

Sullivan County



3258 HWY. 126
SUITE 101
BLOUNTVILLE, TENNESSEE
37617

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

Jeanie F. Gammon

County Clerk
Phone 323-6428

Dear Commissioner:

Please find attached a copy of the minutes of the County Commission Meeting of November 15, 2010. If there are any corrections, please contact my office at 323-6434 or coclerk@sullivancounty.org, at your earliest convenience.

Sincerely,

Jeanie Gammon
County Clerk

COUNTY COMMISSION- REGULAR SESSION

NOVEMBER 15, 2010

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, NOVEMBER 15, 2010, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CATHY L. ARMSTRONG	TY BOOMERSHINE
MARK BOWERY	BRIAN K. BOYD
LINDA K. BRITTENHAM	"MOE" BROTHERTON
DARLENE CALTON	JOHN K. CRAWFORD
O. W. FERGUSON	JOHN GARDNER
TERRY HARKLEROAD	JOE HERRON
BAXTER HOOD	DENNIS HOUSER
MATTHEW J. JOHNSON	BILL KILGORE
DWIGHT KING	ED MARSH
WAYNE MCCONELL	RANDY MORRELL
BOB NEAL	MICHAEL B. SURGENOR
R. BOB WHITE	EDDIE WILLIAMS

24 PRESENT 0 ABSENT (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. Morrell and seconded by Comm. Ferguson and Surgenor to approve the minutes of the October 18, 2010 Regular Session of County Commission. Said motion was approved by voice vote.

SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

To Honor and Recognize The Retired Teachers of Sullivan County

Whereas, education is a foundation and integral part of our society; and

Whereas, the concept of a free and equal education is an American tradition; and

Whereas, the retired teachers of Sullivan County have dedicated their working lives to uphold this concept and tradition; and

Whereas, it is appropriate to acknowledge a debt of gratitude to these former teachers; and

Whereas, Retired Teachers Day is November 21, 2010 and Sullivan County is grateful for these dedicated education professionals;

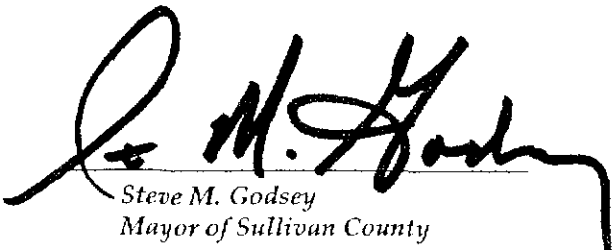
Now, therefore, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners, do hereby commend

The Retired Teachers of Sullivan County

for their diligent efforts to provide a quality education for our young people and hereby acknowledge a debt of gratitude to the former teachers of Sullivan County.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 15th day of November, 2010.




Steve M. Godsey
Mayor of Sullivan County



SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

TO HONOR AND REMEMBER *Lester Hickman Childs, Jr.*

Whereas, Lester Hickman Childs, Jr., in both life and death, has demonstrated his love of and dedication to Sullivan County; and

Whereas, Lester Hickman Childs, Jr. was born in Opp, Alabama in 1931. However, his family relocated to Niceville, Okaloosa County Florida shortly thereafter. Mr. Childs graduated from Niceville High School in 1950; and

Whereas, Lester Hickman Childs, after high school graduation, enrolled in Florida State University. Between 1953 and 1955 he left college to serve in the United States Army. Following his military service, he returned to Florida State. While there he worked as a photographer for the FSU newspaper and was a trapeze performer with the famous Florida State University Circus. He received a Bachelor of Science Degree from Florida State University, and then taught industrial arts in the Panama City, Florida school system. He met and married Jill Bowman, a physical education teacher in Panama City and also a native of Johnson City, Tennessee; and

