

COUNTY COMMISSION- REGULAR SESSION

NOVEMBER 17, 2003

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, NOVEMBER 17, 2003, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE F. GAMMON, COUNTY CLERK AND MAJOR HAROLD OWENS, OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Richard S. Venable. Major Harold Owens opened the commission and Rev. Clay Austin gave the invocation. Pledge to the flag was led by the Mr. Ralph Yelton.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

GARTH BLACKBURN	LINDA K. BRITTENHAM
JAMES "MOE" BROTHERTON	RAY CONKIN
JOHN CRAWFORD	
CLYDE GROSECLOSE, JR.	LARRY HALL
RALPH P. HARR	JOE HERRON
DENNIS HOUSER	MARVIN L. HYATT
SAMUEL C. JONES	ELLIOTT KILGORE
JAMES "BUDDY" KING	JAMES L. KING, JR.
R. WAYNE MCCONNELL	JOHN MCKAMEY
RANDY MORRELL	HOWARD PATRICK
JACK SITGREAVES	MICHAEL SURGENOR
MARK A. VANCE	EDDIE WILLIAMS

22 PRESENT 1 ABSENT (Ferguson Absent)

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. Harr and seconded by Comm. Buddy King to approve the minutes of the October 20, 2003 Regular Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS: NOVEMBER 17, 2003

THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:

1. Deandra Bearden concerning the Animal Shelter.
 2. June Chard concerning the Animal Shelter.
 3. Sue Lewis concerning the Animal Shelter.
 4. Dan Wells concerning Lynn Garden and support of Res. #5
 5. Ken Bronner concerning Hwy 357
 6. Kelly St. John concerning the Animal Shelter.
 7. Regina Isenberg concerning the Animal Shelter.
 8. Sid Lester concerning Hwy 357
-

PROCLAMATIONS WERE PRESENTED BY MAYOR VENABLE TO THE FOLLOWING:

1. PROCLAMATION HONORING MTN. EMPIRE CHAPTER 289 KOREAN WAR VETERANS
 2. PROCLAMATION HONORING RETIRED TEACHERS OF SULLIVAN COUNTY
-

QUARTERLY REPORTS FILED FOR JULY 2003 – SEPTEMBER 2003 WITH THE COUNTY CLERK WERE:

1. LIBRARY

APPOINTMENT OF

HEALTH & SAFETY OFFICER

MAYOR RICHARD VENABLE APPOINTED TIM EARLES TO SERVE AS HEALTH AND SAFETY OFFICER. MOTION WAS MADE BY COMM. SITGREAVES AND SECONDED BY COMM. CRAWFORD TO APPROVE THE APPOINTMENT. SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION, 19 AYE, 1 NAY, 1 PASS, 3 ABSENT THIS 17TH DAY OF NOVEMBER, 2003.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARY'S

OCTOBER 20, 2003

Wallace D. Alley, Jr.	Jonathan Hermes	Vickie L. Smith
Sutton Anderson	Inez Herrmann	Paul A. Steele
Angela D. Barker	Wendy Marie Hobbs	Jody Virginia Lynn Robinett
Jimmy D. Bell	Debbie Houser	Sarah G. Villar
Heather J. Bishop	Mark Isaac	Joe Ann Vincill
David A. Blythe	Sheri Jenkins	Martha M. Walker
Janet E. Bowker	Hazel M. Johnson	Roger L. Warner
Elizabeth Walker Byerley	Jennifer Ann Kegley	Shirley B. Warren
James Robert Cadle	Shannon Kern	Natalie Jayne Owens Wells
Mary Beth Camiolo	Carmen Lambert	Lisa L. Wilcox
Benjamin R. Christian	Paula Lawson	James A. Wilder
Carolyn T. Cox	Betty C. Lewis	Joyce B. Winstead
C. Thomas Davenport, Jr.	Pamela D. Loudy	Jennifer Snead
Miranda Davis	K. Jeff Luethke	
Donna Bonnet Dillow	Jada Marshall	UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. MORRELL AND COMM. HYATT TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.
Larry R. Dillow	Wilma Jean Meade	
Vicki Dowell	Jack Morrison	
April L. Eads	Gail B. O'Dell	
Tim H. Earles	Della Parsons	
Tara S. Ellison	D. Lee Robinette	
Dean Elrod	Joyce Ann Rhoten	
Patricia Feathers	Carol D. Robinette	
Vicky K. Fields	Mary P. Rossie	
Mary S. Gouldthorp	Robin W. Rutherford	
J. Greene	Helen E. Salyer	
Kenneth Davis Hale	Shelia Ann Simpson	
Tamara R. Harden	Diane M. Slagle	

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

NOVEMBER 17, 2003

Darrell Carr

Robert C. Ervin, Jr.

Virgil L. Faulkner

Phyllis T. French

Johnny Johnson

Joseph C. Johnson, Jr.

Linda C. McClellan

E. L. McConnell

Ashley M. Meade

Thomas M. Riddle

Richard Souder

William R. Steadman

Rhonda Tickles

Sandra K. Urbani

Brenda Bouton

Mallory M. Cross

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

Abstract

Table 1

[illegible]

Agenda

Sullivan County Board of County Commission
November 17, 2003

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, November 17, 2003 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 09/03/01 Lynn Hicks
Reclassify R-1 property located at 335 Arcadia Drive to A-1 for the purpose of allowing for an aquascape business. Property ID. No. Tax map 32, part of parcel 128 and all of parcel 128.20 located in the 10th Civil District. **Kingsport Planning**
- (2) File No. 09/03/02 David Morgan
Reclassify R-1 property located at 110 Beechwood Road to B-3 for the purpose of future sale of the property as commercial. Property ID. No. Tax map 107, Parcel 124 located in the 14th Civil District. **Sullivan County Planning**
- (3) File No. 09/03/ 03 Richard Blevins
Reclassify R-1 property located at 104 Beechwood Road to B-3 for the purpose of future development and parking for Blevins Electric. Property ID. No. Tax Map 107, Parcel 124.10 located in the 14th Civil District. **Sullivan County Planning**
- (4) File No. 09/03/04 James Hurd
Reclassify R-1 property located at 5357 Fort Henry Drive to B-3 for the purpose of future development for Blevins Electric. Property ID. No. Tax map 107, Parcel 120.00 located in the 14th Civil District. **Sullivan County Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 09/03/01 ³

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

Property Owner Lynn Wesley Hicks
Address 335 Arcadia Dr
423 Wingsport, In 37664
Phone 384-8000 Date of Request 8-18-03
Property Located in 10th Civil District

+ Judy Hicks
Signature of Applicant

OFFICE USE ONLY

Meeting Date 10-16-03 Time 7:00 p.m.

Place City Hall
2nd Floor

Planning Commission Approved _____
Denied _____

County Commission Approved _____
Denied X

Other Roll Call Vote 5Aye, 17Nay, 1Pass,
1Absent

Final Action Date 11-17-03

PROPERTY IDENTIFICATION

Tax Map 32 Group _____ Part of Parcel 128.00 + 128.20

Zoning Map 7 Zoning District R-1 Proposed District A-1

Property Location Arcadia Dr (335)

Purpose of Rezoning To allow an aquascape
business

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

Sworn to and subscribed before me this 18th day of Aug, 2003.

Debra K. House
Notary Public

My Commission Expires: 12-20-03

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CITY OF KINGSFORT, TENNESSEE

October 21, 2003

Ambre Torbett
Sullivan County Land Use Office
P.O. Box 509, Suite 30
Blountville, TN 37617
Fax: 279-2886

Dear Mrs. Torbett:

On October 16, 2003, the Kingsport Regional Planning Commission made the following recommendation concerning the county case:

10-01 335 Arcadia Drive County Rezoning Request (03-101-00012)

The county rezoning request of approximately 21-acres from R1, Residential District to A1, Agricultural District was located adjacent to the eastern side of 335 Arcadia Drive accessed from East Stone Drive (Sullivan County tax map 32, part of parcel 128, 128.20). The proposal was to convert a house and barn currently being constructed into a landscaping business specializing in fishponds. Staff recommended the rezoning as requested for the following reasons:

1. It is compatible with the northern farms, and the surrounding large lots that are either detached single-family houses, or vacant.
2. The proposed zoning can be accommodated by existing services such as the increased traffic on East Stone Drive.

Two unnamed neighbors opposed the rezoning based upon the poor southern sight distance of Arcadia Drive, which curved near the site, and its narrow street pavement width, which caused accidents in the area. Staff stated if the 21-acre property were developed as presently zoned into a residential subdivision, the amount of traffic-generated would be comparable to the specialized hydro-landscaping business. The property owner and applicant, Lynn Hicks, stated that the sight distance was adequate. On a motion by Colette George, seconded by Doug Releford, the Commission voted unanimously, 5-0, to recommend the rezoning as requested based upon the Staff rationale.

If you have questions, please call me at (423) 224-2482.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert Nemeth", is written over the typed name.

Robert Nemeth

REZONING REPORT
FILE: 03-101-00012

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Robert Nemeth, Planner

DATE: For October 16, 2003

APPLICANT: Lynn Hicks

REQUESTED ACTION: County rezoning request of approximately 21-acres from R1, Residential District to A1, Agricultural District.

LOCATION: Property is located adjacent to the eastern side of 335 Arcadia Drive accessed from East Stone Drive (Sullivan County tax map 32, part of parcel 128, 128.20). The property is located outside the Kingsport city limits within the Urban Growth Boundary in the 10th Civil District of Sullivan County.

EXISTING LAND USE: Vacant.

PROPOSED USE: For future aquascape business (unspecified).

COMPARISONS BETWEEN COUNTY R1 & A1 ZONING DISTRICTS:

- R1 is primarily for single-family residences on minimum 15,000 square-foot lots.
- A1 is primarily for agricultural purposes, but also permits all R1 land uses.

SURROUNDING COUNTY ZONING

The property is surrounded by county R1 zoning districts with the city R-1B, detached single-family zoning district to the southeast.

SURROUNDING LAND USES.

North: There are agricultural farms on both sides of Arcadia Drive directly to the north, and two detached single-family houses with horses

South: Directly south, there is a vacant 16-acre lot adjacent to Arcadia Drive. The land uses adjacent to Arcadia Drive between the site and East Stone Drive comprise of mostly single-family houses, vacant lots, and near the intersection General Shale Brick Block, Leonard Truck Accessories, and one 32-acre farm.

East: Vacant woods.

West: Detached single-family house on 17-acres.

LAND USE PLAN (S):

- The 2010 Conceptual Land Use Plan (Kingsport Land Use Plan, 1988) designates the property for single-family land use.

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UTILITIES: City sewer is not available to the property. The property is located within the jurisdiction of Bloomingdale Water.

TRANSPORTATION:

Arcadia Drive has an approximately 18-to-20-foot 2-lane pavement width. The Major Street & Road Plan (2000) designates East Stone Drive between New Beason Well Road, and the Eastern City limits as a principle arterial street with a 180-foot right-of-way. The Tennessee state station 109 counted 16,747 average daily vehicle trips on East Stone Drive located near its intersection with Arcadia Drive. This vehicle count has decreased 2,277 daily trips since 1994, which had 14,470 daily vehicle trips. Thus, East Stone Drive can adequately handle additional traffic.

PHYSICAL CHARACTERISTICS:

The property measures approximately 64-feet of lot frontage adjacent to Arcadia Drive, and it widens to approximately 20-feet in the rear. The property has varying topography over its 2.1-acres.

CITIZEN RESPONSE: None.

