage all citizens to join in this worthy observance.

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 20th day of January 2015.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Sponsored By: Commissioner Andy Hare

Prime Co-Sponsor(s): Commissioner Bobby Russell , All Voting "Aye"

ACTIONS: Waiver of rules

Approved 01-20-15 23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 8
No. 2015-01-04

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January 2015.

RESOLUTION to Authorize the Transfer (Loaning) of Funds from the General Purpose School Fund to the Innovation Academy Fund to Provide Temporary Financing for the Fiscal Year Ending June 30, 2015

WHEREAS, the Innovation Academy Fund operates on a reimbursement basis and funds are requested from the grant administrator, Battelle for Kids, by the Sullivan County School Department for all expenditures on a monthly basis; and,

WHEREAS, the Innovation Academy Fund may operate with a cash deficit at various times throughout the fiscal year due to a slow turn-around time for reimbursements from Battelle; and,

WHEREAS, Generally Accepted Accounting Principles (GAAP) consider a cash deficit in any fund to be a significant deficiency in internal control; and,

WHEREAS, the Sullivan County School Department does not desire to operate any fund with a cash deficit.

NOW THEREFORE BE IT RESOLVED THAT the members of the Sullivan County Commission on this 20th day of January, 2015 authorize the Sullivan County Board of Education as follows;

SECTION 1: The General Purpose School Fund to transfer (loan) up to \$200,000 to the Innovation Academy Fund to provide financing to cover (temporary) cash flow needs for non-payroll expenses; and,

SECTION 2: The \$200,000 transfer (loan) shall remain in the Innovation Academy Fund as a designated fund balance from the General Purpose School Fund and may be repaid at any time as noted in this resolution approved by the Board of Education and the County Commission.

This resolution shall take effect upon passage. All resolutions in conflict herewith are and the same rescinded insofar as such conflict exists.

(WAIVER OF RULES REQUESTED)

Hereby approved this 20th day of January, 2015.

Attest: Jeanie Gammon Approve Richard S. Venable
Jeanie Gammon, County Clerk Richard S. Venable, County Mayor

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

ACTIONS: Waiver of rules
Approved 01-20-15 23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 9
No. 2015-01-05

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January, 2015.

RESOLUTION to amend the 2014 – 2015 General Purpose School Fund Budget for the LEAPS Grant awarded by the State of Tennessee in the amount of \$85,000.00

WHEREAS, grant funds have been made available from the State of Tennessee for an after-school extended learning program at the Sullivan County Innovation Academy; and,

WHEREAS, these monies will be used for teacher stipends, instructional supplies/materials, and transportation for students attending the program; and,

WHEREAS, said grant is funded one hundred percent (100%) by the Tennessee Lottery thereby requiring no matching funds from the Sullivan County Department of Education.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of January, 2015 hereby approves amending the General Purpose School Fund budget in the amount of \$85,000.00 for the LEAPS grant. Account Codes to be assigned by the Business Manager of the Sullivan County Department of Education.

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

Hereby approved this 20th day of January, 2015.

Attest: Jeanie Gammon Approve: Richard S. Venable
Jeanie Gammon, County Clerk Richard S. Venable, County Mayor

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

ACTIONS: Waiver of rules
Approved 01-20-15 23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 10
No. 2015-01-06

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of January, 2015.

RESOLUTION to amend the 2014 – 2015 General Purpose School Fund Budget for a Utrust Grant in the amount of \$28,000.00

WHEREAS, Utrust is awarding grant funds to school systems around the State and Sullivan County Department of Education has been named as a recipient; and,

WHEREAS, the grant funds will be used to purchase classroom technology and administrative software; and,

WHEREAS, said grant is funded one hundred percent (100%) by Utrust thereby requiring no matching funds from the Sullivan County Department of Education.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of January, 2015 hereby approves amending the General Purpose School Fund budget in the amount of \$28,000.00 for the Utrust grant. Account Codes to be assigned by the Business Manager of the Sullivan County Department of Education.

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

Hereby approved this 20th day of January, 2015.

Attest: Jeanie Gammon
Jeanie Gammon, County Clerk

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

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

ACTIONS: Waiver of rules
Approved 01-20-15 23 Aye, 1 Absent

RESOLUTION
of the
SULLIVAN COUNTY
BOARD OF COMMISSIONERS
No. 2015-01-07

RESOLUTION memorializing O.W. Ferguson and adjourning the Sullivan County Commission this 20th day of January 2015, in his loving memory and honor.

WHEREAS, O.W. Ferguson was a native son of the State of Tennessee, born in Sullivan County to Walter and Jessie Fink Ferguson; and

WHEREAS, Mr. Ferguson served his country with honor, serving in the U.S. Air Force in the Korean Conflict – service which never comes without sacrifice; and

WHEREAS, Mr. Ferguson as a faithful public servant, served on the Sullivan County Commission for 39 years, being Chairman Pro Tem for 22 of those years; and

WHEREAS, Mr. Ferguson served God through his affiliation with the Stateline Baptist Church; and

WHEREAS, Mr. Ferguson served his community through his membership in the Lynn Garden Optimist Club as well as receiving the Optimist President Citation Award multiple times and being elected to the Tennessee District of Optimist International Hall of Fame in 2004; and


WHEREAS, Mr. Ferguson was the loving and beloved husband of 62 years of Jean Wolf Ferguson, the loving and beloved father of Linda K. Smith and Rhonda S. Martin, and a loving and proud grandfather; and

WHEREAS, on January 13, 2015, O.W. Ferguson passed from this earth;

NOW THEREFORE BE IT RESOLVED by the Board of Sullivan County Commissioners, Sullivan County, Tennessee, that the Commission does hereby extend its heartfelt sympathy and proffers its sincerest condolences to the family and friends of O.W. Ferguson on the sad occasion of this passing.

BE IT RESOLVED that the Board of Sullivan County Commissioners affirms that the service given by O.W. Ferguson to his country, this county, and his community was many fold and will benefit the citizens for years yet to come. For such service, the Commission extends its gratitude.

BE IT RESOLVED that Sullivan County Mayor Richard S. Venable and the Board of Sullivan County Commissioners hereby acknowledge this day in loving memory and honor of O.W. Ferguson.



Richard S. Venable, Sullivan County Mayor

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AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION FEBRUARY 17, 2015.


RICHARD VENABLE

COMMISSION CHAIRMAN