Whereas, between 1964 and 1966 Mr. & Mrs. Childs lived and worked in Northern Virginia. In 1966 they relocated to Bristol, Tennessee and then later to Beaver Creek Road in Bluff City. Lester Childs then took a position working as an instructor for the Jacobs Creek Job Corps Center. He retired from the Job Corps in 1993 and enjoyed working at the Piney Flats Burger King following that time – where he met and made many friends in Sullivan County. Lester and Jill Childs very much enjoyed organic gardening and their time with the dogs they had acquired. Jill Childs passed away in 2003 and Lester Childs then moved into Broadmore Assisted Living in Bristol, Tennessee. He stayed active and continued to help and befriend others until his passing in July of 2007; and

Whereas, Lester Hickman Childs was an honorable family man, a dedicated employee, and a most respected citizen in Sullivan County. He has continued to honor Sullivan County by bequeathing in his will very generous contributions to the Animal Shelter, the Emergency Medical Services, the Public Library, and the Thomas Memorial Library.

Now, therefore, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners do hereby honor the memory of Lester Hickman Childs and offer our most sincere thanks to him and his family for the generosity shown to our area, with a challenge to all citizens to follow his code of hard work and kindness.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 15th day of November, 2010.




Steve M. Godsey
Mayor of Sullivan County



Sullivan County

3258 HWY. 126
SUITE 101
BLOUNTVILLE, TENNESSEE
37617



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

Jeanie F. Gammon

County Clerk
Phone 323-6428


October 20, 2010

To: Sullivan County Commissioners
Re: Appointment of Constable

This is to notify you that there is a vacancy in the 4th District of Sullivan County for the office of Constable due to the resignation of Mr. David Campbell.

This is to further notify you that the election to fill this vacancy is to be held on November 15, 2010, at the Regular Commission Meeting in the Commission Meeting Room, Blountville, Tennessee, at 9:00 A.M.

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


Jeanie Gammon, County Clerk

cc: Mayor Steve Godsey
County Attorney Dan Street

SUBJECT: CONSTABLE'S RESIGNING

TO: MAYOR STEVE GODSEY

FROM: DAVID CAMPBELL

**AS OF THIS DATE 10-28-2010 I DO
HERE BY RESIGN AS CONSTABLE
FOR PERSONAL HEALTH REASONS
I CANNOT CONTROL.**

**IT WAS AN HONOR TO SERVE THIS
OFFICE.**

**THANKS,
DAVID CAMPBELL**

A handwritten signature in black ink, appearing to read 'David Campbell', written in a cursive style.

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Blountville, Tennessee

Appointment As A Constable in Sullivan County

Pursuant to TCA 8-10-102 To Fill the Unexpired Term of Constable
Who Resigned In the 4th Civil District -- Term Expires August 2012

Candidates As Follows Who Have Filed Affidavits With
Sullivan County Clerk's Office:

VOTES

John Thomas Akers

Charles Kelly Crosswhite

5

Nominated by Houser, 2nd by Brittenham
Bill Durham

Jerry A. Fleenor

16

Nominated by White, 2nd by Bowery
Arville "Mack" Glover

Robert G. "Cotton" Johnson

2

Nominated by Morrell, 2nd by Boomershine
George W. Large

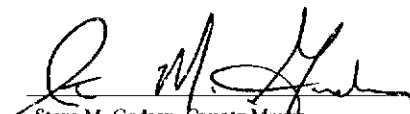
1

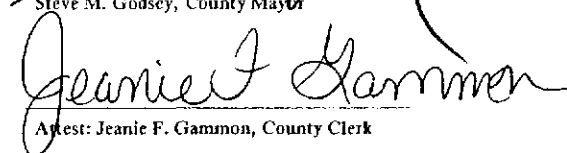
Nominated by Hood, 2nd by Johnson
Steven Morrell

Joseph Michael Stevens

Jerry A. Fleenor

Has Received The Majority Of Votes And I Approved This 15th Day Of November 2010.