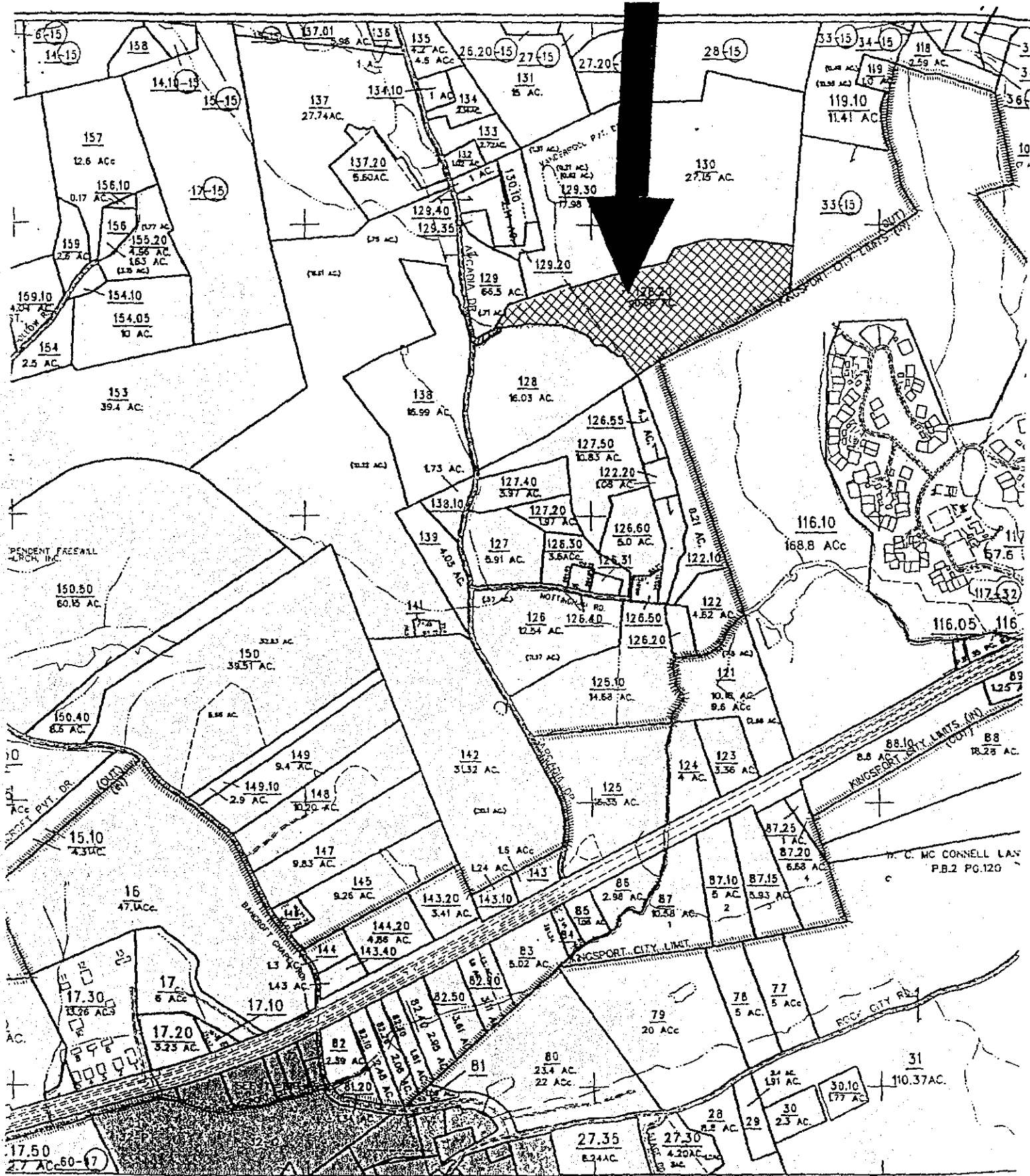
OPTIONS: The Planning Commission's options are the following:

1. Approve the rezoning from R1 to A1 as requested.
2. Disapprove the rezoning, and state the reasons in writing.
3. Postpone action until additional information is presented.

STAFF RECOMMENDATION:

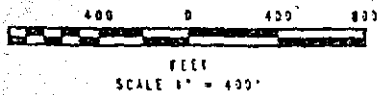
Staff recommends Option 1.

1. It is compatible with the northern farms, and the surrounding large lots that are either detached single-family houses, or vacant.
2. The proposed zoning can be accommodated by existing services.



PARCEL BOUNDARY

PLAN



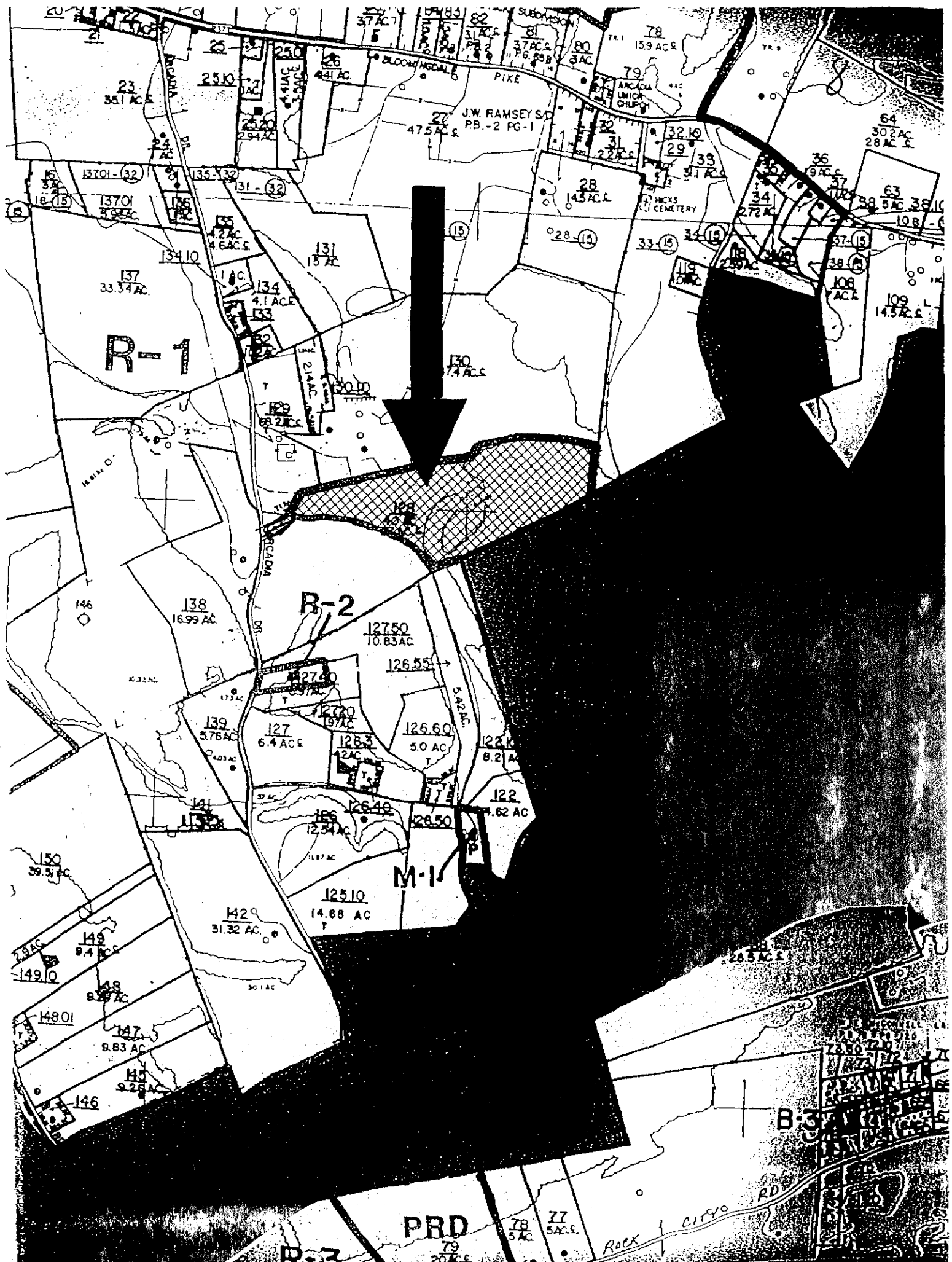
THIS MAP IS A REPRODUCTION
OF A MAP OF THE
COUNTY OF KINGSFORD

1 PARCEL NUMBER
2 AC DEED ACRES
3 AC CALCULATED ACRES
4 DEED/PLAT DIMENSION
5 SCALED DIMENSION
6 SURVEYED DIMENSION
7 SLO. LOT NO.

8 PARCEL HIGH
9 INTERP. TRACT LINE
10 DISTRICT LINE
11 PARCEL OUTLINE
12 SECTION CORNERS
13 ED. LINE
14 CORP. LIMITS

15 PARCEL & CONTROL MAP NO.
16 CEMETERY
17 CHURCH
18 SCHOOL
19 STATE LINE
20 ROAD ROW
21 RAILROAD ROW

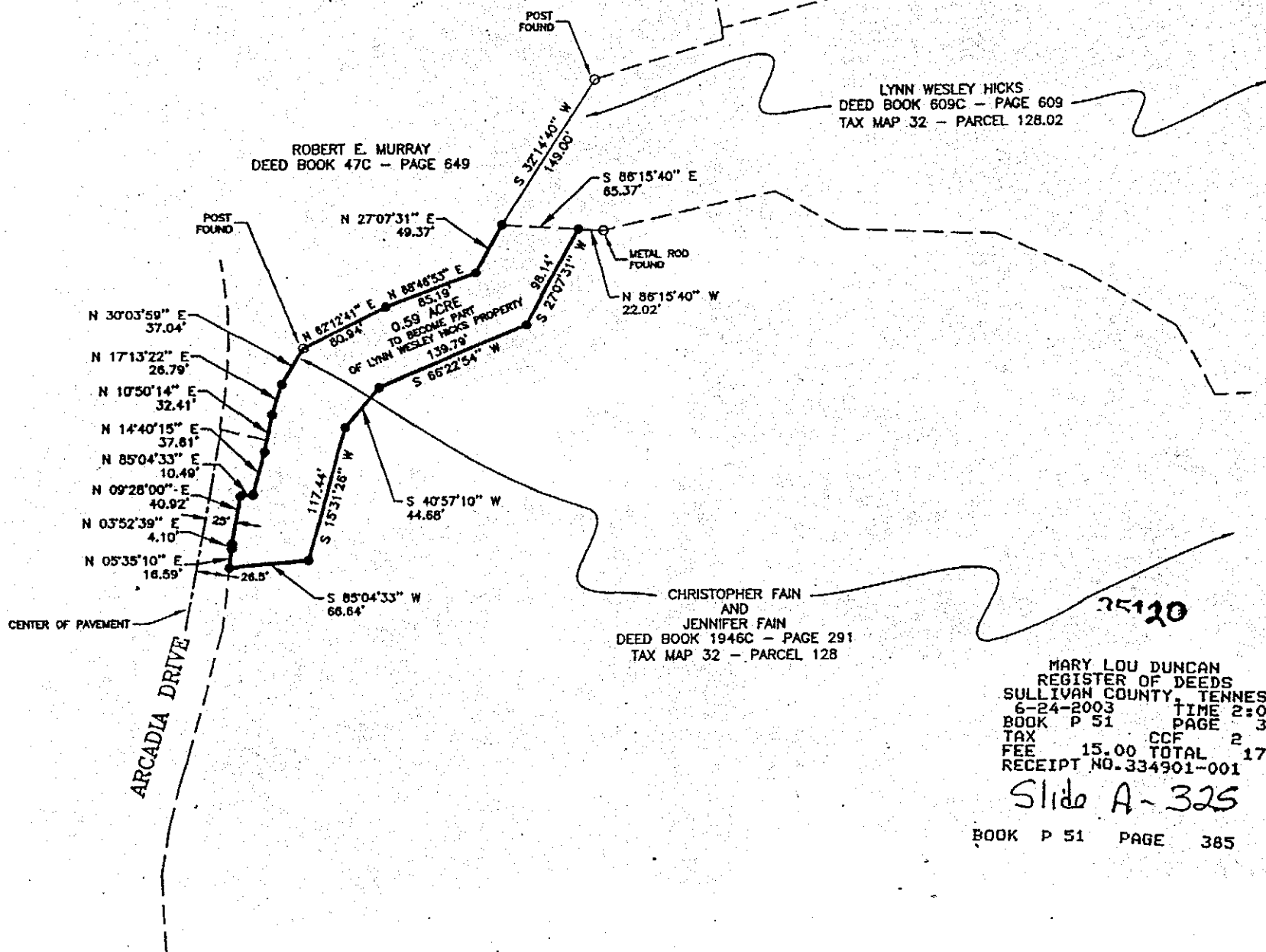
22 STREAM
23 FENCE
24 TRAIL/PATH



9

LYNN E. WILLIAMS, JR.
AND
BARBARA D. WILLIAMS
DEED BOOK 563C - PAGE 326

DEED NO.