Steve M. Godsey, 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
16			

SULLIVAN COUNTY BOARD OF COMMISSIONERS

Confirmation of Appointment

Whereas in accordance with T.C.A. §7-86-105(b)(1), Sullivan County Mayor, Steve M. Godsey recommends in favor of making the following appointment to the Sullivan County Emergency Communications District 9-1-1 Board;

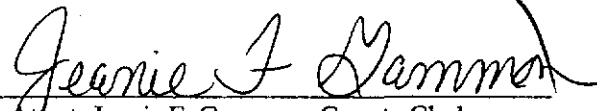
Now therefore, the Sullivan County Board of Commissioners hereby confirms the appointment as set below:

Sullivan County Emergency Communications District Board

Bluff City Chief Of Police David Nelson - Term Expires: September 2014

Confirmed this 15th Day Of November 2010


- Steve M. Godsey, 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

SULLIVAN COUNTY ENHANCED 9-1-1

EMERGENCY COMMUNICATIONS DISTRICT

**EMERGENCY
9-1-1**

Sheriff • Fire • Rescue Squads
Police • Ambulance • Lifesaving Crews

P.O. Box 485, 1570 Hwy. 394
Blountville, TN 37617

(423) 279-7606 or (423) 279-7612
Fax: (423) 279-7611

Office Hours: 8:00 A.M. - 5:00 P.M.

IKE D. LOWRY
DIRECTOR
(423) 279-7612

November 3, 2010

Honorable Steve Godsey
Sullivan County Mayor
3411 Highway 126 Suite 206
Blountville, TN 37617

Dear Mayor Godsey,

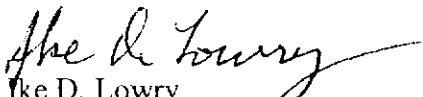
Will you please consider appointing David Nelson, Chief of Police of Bluff City to the Sullivan County 9-1-1 Board at the next Sullivan County Commission meeting? This appointment is a four-year term and it will expire September 2014.

- Chief David Nelson started his career in law enforcement with Bluff City Police Department on August 11, 1997. After a few short years of hard work and dedication, he was promoted to Chief of Police. Chief Nelson is very dedicated to the well being of his Community and to his family.

Chief Nelson was recommended for appointment to the Sullivan County 9-1-1 Board at the regular scheduled meeting in October by the Board of Alderman of Bluff City.

Your consideration in this matter would be greatly appreciated. If you have any questions concerning this matter, please do not hesitate to call me at 423-279-7612 or 423-646-9111.

Sincerely,


Ike D. Lowry,
Director

PUBLIC COMMENTS: NOVEMBER 15, 2010

THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:

- 1. PHIL KETRON, TRITEN INSURANCE WITH AN INSURANCE UPDATE**
- 2. JIM KING CONCERNING RESOLUTION THREE ON TODAY'S AGENDA ON REDISTRICTING.**

PRESENTATION WAS MADE BY TERESA MCMAHAN ON THE SULLIVAN COUNTY LIBRARY. JON LUNDBERG WAS INTRODUCED AS HER GUEST.

RECOGNITION WAS MADE TO THE FOLLOWING FORMER COUNTY COMMISSIONERS AND A PLAQUE PRESENTED BY MAYOR GODSEY:

- 1. CLYDE GROSECLOSE**
 - 2. JOHN MCKAMEY**
 - 3. JAMES BUDDY KING**
 - 4. ELLIOTT KILGORE**
 - 5. BART LONG**
 - 6. MARK VANCE**
 - 7. LARRY HALL**
 - 8. SAM JONES**
 - 9. GARTH BLACKBURN**
-

SULLIVAN COUNTY COMMISSION

Public Comment Session

Monday, November 15, 2010

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓ 1	Phil Keton / Tr. Ten Insurance	P.O. Box 3232	Blountville, TN 37617	
✓ 2	Jim KING	3724 SKYLAND DR	KpT, TN, 37664	
3				
4				
5				
6				
7				
8				
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14				
15				

[Handwritten signature]

MOTION ON FLOOR

MOTION AS FOLLOWS:

MOTION THAT WE APPROVE STEVE'S TEMPORARY APPOINTMENT OF TERRY SHAFFER FOR HIGHWAY DEPARTMENT COMMISSIONER UNTIL SUCH TIME, TIL NEXT MONTH, FOR TIME TO ADVERTISE IN NEWSPAPER, THAT THERE'S A VACANCY AND GIVE WHOEVER'E UP THERE TIME TO GET THEIR CERTIFICATION THROUGH THE STATE.

MOTION MADE BY: MCCONNELL
SECONDED BY: SURGENOR

ACTION: MOTION WITHDRAWN BY MCCONNELL
11-15-10

MOTION WAS MADE BY HERRON TO AMEND ABOVE MOTION TO ADD "UNTIL SUCH TIME, IF THE VACANCY EXISTS, IS APPROPRIATE".
AMENDMENT NOT ACCEPTED BY MCCONNELL.

MOTION ON FLOOR

MOTION AS FOLLOWS:

MOTION THAT THE COUNTY MAYOR ANNOUNCE THAT THE POSITION IS OPEN TO BE FILLED AT THE DECEMBER COUNTY COMMISSION MEETING AND THE CUTOFF FOR THE APPLICATIONS ARE IN TWO WEEKS SUCH THAT WE CAN GIVE THE CERTIFYING BOARD TWO WEEKS TO GET BACK WITH US. THIS WOULD GIVE THE COUNTY MAYOR TIME TO RUN IN THE NEWSPAPER.

MOTION MADE BY: WHITE
SECONDED BY: MCCONNELL

ACTION: MOTION WITHDRAWN BY WHITE
11-15-10

MOTION ON FLOOR

MOTION AS FOLLOWS:

MOTION THAT WE ADVERTISE THE POSITION FOR INTERIM HIGHWAY COMMISSIONER FOR SEVEN DAYS AND DO ASK THOSE PEOPLE THAT ARE INTERESTED BE QUALIFIED BEFORE THEY PUT IN THEIR APPLICATION. APPOINTMENT TO BE MADE AT THE DECEMBER COUNTY COMMISSION MEETING.

MOTION MADE BY: SURGENOR
SECONDED BY: WHITE

ACTION: MOTION DEFERRED
11-15-10

MOTION WAS MADE BY MARSH, SECONDED BY BOYD TO DEFER THE ABOVE MOTION. MOTION TO DEFER APPROVED BY ROLL CALL VOTE 20 AYE, 4 NAY

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

Notaries to be elected November 15, 2010

RUTH A. AKERS	ALLISON THURMAN KOTH
MARY P. BARKLEY	JULIE M. LAWSON
DONALD WAYNE BIRCH	ELIGIA JOANN MARTELIZ
D. REBECCA BLANTON	EMILY G. MILLWOOD
MARIE J BROOKS	KIMBERLEY V. NORRIS
BOB BROWN	MATTHEW T. PATTERSON
JACKIE A. CLENDENIN	KATHRYN E. PRICE
BRANDI M CLEVINGER	CYNTHIA D. RAMSEY
SALLY B. CURETON	JENNY DORAINE RODEFER
BARBARA JEAN DAVIS	TRAVIS LEE RODGERS
MARK S. DESSAUER	WILLIAM DONALD STACY
LINDA KAY EVANS	SANDIE TALBERT
NIKKI FRAZIER	LINDA TANNER
RENEE D. GASKINS	SUZANNE MARIE THOMPSON
SHERRY DIANE HILTON	WILFRED GORMAN WADDELL
JACK W. HYDER, JR.	JESSICA F. WILLIAMS
LAURA KENT	
GEORGIA M. KISER	
DONNA D. HARRIS	

PERSONAL SURETY
YES
N/A
STATE FARM INSURANCE
LINDA KAY EVANS
JULIE M. LAWSON
EDDIE W TALBERT
SANDRA TALBERT
CHARLES E. PAYNE
KURT A. ICK

UPON MOTION MADE BY COMM. FERGUSON AND SECONDED BY COMM. HARKLEROAD
TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY
ROLL CALL VOTE OF THE COMMISSION. 24 AYE.