MARY LOU DUNCAN
REGISTER OF DEEDS
SULLIVAN COUNTY, TENNESSEE
6-24-2003 TIME 2:00
BOOK P 51 PAGE 385
TAX CCF 2
FEE 15.00 TOTAL 17.00
RECEIPT NO. 334901-001

Slide A-325

BOOK P 51 PAGE 385

Lynn Hicks



PETITION TO SULLIVAN COUNTY FOR REZONING

#09/03/02/11

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

OFFICE USE ONLY

Property Owner David & Susan Morgan

Address 110 Beechwood Road
Kingsport TN 37663

Phone 2399252 Date of Request 9-12-03

Property Located in 14 Civil District

David Morgan Susan Morgan
Signature of Applicant

Meeting Date 10-21-03 Time 7:00 P.m.

Place 2nd Floor - Courthouse
Main St

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll Call Vote 23 Aye, 1 Absent

Final Action Date 11-17-03

PROPERTY IDENTIFICATION

Tax Map 107 Group _____ Parcel 124

Zoning Map 25 Zoning District R-1 Proposed District B-3

Property Location 110 Beechwood Road Kingsport, TN 37663

Purpose of Rezoning Change to B3 for future sale as
Commercial Property

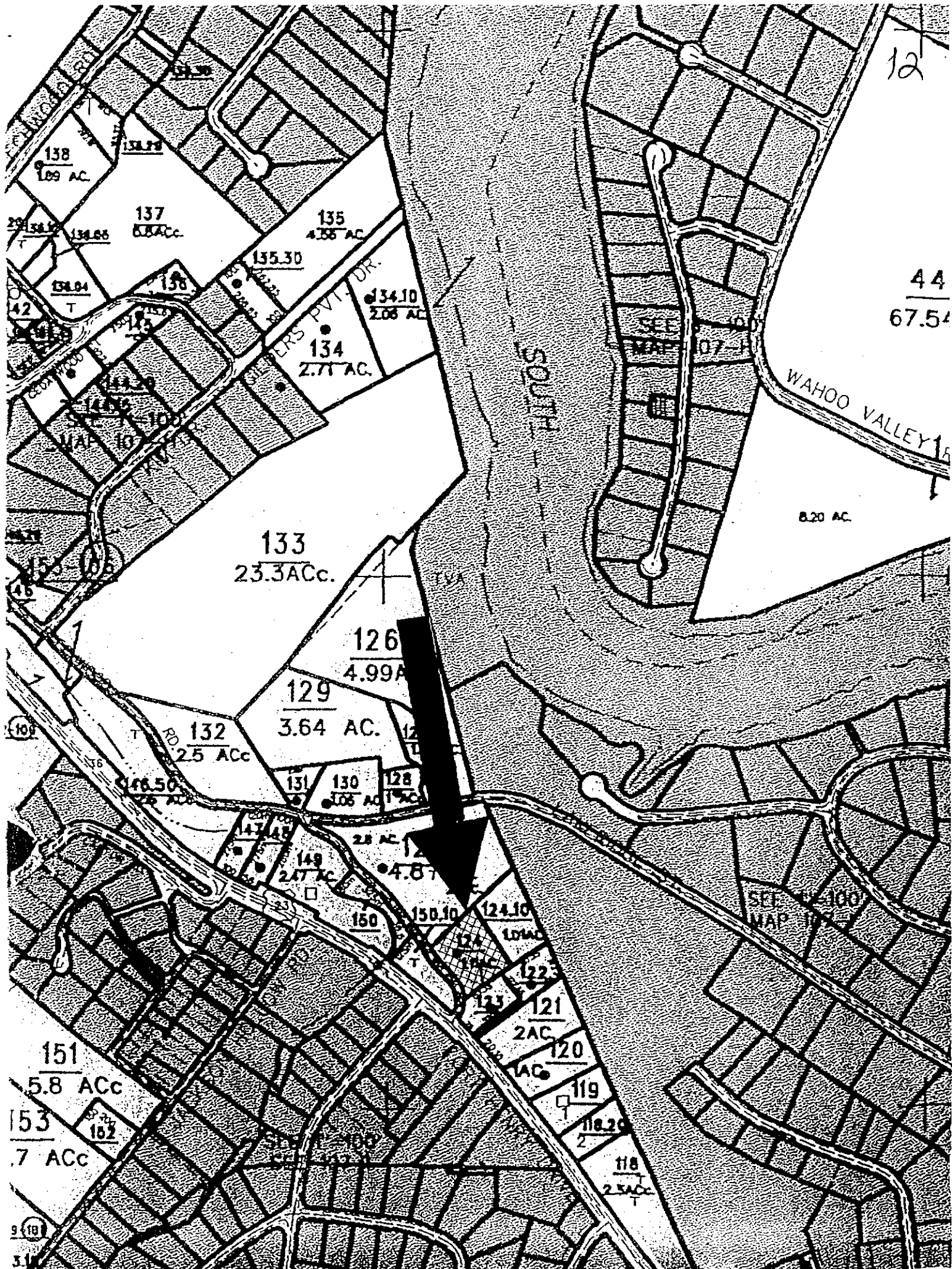
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

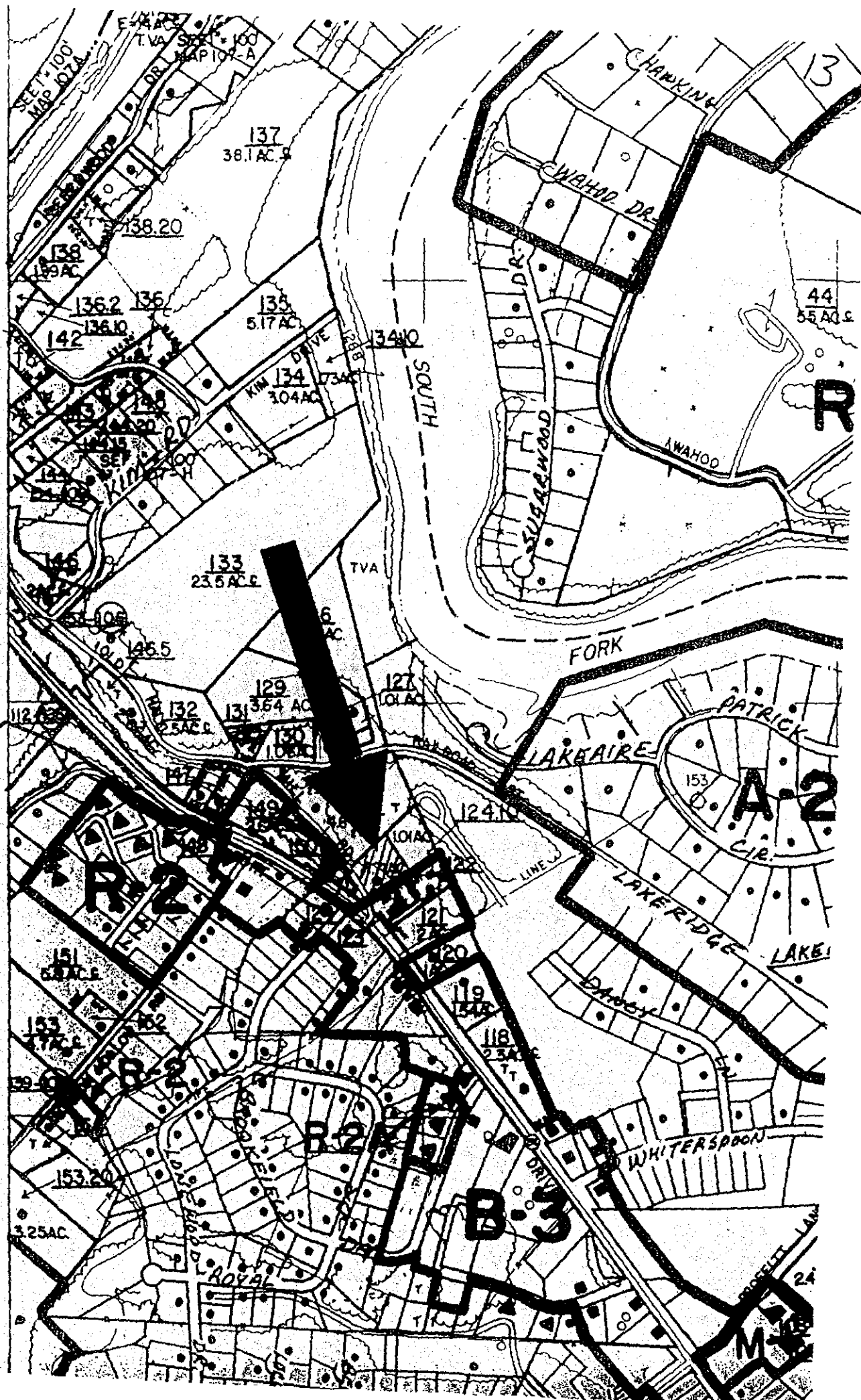
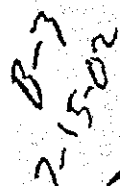
David Morgan Susan Morgan

Sworn to and subscribed before me this 12 day of September, 2003

W. Davis
Notary Public

My Commission Expires: 8/25/04





David Morgan



PETITION TO SULLIVAN COUNTY FOR REZONING #09/03/03 15

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

Property Owner Richard & Randy Blewds

Address PO Box 6014

Kingsport, TN 37663

Phone 239 1088 Date of Request 9-9-03

Property Located in 14 Civil District

[Signature]
Signature of Applicant

[Signature]

OFFICE USE ONLY

Meeting Date 10-21-03 Time 2:00 p.m.