**STATE OF TENNESSEE
COUNTY OF SULLIVAN**

**APPROVAL OF NOTARY
SURETY BONDS**

November 12, 2010

NAME OF NOTARY

**Patsy G. Marlowe
Cynthia P. Ramsey
Ronald L. Ramsey**

PERSONAL SURETY

**Claude Marlow, Jr.
Sheena Ramsey Tinsley
Sheena Ramsey Tinsley**

PERSONAL SURETY

**Nadine Wright
Kimberly F. Barker
Kimberly F. Barker**

**UPON MOTION MADE BY COMM. FERGUSON AND SECONDED BY COMM. HARKLEROAD
TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS
APPROVED BY ROLL CALL VOTE. 24 AYE.**

COMM.	No.		No.		No.		No.		No.		No.		No.		No.		No.	
	3		4		5		6		7		8		9		10			
ERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
aufoed					✓		✓		✓		✓		✓		✓			
quon					✓		✓		✓		✓		✓		✓			
aner					✓		✓		✓		✓		✓		✓			
eleroad					✓		✓		✓		✓		✓		✓			
Herron					✓		✓		✓		✓		✓		✓			
Hood						✓	✓		✓		✓		✓		✓			
buser					✓		✓		✓		✓		✓		✓			
hmon					✓		✓		✓		✓		✓		✓			
Kilgore					✓		✓		✓		✓		✓		✓			
King					✓		✓		✓		✓		✓		✓			
larch						✓	✓		✓		✓		P		✓			
Connell						✓	✓		✓		✓		✓		✓			
orell					✓		✓		✓		✓		✓		✓			
Neal					✓		✓		✓		✓		✓		✓			
agner					✓		✓		✓		✓		✓		✓			
White					✓		✓		✓		✓		A		A			
illiams					✓		✓		✓		✓		✓		✓			
etrong					A		A		A		A		A		A			
mershiner					✓		✓		✓		✓		✓		✓			
Bowery					✓		✓		✓		✓		✓		✓			
Boyd					✓		✓		✓		✓		✓		✓			
tenham					✓		✓		✓		✓		✓		✓			
therton					✓		✓		✓		✓		✓		✓			
Calton					✓		✓		✓		✓		✓		✓			
					20 Aye		23 Aye		23 Aye		23 Aye		21 Aye		22 Aye			
					3 Nay		10 N		10 N		10 N		10 N		20 N			
					10 N								20 N					

	No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		
THE COMM.	11		12		13																
SIONERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
Ferguson	✓				✓				✓		✓										
Gardner	✓				✓				✓				✓								
Gardner	✓				✓				✓		✓										
Herron	✓				✓				A		A										
Hood	✓				✓				P		✓										
Houser	✓				✓				P		✓										
Johnson	✓				✓				✓				✓								
Kilgore	✓				✓				✓				✓								
King	✓				✓				✓				✓								
Marsh	✓				✓						✓		✓								
McConnell	✓				✓						✓		✓								
Marrell	✓				✓						✓		✓								
Neal	✓				✓				✓				✓								
Sugener	✓				✓				✓				✓								
White	✓				✓				✓				✓								
Williams	✓				✓						✓		P								
Wmstrong	A				A				A		A										
Zoomersher	✓				✓				P		P										
Boulton	✓				✓				✓				✓								
Boyd	✓				✓				P		P										
Buttenham	✓				✓						✓		✓								
Cotherton	✓				✓				P		✓										
Calton	✓				✓						✓		✓								
Crawford	✓				✓				✓				✓								
3 Aye				3 Aye				13 Aye		10 Aye											
1 alls.				1 alls.				4 Nay		9 Nay											
								5 Abs		3 Abs											
								2 alls.		2 Abs											

8500
Bonds
Motion
Pay Crawford
McConnell's
amendment to
Bonds
Motion

REZONING OVERVIEW
SULLIVAN COUNTY COMMISSION MEETING

November 15 2010

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

Application No.	File No.	Applicant	Neighbor Opposition	Staff Recommendation	Planning Commission Recommendation	Current Zone	Requested Zone	Civil District
1	09/10/#1	Wayne Basler			Withdrawn 10-19-2010	A-1	B-3	18th
2	09/10/#2	Michael Bacon	No	Approve Sullivan Co	Approve Sullivan Co	A-1	B-1	15th
3	Zoning Text Amendments							
		Article B-106, Temporary Use – Fireworks Outdoor Display Permit/Tent Sales						
		Sullivan County		Approve	Approve			
		Bristol		Approve	Approve			
		Kingsport		Approve	Approve			
		Establish Regulations for Substances Abuse Clinics						
		Sullivan County		Approve	Approve			
		Bristyol		Approve	Approve			
		Kingsport		Approve	Approve			

2

AGENDA

Sullivan County Board of County Commission

November 15, 2010

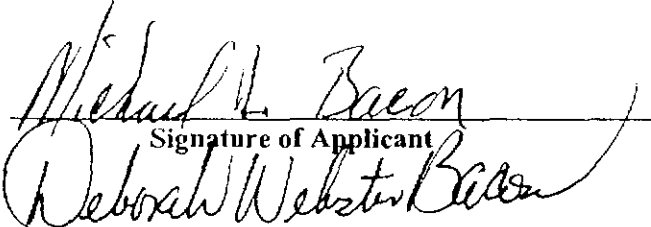
The Sullivan County Board of County Commissioners will hold a public hearing on Monday, November 15, 2010 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 09/10/#1 Wayne Basler
Reclassify 13.32 acres of property located in the 700 block of Hamilton Road from A-1 (General Agricultural/Estate residential District) to B-3 (General Business Service District) for the purpose of allowing commercial storage buildings. Property ID No Tax Map 108, Parcel 62.00 located in the 18th Civil District. **Sullivan County Planning (Withdrawn 10-19-2010)**
- (2) File No. 09/10/#2 Michael Bacon
Reclassify property located at 632 West Valley Drive from A-1 (General Agricultural/Estate Residential District) to B-1 (Convenience Neighborhood Business District) for the purpose of allowing a daycare facility. Property Id No Tax Map 119, Parcel 3.00 located in the 15th Civil District.
Sullivan County Planning
- (3) Zoning Text Amendments
 1. Article B-106, Temporary Use – Fireworks Outdoor Display Permit/Tent Sales
 2. Establish Regulations for Substances Abuse ClinicsCopy of amendment are on file in the Planning office.

3
09/10/10 #2

PETITION TO SULLIVAN COUNTY FOR REZONING

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

<p>Property Owner: <u>Michael Lee Bacon</u></p> <p>Address: <u>632 West Valley Dr.</u> <u>Kingsport Tn. 37664</u></p> <p>Phone <u>423-349-6642</u> Date of Request <u>September/3/2010</u></p> <p>Property Located in <u>15</u> Civil District</p> <p> Signature of Applicant</p>	<p style="text-align: center;"><u>OFFICE USE ONLY</u></p> <p>Meeting Date <u>10/19/2010</u> Time <u>7:00 Pm</u></p> <p>Place <u>2 nd floor Courthouse-Main street</u></p> <hr/> <p>Planning Commission Approved <input checked="" type="checkbox"/> <u>✓</u> Denied _____</p> <p>County Commission Approved <input checked="" type="checkbox"/> <u>X</u> Denied _____</p> <p>Other Roll Call Vote <u>23 Aye, 1 Absent</u></p> <p>Final Action Date <u>11-15-10</u></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

PROPERTY IDENTIFICATION

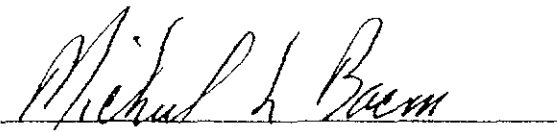
Tax Map No. 119 / Group _____ / Parcel 003.00

Zoning Map 24 Zoning District A-1 Proposed District B-1

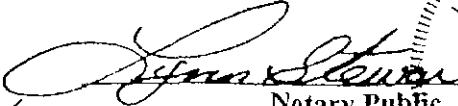
Property Location : 632 West Valley Dr.

Purpose of Rezoning: to allow a daycare facility

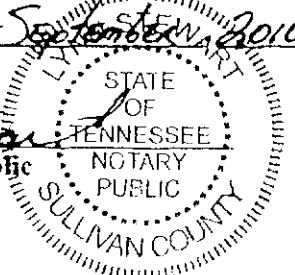
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.