Place 2nd floor

Continued

Planning Commission Approved _____
Denied _____

County Commission Approved^X _____
Denied _____

Other Roll Call Vote 23 Aye, 1 Absent

Final Action Date 11-17-03

PROPERTY IDENTIFICATION

Tax Map 107 Group _____ Parcel 124.10

Zoning Map 25 Zoning District R-1 Proposed District B-3

Property Location 104 Beechwood Road Kingsport, TN
(Adjacent to Blewds Electric -- behind Morgan Property)

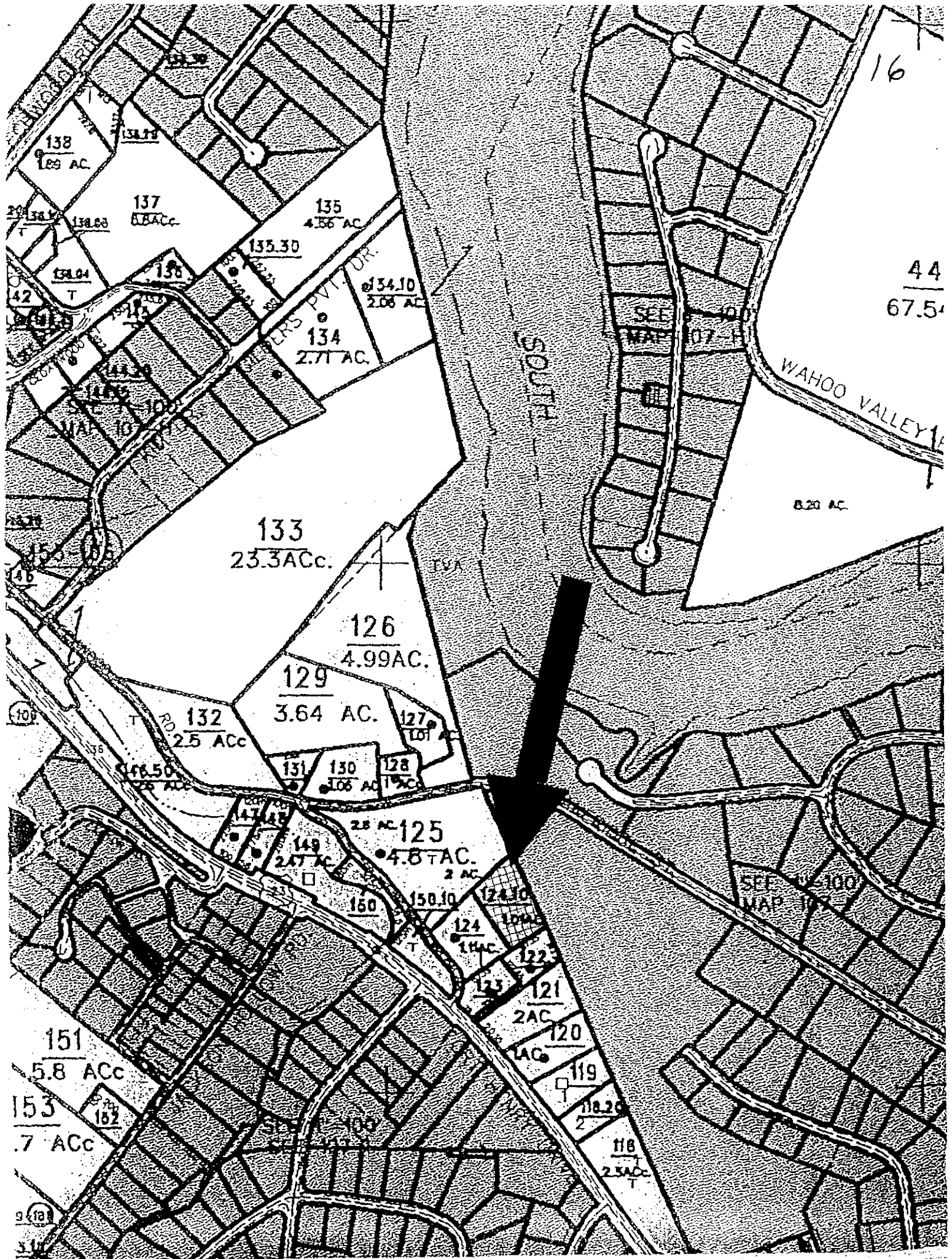
Purpose of Rezoning Future Development & Parking for
Blewds Electric, Inc.

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

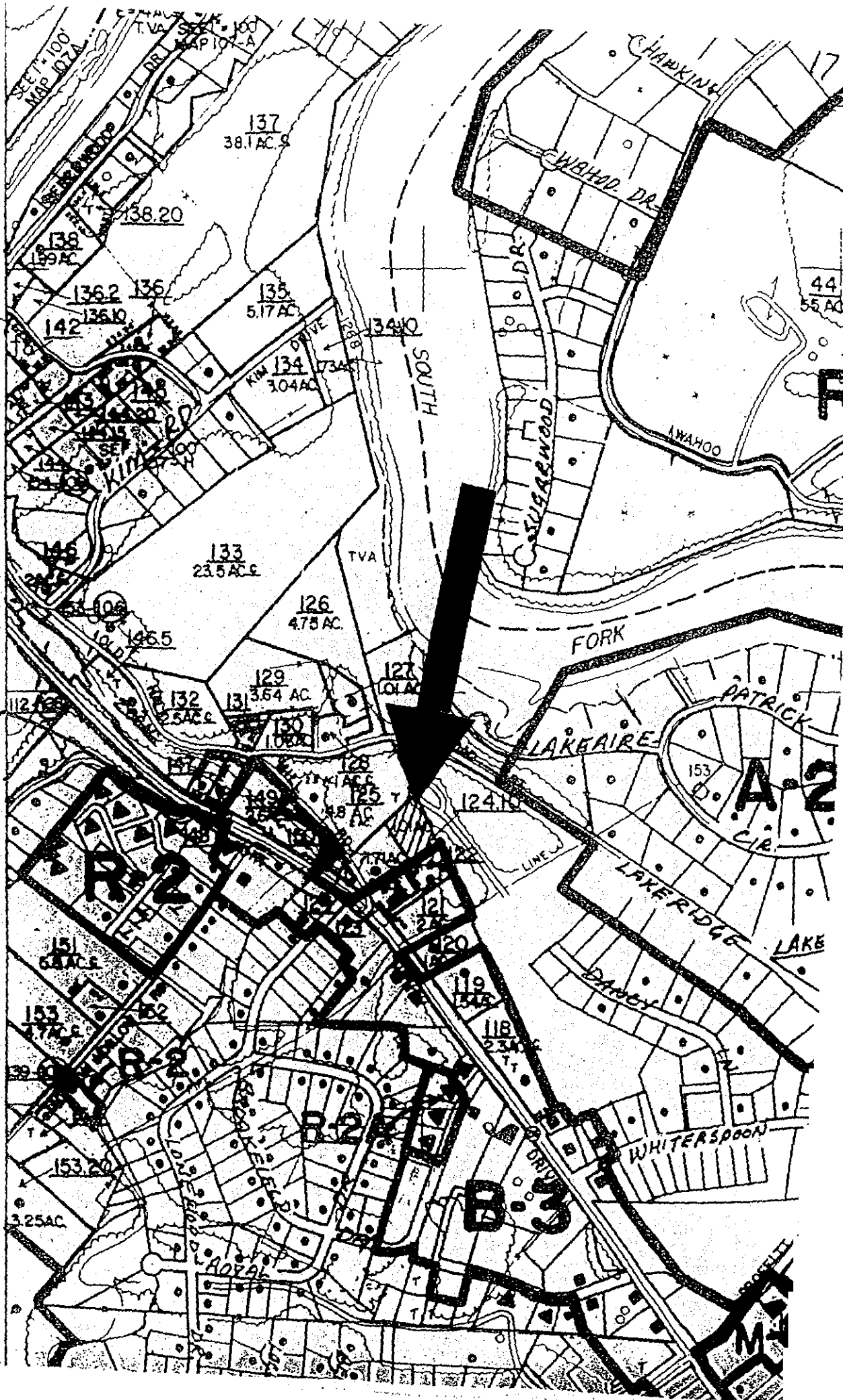
Sworn to and subscribed before me this 5 day of September, 2003.

[Signature]
Notary Public

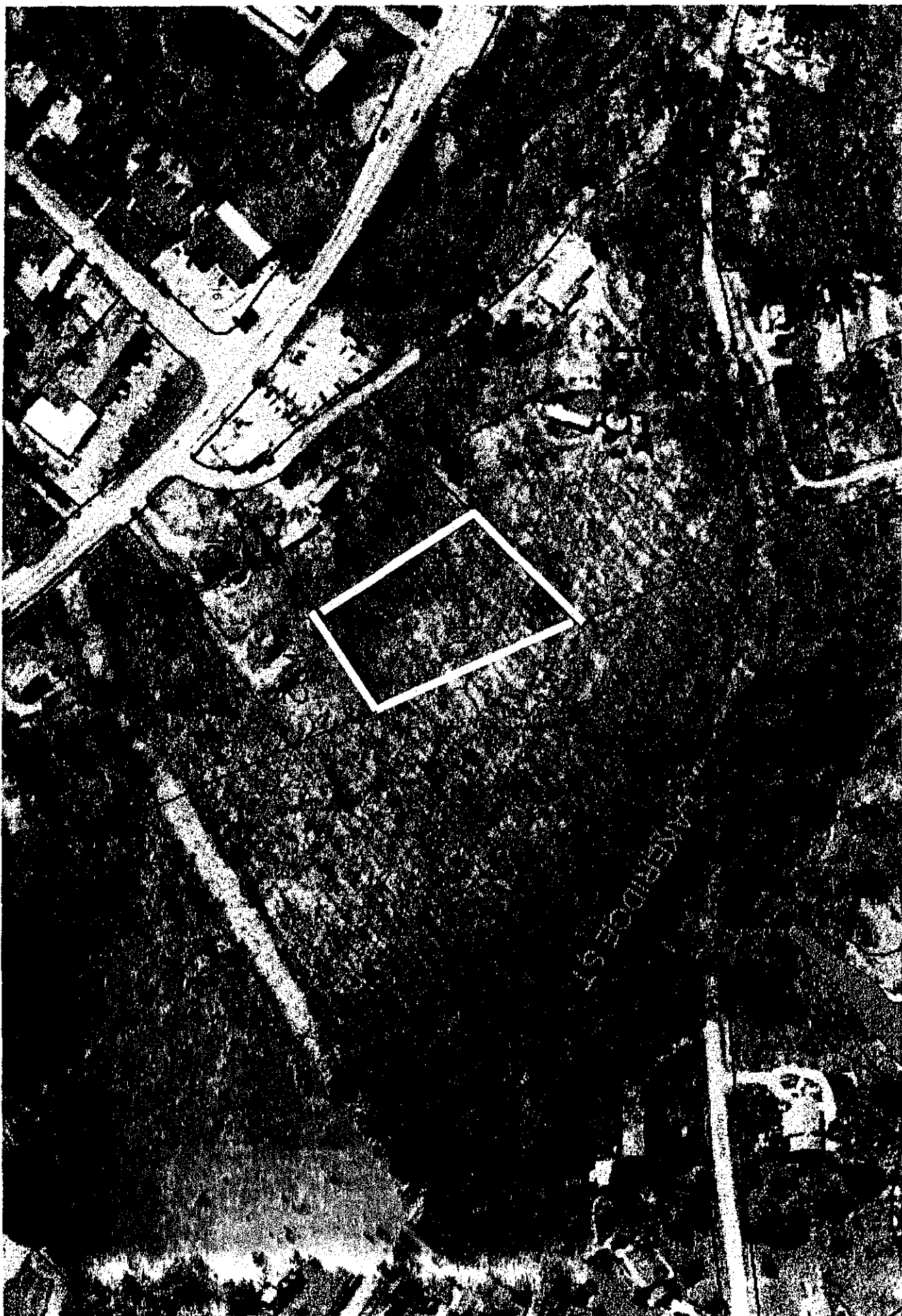
My Commission Expires: 8/25/04



B-7
2-15-02



Richard Blevins



PETITION TO SULLIVAN COUNTY FOR REZONING #09/03/04/19

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

OFFICE USE ONLY

Property Owner James & Sharon Hurd
Address 1519 Maple Hill Drive
Mt Carmel, TN 37645
Phone 357-8605 Date of Request 9-9-03
Cell # 502-9713
Property Located in 14 Civil District

[Signature]
Signature of Applicant

Sharon R. Hurd

Meeting Date 10-21-03 Time 7:00 p.m.

Place 2nd Floor
Courthouse

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll Call Vote 23 Aye, 1 Absent

Final Action Date 11-17-03

PROPERTY IDENTIFICATION

Tax Map 107 Group _____ Parcel 120

Zoning Map 25 Zoning District R-1 Proposed District B-3

Property Location 5357 Fort Henry Dr.

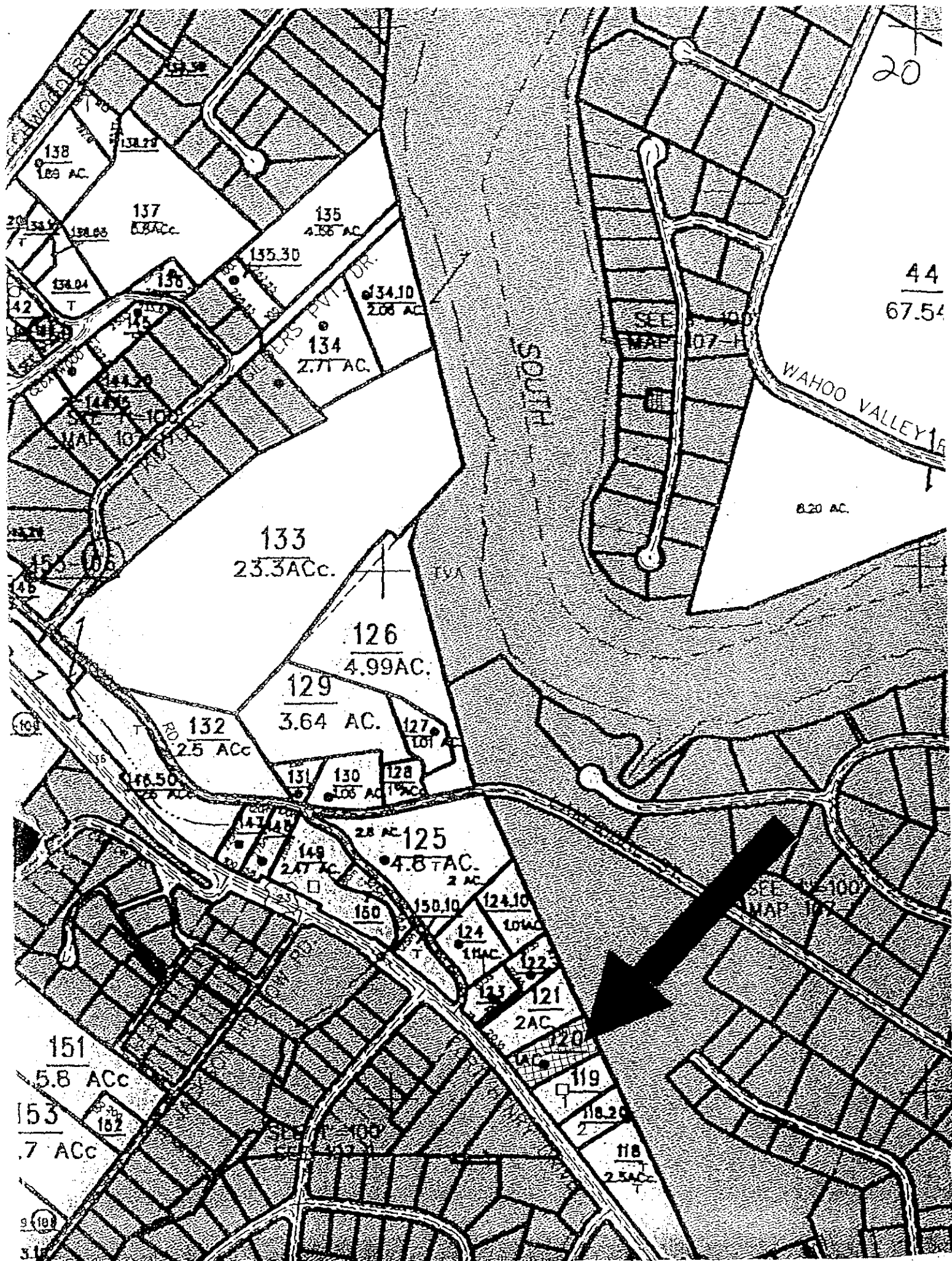
Purpose of Rezoning Selling Property To Richard & Randy Beards To
Use For Future Development For Beards Electric, Inc (Need B3 Zon

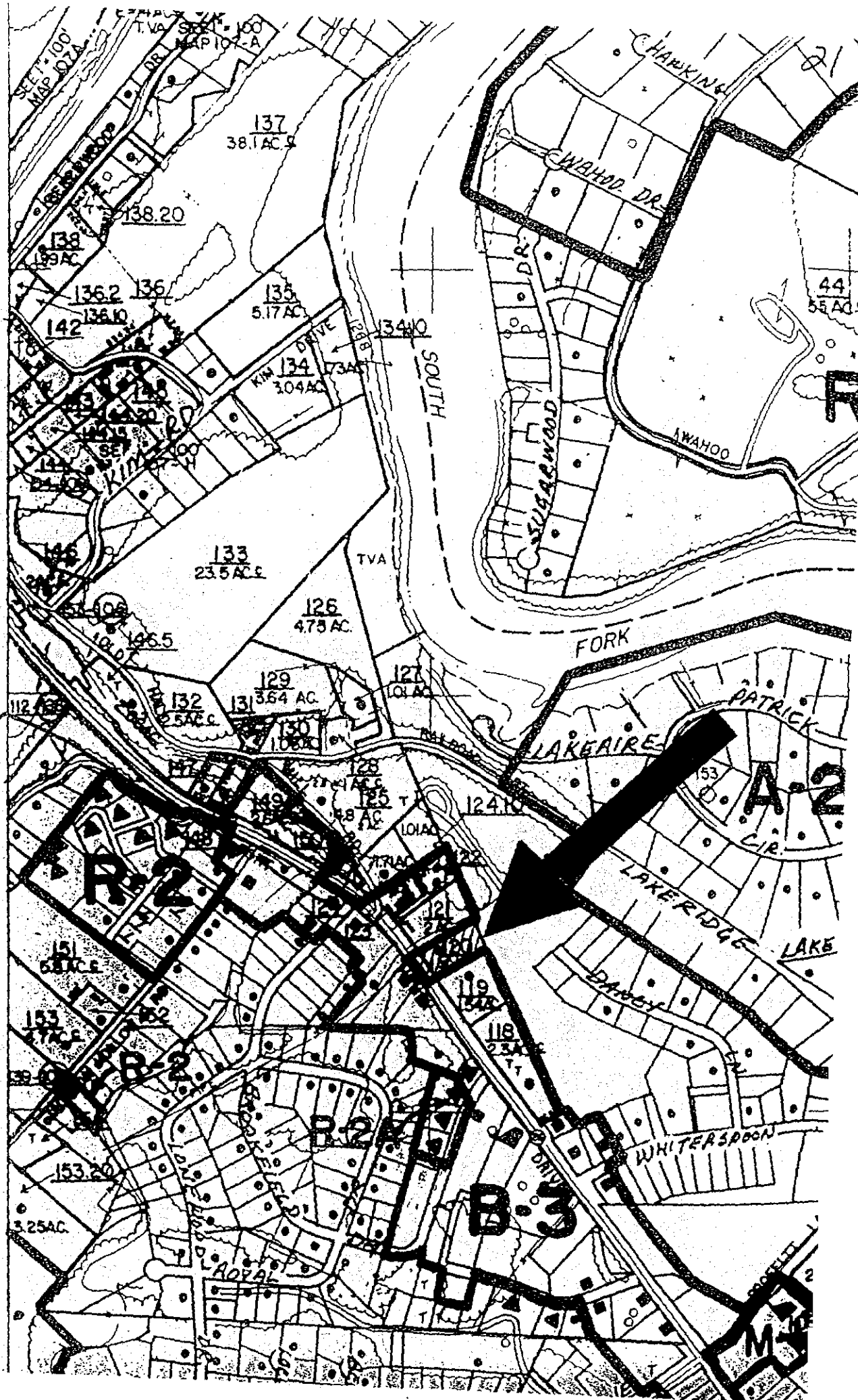
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Sworn to and subscribed before me this 5 day of September, 2003.

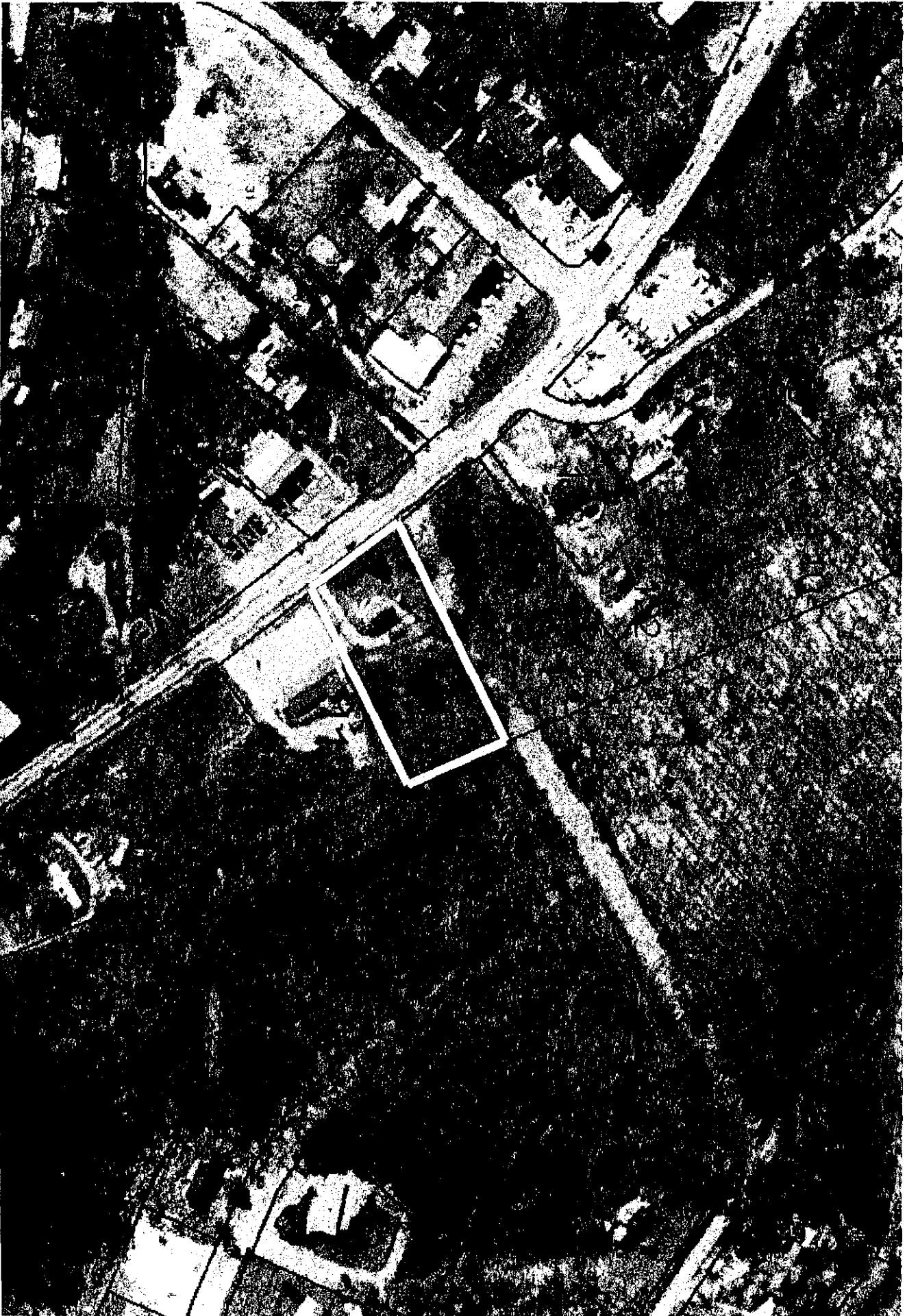
[Signature]
Notary Public

My Commission Expires: 8/25/04





James Hurd



RESOLUTIONS ON DOCKET FOR NOVEMBER 17, 2003

RESOLUTIONS	ACTION
#1 THE SULL. CO. BOARD OF COMM. TO CONSIDER AMENDMENTS TO THE SULL. CO. ZONING RESOLUTIONS AS AMENDED	APPROVED 11-17-03
#2 TO CALL A REFERENDUM ON THE QUESTION OF WHETHER A COUNTY-WIDE MOTOR VEHICLE TAX SHOULD BE LEVIED FOR SULLIVAN COUNTY	WITHDRAWN 11-17-03
#3 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 18 TH C.D.	APPROVED 11-17-03
#4 REQUEST GENERAL ASSEMBLY TO PASS LEGISLATION REQUIRING TEENS TO ATTEND DRIVING CLASS PRIOR TO OBTAINING TENNESSEE DRIVER'S LICENSE	APPROVED 11-17-03
#5 TO SALE LYNN VIEW MIDDLE SCHOOL FACILITY	APPROVED 11-17-03
#6 ACCEPTING THE REMAINDER OF WOLFE STREET AS A PUBLIC ROAD	1 ST READING 11-17-03
#7 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 1 ST CIVIL DISTRICT	APPROVED 11-17-03
#8 AMENDING THE 2003-2004 GENERAL PURPOSE SCHOOL BUDGET FOR THE EDUCATION EDGE GRANT IN THE AMOUNT OF \$10,000.00	APPROVED 11-17-03
#9 AMENDING THE 2003-2004 GENERAL PURPOSE SCHOOL BUDGET FOR THE SAFE SCHOOLS ACT OF 1998 GRANT RECEIVED FROM THE STATE OF TENNESSEE IN THE AMOUNT OF \$65,130.00	APPROVED 11-17-03
#10 TO APPROVE EXPENDING \$130,000 FOR JAIL ROOF FROM THE PUBLIC BUILDING FUNDS	APPROVED 11-17-03
#11 TO AMEND E.M.S. FUND 118 BUDGET FOR CAPITAL PURCHASES	APPROVED 11-17-03
#12 AMEND THE NO CHILD LEFT BEHIND LEGISLATION OF THE U.S. DEPT. OF EDUCATION RELATIVE TO SPECIAL EDUCATION, GRADUATION RATE, 95% RULE OF PARTICIPATION, HIGHLY QUALIFIED TEACHERS, AND PARAPROFESSIONALS	APPROVED 11-17-03
#13 SUPPLYING FUNDING FOR INCREASE SECURITY AT THE SULL. CO. CORRECTIONAL FACILITY AND AUTHORIZING OF SULL. CO. TO BEGIN CORRECTIVE MEASURES DESIGNED TO PREVENT FUTURE JAIL BREAKS	1 ST READING 11-17-03
#14 REQUEST INSTALLATION OF ADDITIONAL WATER DRAIN ALONG STATE ROUTE 126	1 ST READING 11-17-03

[illegible]

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2003-11-00

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution

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

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

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

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

Duly passed and approved this 17th day of November 2003.

Attested: *Jeanie Gammon* 11/17/03
Jeanie Gammon, County Clerk

Approved: *Richard S. Venable* 11/17/03
Richard S. Venable, County Executive

Introduced By: Commissioner: King (Buddy)
Seconded By: Commissioner(s): Ferguson

2003-11-00	County Commission
ACTION	Approved 11-17-03 21 Aye, 3 Absent

Comments: Motion made by Comm. Harr and seconded by Comm. Hyatt to approve.

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

462
Item 23
Budget
No. 2003-06-72

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 16th day of June 2003.

RESOLUTION TO CALL A REFERENDUM ON THE QUESTION OF WHETHER A COUNTY-WIDE MOTOR VEHICLE TAX SHOULD BE LEVIED FOR SULLIVAN COUNTY

WHEREAS, *Tennessee Code Annotated*, Section 5-8-102, authorizes counties to levy and have approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the tax should be levied, a motor vehicle privilege tax as a condition precedent to the operation of a motor vehicle within a county; and,

WHEREAS, the need for new revenue sources is great in Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves:

SECTION 1. For the privilege of using the public roads and highways, in Sullivan County, Tennessee, there is levied upon motor-driven vehicles, and upon the privilege of the operation thereof, except motorcycles, motor-driven bicycles and scooters, farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and motor-driven vehicles owned by any governmental agency or governmental instrumentality and except for other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of \$26.00 for each such motor-driven vehicle, the owner of which resides within said county.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Sullivan County, who is authorized by *Tennessee Code Annotated*, Section 67-4-103, to collect such privilege taxes. The County Clerk shall collect this tax at the same time he or she collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State. The County Clerk shall deduct a fee of five percent (5%) as authorized in *Tennessee Code Annotated*, Section 8-21-701(55), from the amount of taxes collected and paid over to the Trustee.

SECTION 3. Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal also issued by the County Clerk, which shall be displayed by affixing the decal on and to the lower right corner of the license plate in the space provided for such decal. The design of the decal shall be determined by the County Clerk being one inch (1") in height and have a width of one-half inch (1/2"), the same size as the present state renewal decal. The expense incident to the purchase of such decals herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the County Clerk shall be paid from the General Fund of the County.

SECTION 4. The privilege tax or wheel tax herein levied, when paid together with full, complete and explicit performance of and compliance with all provisions of the Resolutions, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid on and which the decal has been affixed as herein provided, to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year, which will run concurrently with the period established for the state registration fees by *Tennessee Code Annotated*, Section 55-4-104.

In the event the wheel tax decal is sold by the County Clerk for a period of more or less than a calendar year, the tax imposed shall be proportionate to the annual tax fixed for the vehicle and modified in no other manner, except that the proportional tax shall be rounded off to the nearest quarter of a dollar.

SECTION 5. In the event any motor-driven vehicle for which the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unusable, obliterated, erased or defaced, or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets or highways of said county; or in the event that the owner transfers the title to the vehicle, and completely removes there from and destroys the decal or emblem issued for and placed thereon, and the owner makes proper application to the County Clerk for the issuance of a duplicate decal to be used by the owner for the unexpired term for which the original decal was issued, and the County Clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal and the owner pays the County Clerk the sum of \$3.00, the County will then issue to such owner a duplicate receipt, canceling the original receipt delivered to the owner by the County Clerk, and a duplicate decal shall be provided to be affixed as outlined above.

SECTION 6. The proceeds of this tax shall be deposited in the Highway Fund of Sullivan County, and to the incorporated Cities within Sullivan County a prorata share of the monthly collections based upon the certified road miles of each jurisdiction within Sullivan County.

SECTION 7. This Resolution shall have no effect unless it is approved by a majority of the number of qualified voters of Sullivan County, Tennessee, voting in an election on the question of whether or not the tax should be approved. The county election commission, upon passage of this Resolution, shall call an election on the question of whether or not the wheel tax should be levied to be held in the a special election after this request has been certified by the County Clerk to the Sullivan County Election Commission, with the ballots having printed on them the substance of this Resolution. The voters shall vote for or against the approval of this Resolution and the result of such referendum certified by the county election commission to the county legislative body. The cost of the election shall be paid by Sullivan County.

SECTION 8. For the purpose of approving or rejecting the provisions of this Resolution, it shall be effective upon being approved by a majority of the members of the Sullivan County Legislative Body, the public welfare requiring it. For all other purposes, this Resolution shall take effect upon approval as provided in Section 7.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: McConnell

Seconded By Commissioner(s): Surgenor
at

2003-06-72	Administrative	Budget	Executive	County Commission
ACTION				

Comments: Motion made to defer by Harr, seconded by Hyatt. Motion to defer approved by voice vote of the commission 06-16-03; Deferred 06-16-03; Deferred 07-21-03; Deferred 08-18-03; Amended by McConnell "to put on February Primary" 9-15-03; Amendment made by Blackburn, 2nd by Houser "TO lower amount to \$13.00", amendment accepted by Sponsor 09-15-03; Deferred 09-15-03; Deferred 10-20-03; Withdrawn by sponsor 11-17-03.

Sullivan County, Tennessee
Board of County Commissioners

3
Item 3
Executive
No. 2003-10-100

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 6th day of October 2003.

RESOLUTION Authorizing Traffic Sign Changes in the 18th Civil District

WHEREAS, the residents of Barefoot Landings Drive, as per the attached petition, have requested the following traffic sign changes be made in the 18th Civil District (7th Commission District).

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

18th Civil District (7th Commission District)

To place a 15 MPH Speed Limit on Barefoot Landings Drive.

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

Duly passed and approved this 17th day of November 2003.

Attested: Jeanie F. Gammon 11-17-03 Approved: Richard S. Venable 11/17/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By Commissioner: Jones

Seconded By Commissioner(s): Brotherton

2003-10-100	Administrative	Budget	Executive	County Commission
ACTION	No Action 10-6-03			Approved 11-17-03
23 Aye, 1 Absent				

Comments: 1st Reading 10-20-03;

Street Numbers

100 Jimmy Rock/Buddy Reece
 104 Bob & Rose Capwell also owns 120
 108 House is vacant
 116 Josh & April Foster
 120 Bob & Rose Capwell also owns 104
 124 Melissa Wood
 128 Greg & Marsha Nelson
 132 Sheila Childress
 136 Robert & Cami Varney
 140 Randy & Melissa Ferrell
 101 Bob & JoAnn Pawlak
 109 Greg & Alisa Darnell
 113 House under construction
 117 Todd & Danielle Pennell
 121 Mark & Jenny Cook
 129 Mike & Jamie Palmer
 133 Greg & Glenna Godsey
 137 Jim & Betty Stapleton
 141 Paul & Lois Darnell

The residents of Barefoot Landings Drive would like to have a speed limit sign of 15 mph. Above is a list of all the homeowners on the street. The next page is the signature of all the homeowners with the exception of two and that is because one home is under construction and the other one is vacant the owners have moved out of town and the relocation company is buying the house.

The residents on Barefoot Landings Drive request a speed limit sign of 15 miles per hour be placed on our street.

Street
 numbers
 100 Jimmy Rock | Buddy Reece
 104 Bob & Rose Capwell
 108 house is vacant
 117 ~~113~~ Dannie & Todd Pennell
 120 Bob & Rose Capwell
 124 Melissa Wood
 128 Marsha Nelson
 132 ~~Sheila Childress~~ Sheila Childress
 136 Robert & Cami Varney
 140 Randy & Melissa Ferrell
 101 Robert & JoAnn Pawlak
 109 Greg & Alisa Darnell
 113 house is under construction
 116 ~~117~~ Josh & April Foster
 121 Mark and Jenny Cook
 129 Mike & Jamie Palmer
 133 Glenna C. Godsey & 7/8 Boy
 137 Betty Stapleton
 141 Paul & Lois Darnell

Sullivan County, Tennessee
Board of County Commissioners

4
Item 9
Executive Committee
No. 2003-10-103

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 October, 2003.

RESOLUTION Requesting Tennessee General Assembly to Pass Legislation Requiring Teens to Attend Preventive and Defensive Driving Class Prior to Obtaining Tennessee Driver's License

WHEREAS, the Sullivan County Sheriff's Office has worked 14 fatalities from January 1, 2002 to August 29, 2003. There were a total of 16 people fatally injured in these crashes. Of the 16 fatally injured, 7 were under 21 years of age. Of those 7 under 21 years of age, 3 were under the influence of alcohol, 1 was under the influence of drugs and 4 were not wearing a seatbelt; and

WHEREAS, there were 355 alcohol related fatalities on Tennessee highways in 2002 which equates to 30.16% of fatal crashes in 2002 (1,177 total fatalities); and

WHEREAS, there were 704 fatalities on Tennessee highways in 2001 that were not wearing seatbelts. This compares to 293 that were wearing restraints; and

WHEREAS, there were 2,281 incapacitating injuries on Tennessee highways in 2001 that were not wearing seatbelts; and

WHEREAS, the Tennessee Human Resource Agency has agreed to implement classes throughout the 95 counties of Tennessee to teach a 4-hour course that will be pro-active in saving lives on our highways. The price for this class will be \$35.00 per participant. Each participant will be responsible for this expense. ~~For those that are not able to pay this fee, there will be grant money that will be made available; and~~

WHEREAS, with the passing of this Resolution, it will be forwarded to Nashville recommending for the Legislature to pass a state law mandating for all teenagers to attend ^{and complete} this class prior to getting their Tennessee drivers license. A certificate will be awarded each participant. They will present this certificate at the time of testing for a license. The participants can also turn a copy of this certificate in to their respective insurance companies for a possible reduction in auto rates; and

WHEREAS, this program is designed to increase teen awareness of driving while intoxicated, the benefits from wearing seatbelts, how speed increases the chance of death, and to reduce fatalities and incapacitating injuries on our highways.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby request the Tennessee General Assembly to pass legislation requiring all teenagers in the State of Tennessee to attend a 4-hour course, as outlined above, prior to obtaining a Tennessee driver's license.

BE IT FURTHER RESOLVED that upon passage of this Resolution the County Mayor's Office shall forward a copy of same to the Sullivan County legislative delegates for their consideration and presentation to the full Tennessee General Assembly.

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

Duly passed and approved this 17th day of November 2003.

Attested: Jeanie Gammon 11/17/03 Approved: Richard S. Venable 11/17/03
Jeanie Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By: Commissioner: J. Herron

Seconded By: Commissioner(s): J. Crawford; E. Williams

(jh)

2003-10-103	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-17-03 16Ave, 3Nay, 3Pass, 2Absent

Comments: Amended ^{#1} by sponsor to delete last sentence in paragraph five 10-20-03;
1st Reading 10-20-03;

AMENDMENT #2 made by Sponsors as follows: "I would like to amend Resolution #2003-10-103 that it say that if they take a drivers ed program and pay the \$50.00 fee and complete the class with a passing grade that they be excluded from this mandate and present their certificate to receive their license. 11-17-03

AMENDMENT #3 made by Comm. Brittenham, seconded by Vance and Harr as follows:
"DELETE Paragraph seven (Whereas, the Tennessee Resources Agency has agreed . . .) AND ININ Paragraph eight add "ATTEND AND COMPLETE THIS CLASS". This amendment was approved by roll call vote of the commission 17 aye, 4 nay. 11-17-03

AMENDMENT #1 to AMENDMENT #2 made by Jones and accepted by Crawford which would allow for private schoolers and home schoolers that complete a drivers ed program and receive a certificate be recognized and also excluded from the mandate.

Sullivan County Department of Education

Director of Schools
Dr. John B. O'Dell

Assistant Director of Schools
Mr. Glenn Arwood

P.O. Box 306
BLOUNTVILLE, TENNESSEE 37617
PHONE 423/354-1000
FAX 423/354-1004

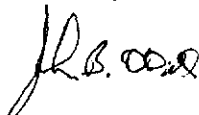
Board of Education
Larry D. Harris, Chairman
Jack B. Bales, Vice-Chairman
Charles Bridwell
Alvie Bright
Jerry Greene
Sherry Greene Grubb
Jim Kiss

November 12, 2003

To The Honorable Richard S. Venable and Board of Sullivan County Commissioners:

After reviewing the Sullivan County Commission Resolution requiring all teenagers to attend a 4-hour course promoting defensive driving, the Sullivan County Board of Education supports your efforts in this matter. I am encouraged that this requirement will not affect our local school department budget. I appreciate your cautious approach to non-funded mandates.

Sincerely,



Dr. John B. O'Dell
Director of Sullivan County Schools

Sullivan County, Tennessee
Board of County Commissioners

5
Item 13
Budget
No. 2003-10-107

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 October 2003.

Resolution To Sale Lynn View Middle School Facility

WHEREAS, The Sullivan County School Department has discontinued the use of the Lynn View Middle School; and

WHEREAS, The Community as well as various others have expressed a concern, that the Lynn View School facilities continue to have a positive impact upon the surrounding area; and

WHEREAS, A number of proposals have been suggested; and

WHEREAS, The Sullivan County Commission should in the public's interest provide that the future use of the facility be resolved as soon as possible; and

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve the Purchasing Agent for Sullivan County advertise to receive sealed bids for the facility. A five member committee with the assistance of the Purchasing Agent will evaluate the bids received and make a recommendation to this body at the regular meeting in December of 2003. This Committee is to make a recommendation after evaluating the monetary price offered and the buyers potential use being a positive impact upon the surrounding community. The committee shall be composed of the chairs of this body's three standing committees, the Director of Schools for Sullivan County and the School Board Member for the Lynn View district.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 17th day of November 2003.

Attested:

Jeannie F. Gammon 11/17/03 Richard S. Venable 11/17/03
Jeannie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By Commissioner: McConnell

Seconded By Commissioner(s): Ferguson, Kilgore

2003-10-107	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-17-03

19Aye, 2Nay, 3Absent

Comments: Amendment made by James King, Jr., seconded by Comm. Patrick and accepted by Sponsor Kilgore- amendment as follows " THE DECISION OF SALE OR NO SALE OF THE PROPERTY SHALL BE MADE BY THE COUNTY COMMISSION".

Resolution Deferred by Kilgore 10-20-03;

ABOVE RESOLUTION AMENDED IN ITS ENTIRETY BY FOLLOWING AMENDMENT 11-17-03.

PROPOSED AMENDMENT #2

Item 5 – November 2003

No. 2003-10-107
Amendment # 1

AMEND AS FOLLOWS:

Delete body of resolution in its entirety and replace with the following language:

Resolution To Lease with Option to Buy Lynn View Middle School Facility to Tri-Cities Christian Schools

WHEREAS, the Sullivan County School Department has discontinued the use of the Lynn View Middle School; and

WHEREAS, the community, as well as various others, have expressed a concern, that the Lynn View School facilities continue to have a positive impact upon the surrounding area; and

WHEREAS, a number of proposals have been suggested; and

WHEREAS, the Sullivan County Commission should in the public's interest provide that the future use of the facility be resolved as soon as possible;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the Purchasing Agent for Sullivan County and the Sullivan County Mayor enter into a *Lease With Option to Buy* Agreement with Tri-Cities Christian School for the facility known as Lynn View School Property (building and 6.8 acres land Tax Map/Parcel 30h-d-1.00), as recorded in Sullivan County Deed Book 93A/Page 121, for the purpose of expanding their school campus for elementary and middle school children, child care, additional sports programs and other human development purposes in the Lynn Garden Community. Lessee agrees to make improvements to the building and bring the structure into compliance with all Fire Marshall codes. Such arrangement will create the most positive impact for use of the facilities upon the surrounding community.

BE IT RESOLVED that the lease amount will be \$10,000.00 per year for five years; lease will be renewable on a five year option; and the lease payments will go toward the final sale price of a fair market value of the property. at the time of execution of lease.

BE IT FURTHER RESOLVED that the decision to ^{or lease} ~~sale~~ the property shall be made by the County Commission.

Sponsor: McConnell

Co-Sponsors: Ferguson, Kilgore, Crawford

Motion to defer by James King, Jr., 2nd by Surgenor failed-roll call .

Motion by James King, Jr. and accepted by sponsor that the "Lease is to be brought ..

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Executive
No. 2003-11-109

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION Authorizing Traffic Sign Changes in the 1st Civil District

WHEREAS, the Sullivan County Highway Department has recommended the following traffic sign changes be made in the 1st Civil District (1st Commission District).

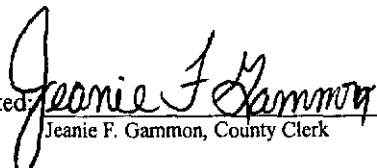
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following changes to traffic signs in Sullivan County:


1st Civil District (1st Commission District)

To place a 25 MPH Speed Limit on Moore Road.

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

Duly passed and approved this 17th day of November 2003.

Attested:  11/17/03
Jeanie F. Gammon, County Clerk

Approved:  11/17/03
Richard S. Venable, Mayor

Introduced By Commissioner: Morrell

Seconded By Commissioner(s): Hyatt

*** ATTACHMENT**

2003-11-109	Administrative	Budget	Executive	County Commission
ACTION	Approve 11-3-03		Approve 11-5-03	Approved 11-17-03

23 Aye, 1 Absent

Comments:

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

(423) 279-2820
FAX (423) 279-2876

October 28, 2003

COMMISSIONER: Randy Morrell

Dear Commissioner:

I would like to request that you consider passing the following resolution: To Place a 25 MPH SPEED LIMIT sign on Moore Rd.

Request made by Commissioner Randy Morrell.

This is in the 1st Civil District and 1st Commissioner District.

If you have any questions, please feel free to contact me.

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: 

ATTACHMENT

Resolution No. 2003-11-109
Page 1 of 1

Sullivan County, Tennessee
Board of County Commissioners

No. 8
Budget
2003-11-110

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION Amending the 2003-2004 General Purpose School Budget for the Education Edge Grant in the amount of \$10,000.00

WHEREAS, the Sullivan County Department Board of Education has approved amending the General Purpose School Budget, now

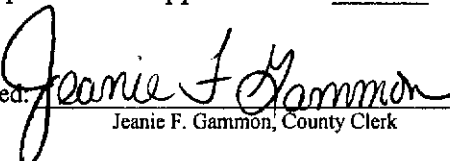
THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session on the 17th day of November 2003 approve amending the General Purpose School Budget as follows:

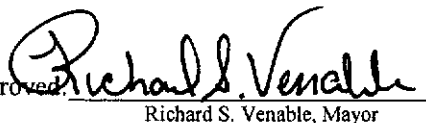
Account Number	Account Description	Amount
Expenditures		
47591.000	Education Edge Program (Revenue)	10,000.00
72240.399	Other Contracted Services (Expenditure)	10,000.00

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

Duly passed and approved this 17th day of November 2003.

Attested:

 11/17/03
Jeanie F. Gammon, County Clerk

 11/17/03
Richard S. Venable, Mayor

Introduced By Commissioner: Larry Hall

Seconded By Commissioner(s): Dennis Houser

at Separate Attachment Provided

2003-11-110	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-6-03	Approve 11-5-03	Approved 11-17-03 20 Aye, 4 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 9
Budget
2003-11-111

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION Amending the 2003-2004 General Purpose School Budget for the Safe Schools Act of 1998 Grant received from the State of Tennessee in the amount of \$65,130.00

WHEREAS, the Sullivan County Department of Education Board approved a budget for this grant, now

THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners approve amending the General Purpose School Budget as follows. The County's portion of the required match are funds budgeted within the Staff Development budget of the General Purpose School Budget for the purpose of training students and employees on safety issues concerning harassment and discrimination.

Account Number	Account Description	Amount
46590.000	Other State Grants (Revenue)	65,130.00
72210.308	Consultants (Expenditure)	5,000.00
72210.399	Other Contracted Services (Expenditure)	1,000.00
72210.429	Instructional Materials and Supplies (Exp)	4,000.00
72620.426	General Construction Material (Exp)	55,130.00

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

Duly passed and approved this 17th day of November 2003.

Attested: Jeanie F. Gammon 11/17/03 Approved: Richard S. Venable 11/17/03
Jeanie F. Gammon, County Clerk Richard S. Venable, Mayor

Introduced By Commissioner: Larry Hall

Seconded By Commissioner(s): Dennis Houser

at Separate Attachment Provided

2003-11-111	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-6-03	Approve 11-5-03	Approved 11-17-03

20 Aye, 4 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Budget
No. 2003-11-112

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION To Approve Expending \$130,000 for Jail Roof from the Public Building Funds

Whereas this body approved \$100,000 for the repair/replacement of the roof on the Jail in February of 2003; and

Whereas, the estimates were inadequate to cover the cost of the improved roof as bid by the Purchasing Department.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves an additional \$130,000 to cover the cost of replacing the roof on the Jail; the funding to come from the Public Building Fund. Account codes to be assigned by the Director of Accounts and Budgets.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 17th day of November 2003.

Attested: *Jeanie F. Gammon* 11/17/03 Approved: *Richard S. Venable* 11/17/03
Jeanie F. Gammon, County Clerk Richard S. Venable, Mayor

Introduced By Commissioner: Eddie Williams

Seconded By Commissioner(s): Ralph Harr/ John Crawford

2003-11-112	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-6-03		Approved 11-17-03 21 Aye, 3 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Budget
No. 2003-11-113

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION To Amend E.M.S. Fund 118 Budget for Capital Purchases

WHEREAS, the EMS operations are in need of replacement equipment and collections are increasing; and

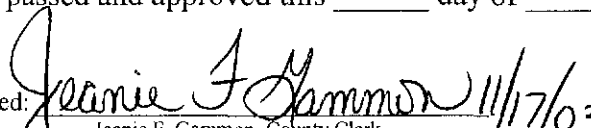
WHEREAS, the Capital Outlay appropriations need to be increased to cover the purchase of a new ambulance body.

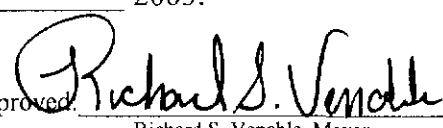
NOW THEREFORE BE IT RESOLVED THAT the revenue collection account 43120 for E.M.S. be increased by \$68,100 and the appropriation account 55130.700 account be increased by \$68,100.

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

Duly passed and approved this 17th day of November 2003.

Attested:


Jeanie F. Gammon, County Clerk


Richard S. Venable, Mayor

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Morrell

2003-11-113	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-6-03		Approved 11-17-03

21 Aye, 3 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Administrative
No. 2003-11-114

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November 2003.

RESOLUTION To Amend The No Child Left Behind Legislation Of The U. S. Department of Education Relative To Special Education, Graduation Rate, 95% Rule Of Participation, Highly Qualified Teachers, And Paraprofessionals

WHEREAS, the Sullivan County Department of Education and Board of County Commissioners recognize the importance and value of a statewide system of fair accountability, and,

WHEREAS, the Sullivan County Department of Education and Board of County Commissioners do not wish to allow this school district to become less accountable, and,

WHEREAS, requirements of the No Child Left Behind legislation as they relate to the Adequate Yearly Progress within the Special Education population proficiency levels, Graduation Rate component, 95% Rule Of Participation, Highly Qualified Teachers, and Paraprofessionals are seriously flawed and unrealistic, and,

WHEREAS, No Child Left Behind requires all students to be assessed and further requires that Special Education students be assessed through standardized testing or portfolio or alternate assessment, and requires Special Education students with an IQ of 60 to achieve proficiency on standardized tests, with 100% reaching proficiency in 2013-2014. This requirement, with no leniency, adds undeserved stress relative to the rigorous training to attempt meeting this mandate, and,

WHEREAS, No Child Left Behind requires that in 2013-2014, all high school graduates must attain a regular high school diploma during four years and one summer, and,

WHEREAS, many students enter into a productive career through other graduation programs and receive credentials, such as GED, GED+2, or Special Education Diploma, but will not count in this calculation for purposes of No Child Left Behind, and,

WHEREAS, the 95% Rule of Participation is not an acceptable requirement because it does not take into account episodes of influenza and other events of unpredictable occurrence, and,

WHEREAS, requirements relative to Highly Qualified Teachers further negatively impact specific teacher shortages, such as Special Education and middle schools, that are already in shortage; and implicates comprehensive measures to maintain highly qualified professional personnel in this school district. Loss of professional personnel in Sullivan County Schools is a potential outcome from the options to become highly qualified due to 33% of professional staffing having 25+ years of employment, and,

WHEREAS, requirements relative to Paraprofessionals becoming qualified do not consider experience, which is a valued characteristic of these employees, and,

WHEREAS, human and material resources for schools have not been allocated from federal sources to assist targeted schools with recovery in Sullivan County Schools, and,

WHEREAS, to implement School Choice, present Title I guidelines require a holdback of 20% funding to accommodate possible requests for school change. This holdback dramatically reduces funding for personnel who work with the Title I program. Any additional funding beyond this 20% must be funded locally, and,

WHEREAS, the Sullivan County Department of Education and Board of County Commissioners believe amendments relative to Special Education, Graduation Rate, 95% Rule Of Participation, Highly Qualified Teachers, And Paraprofessionals, are appropriate and necessary for more adequate implementation of No Child Left Behind legislation, and, attainment of Adequate Yearly Progress in these areas.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby submit a request for amendments to federal legislative requirements as they relate to regulations of Special Education, Graduation Rate, 95% Rule Of Participation, Highly Qualified Teachers, And Paraprofessionals serving under No Child Left Behind to rectify these flaws.

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

Duly passed and approved this 17th day of November 2003.

Attested: Jeanie F. Gammon 11/17/03 Approved: Richard S. Venable 11/17/03
Jeanie F. Gammon, County Clerk Richard S. Venable, Mayor

Introduced By Commissioner: Jack Sitgreaves
Seconded By Commissioner(s): Crawford, Herron, Houser, Patrick, Jones

2003-11-114	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-17-03 22 Aye, 2 Absent

Comments:

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

Item 15
Budget Committee
No. 2003-11-117

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of November, 2003.

RESOLUTION Authorization Allocation of Funds to Proceed with Mitigation Plan on Bristol Caverns Highway

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 4 on February 18, 2002, a copy of which is attached hereto, requesting the Federal Emergency Management Agency (FEMA) to provide a mitigation plan for residents of the Holston Valley Community; and

WHEREAS, FEMA has approved a mitigation plan for two residential properties located on Bristol Caverns Highway (1647 Bristol Caverns Highway and 1671 Bristol Caverns Highway); and

WHEREAS, both property owners have elected to participate in the mitigation program and have agreed to accept the appraised value as the purchase price for said properties; and

WHEREAS, the total cost to purchase both properties and complete demolition of all structures thereon has been estimated at \$126,800.00; and

WHEREAS, Sullivan County will be required to advance the full cost of this project at the time of acquisition and demolition; however, FEMA will reimburse Sullivan County for seventy-five percent (75%) of the total cost expended thereby leaving Sullivan County's share of twenty-five percent (25%) at a cost not to exceed \$31,700.00;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby allocate the sum of \$126,800.00 to be utilized for the acquisition and demolition of the above-referenced properties included in the mitigation plan approved by FEMA on Bristol Caverns Highway with seventy-five percent (75%) to be reimbursed to Sullivan County by FEMA. Account codes to be assigned by the Director of Accounts and Budgets.

[WAIVER OF RULES REQUESTED]

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

Duly passed and approved this 17th day of November 2003.

Attested:

Jeanie F. Gammon

Jeanie Gammon, County Clerk

Date

11/17/03

Approved:

Richard S. Venable

Richard S. Venable, Mayor

Date

11/17/03

Introduced By: Commissioner: R. Morrell

Seconded By: Commissioner(s): Harr, Hyatt, McKamey

(tri)

2003-11-117	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-17-03 21 Aye, 3 Absent

Comments: Waiver of Rules Requested

Sullivan County, Tennessee
Board of County Commissioners

COPY
No. 17
Budget Committee
2002-01-09

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 28th day of January 2002.

RESOLUTION Approving Mitigation Plan for Residents on Bristol Caverns Highway in Flood Zone

WHEREAS, there is a program available through the Federal Emergency Management Agency called a Mitigation Plan which assists counties and their residents located in flood zones; and,

WHEREAS, residents in the Holston Valley community living along Bristol Caverns Highway (near Holston Valley Middle School) experience frequent flooding during moderate to heavy rainfalls; and

WHEREAS, the Army Corps of Engineers has studied this area and did work in this area to try to correct some of the flooding problems to no avail.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves requesting the Federal Emergency Management Agency to provide a Mitigation Plan for the residents of the Holston Valley community.

BE IT FURTHER RESOLVED the federal government shall pay 75% of the cost in relocating these residents and the county will be liable for 25% of the project cost. Sullivan County's costs not to exceed \$86,000.00. Account Codes to be assigned by the Director of Accounts and Budgets.

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

Duly passed and approved this 18th day of February 2002.

Attested: James L. Gannon 2/18/02 Approved: _____
County Clerk Date County Executive Date

Introduced By: Commissioner: Morrell

Seconded By: Commissioner(s): Harr, Hyatt, McKamey

alt ATTACHMENT(2)

2002-01-09	Administrative	Budget	Executive	County Commission
ACTION				Approved 02/18/02; 19A, 2N, 3

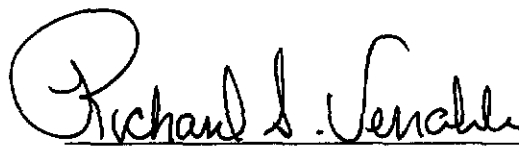
Pass

Comments: 1st Reading 01-28-02;

ATTACHMENT

Resolution No. 2003-11-117
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AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION DECEMBER 15, 2003.

A handwritten signature in black ink, reading "Richard L. Venable". The signature is written in a cursive style with a large initial "R".

RICHARD VENABLE

COMMISSION CHAIRMAN