SWORN TO AND SUBSCRIBED before me this 3 day of September, 2010.


Notary Public

My Commission Expires: 2/20/2011



8

SULLIVAN COUNTY
REGIONAL PLANNING COMMISSION
STAFF REPORT – SEPTEMBER 21, 2010

F. AMENDMENTS TO ZONING PLAN (TEXT OR MAP):

F4. Text Amendment to Article B-106, Temporary Uses – Fireworks Outdoor Display Permit/Tent Sales

Staff Field Notes and General Comments From Last Month:

- The county and state recently lifted the prohibition of fireworks sales and use within Sullivan County. The current zoning code does not have a section regarding the temporary or seasonal display and sale of fireworks; however this is becoming a popular request.
- While the sale of fireworks inside an existing general commercial structure would be permitted under the general retail sales land use category in zones: B-2, B-3, B-4, PBD and PBD-3, the code makes no provisions for regulating tent sales or outside temporary sales of such.
- The county commission passed a resolution to regulate for the permitting of fireworks sales and use and has asked staff and the Planning Commission to consider drafting guidelines to manage the permitting process.
- The County Clerk will collect the fee for the required business license and may collect the new vendor license while the Planning & Zoning Department shall collect and issue the temporary tent permit.
- Staff recommends the following amendment be added to *Article B-106*:
 - *Part K – In any commercially zoned district where general retail sales are permitted, the temporary/seasonal display and sale of fireworks may be permitted with the following conditions:*
 - *A Seasonal Fireworks Sales permit be obtained from the State of Tennessee;*
 - *A Seasonal Fireworks Sales approval be obtained from the County Mayor;*
 - *A temporary Zoning Compliance Permit be obtained from the County Planning & Zoning office;*
 - *A Vendor License be obtained from the County Clerk's Office;*
 - *All temporary tents be setback according to the building setbacks of the zoning district;*
 - *All temporary tents be located outside of any required parking or loading areas;*
 - *A portable restroom facility be located on the premises on vacant lots if permanent facilities are not available on site;*
 - *All temporary tents, portable restrooms, storage facilities, and any other structure or vehicle associated with the tent sale are limited to two periods in a calendar year not to exceed 20 consecutive days per period during the New Years and Independence Day holidays only as per Tennessee State Law. All other sales of fireworks shall be in a permanent commercial establishment as approved by the County and State;*
 - *A permit fee shall be paid upon application, per Article 12-109 with a recommendation to the County Commission that the fee be set for \$300 for this particular temporary use permit. A separate permit shall be required per site and per time period.*

Discussion at Planning Commission Last Month:

- *Last month the Planning Commission passed the above policy change to the Zoning Code regarding the sale and display of temporary firework stands. However there was some opposition and concerns expressed. Since three members were absent last month, the chair asked staff to bring this item up again for consideration. Members had expressed concern over the sale of fireworks during the weeks of the spring and summer NASCAR race events, as the city of Bristol does not permit the sale or use of fireworks at all within their city.*

Discussion at Planning Commission:

- *Members discussed the above text amendment and how it conforms to the state permitting regulations.*
- *Sam Jones, past County Commissioner, addressed the Planning Commission confirming the regulations of the state. He expressed his thanks to staff and other commissioners for working on this amendment.*

- Discussion followed regarding the temporary tent permit. Members agreed a permit is only valid for that specific time period and will be charged a separate fee each time. Staff read her report and provided a background on the actions of the County Commission.

Sullivan County Regional Planning Commission Action – to be forwarded to County Commission/Public Hearing	
In Favor: <i>Webb, Ivester – passed 7 yes, 1 no, 1 absent</i>	
Opposed: <i>Crawford</i>	Reason for Opposition: <i>not specified</i>
Deferred:	Reason for Deferral:

Kingsport Regional Planning Commission Action – to be forwarded to County Commission/Public Hearing	
In Favor:	
Opposed:	Reason for Opposition:
Deferred:	Reason for Deferral:

Bristol Regional Planning Commission Action – to be forwarded to County Commission/Public Hearing	
In Favor:	
Opposed:	Reason for Opposition:
Deferred:	Reason for Deferral:

Sullivan County Commission Action – Final Public Hearing	
Approval: 11-15-10 Roll Call Vote 23 Aye, 1 Absent	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

SULLIVAN COUNTY
REGIONAL PLANNING COMMISSION
STAFF REPORT – SEPTEMBER 21, 2010

F. AMENDMENTS TO ZONING PLAN (TEXT OR MAP):

F5. Text Amendment to Establish Regulations for Substance Abuse Clinics in M2 Zones Only: Such as but not limited to Methadone Clinics and other Illegal Substances or Prescription Drug Abuse Treatment Clinics

Staff Field Notes and General Comments:

- The current Zoning Resolution does not specifically provide for the establishment of certified medical clinics that specialize in the treatment of substance abuse patients, such as those addicted to methamphetamine, heroine or other illegal drugs or even the abuse of prescription drugs. The code does have provisions for medical rehabilitation centers, hospitals, doctors' offices and clinics, as well as specific regulations on half-way houses and the like. However, there are no provisions for substance abuse clinics.
- Staff recommends that the county consider adopted a zoning text amendment the same or similar to that which was just adopted by the city of Kingsport as well as other surrounding communities. The code was first developed by the State Local Planning Assistance office and has been passed around the area for local modification and adoption.
- Attached is the ordinance passed by the City of Kingsport as edited for County Zoning Resolution codification.
- Primarily, legal medical clinics that specialize or focus on the treatment for substance abuse patients, shall be limited to the M-2 zones of the county and subject to additional conditional use review by the Board of Zoning Appeals during a public hearing, as well as satisfy site conditions.
- Codification will include adding Part J to Table 5-102A, Section III, Community Facility Activities to read: **Substance Abuse Medical Clinics – BZA in M-2 zones only.**
- Codification will also include the attached Regulations that will be inserted in the Zoning Resolution at the end of Article B-104.6 Supplemental Regulations Applicable to Principal Uses, to add Part 12: Substance Abuse Medical Clinic.
- Codification will also include the inclusion of definitions for such uses to be added to A-103.2 Part 11.

Discussion at Planning Commission:

- *Staff read the report and briefed members on the recent adoption of similar code by the city of Kingsport.*
- *Discussion followed. Staff noted of the fact that there are several existing M-2 zones in the county.*
- *John Crawford motioned to defer action for one month. Discussion continued.*
- *Staff explained the pros of requiring site plan approval as a conditional use review by the Board of Zoning Appeals as it increases the public awareness of such land use and involves the public through the public hearing process. If left as a use on review by the Planning Commission, laws do not necessitate public hearing. Discussion continued.*
- *Mike McIntire expressed the need to move forward on this amendment quickly or leave the county exposed.*
- *John Crawford rescinded his motion to defer.*
- *Jack Dutton motioned to approve the amendment as presented by staff and agreed that the BZA process will provide a greater level of due process involving the public.*
- *Buddy King seconded the motion and the vote in favor passed unanimously.*

<u>Sullivan County Regional Planning Commission Action</u> – <i>to be forwarded to County Commission/Public Hearing</i>	
Approval: <i>Dutton, King - unanimously</i>	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

<u>Kingsport Regional Planning Commission Action</u> – <i>to be forwarded to County Commission/Public Hearing</i>	
In Favor:	
Opposed:	Reason for Opposition:
Deferred:	Reason for Deferral:

<u>Bristol Regional Planning Commission Action</u> – <i>to be forwarded to County Commission/Public Hearing</i>	
In Favor:	
Opposed:	Reason for Opposition:
Deferred:	Reason for Deferral:

<u>Sullivan County Commission Action</u> – <i>Final Public Hearing</i>	
Approval: 11-15-10 Roll Call Vote 23 Aye, 1 Absent	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

SULLIVAN COUNTY ZONING RESOLUTION TEXT AMENDMENT

A RESOLUTION TO AMEND THE SULLIVAN COUNTY ZONING RESOLUTION WHICH AMENDS: ARTICLE V, TABLE 5-102A, SECTION III, COMMUNITY FACILITY ACTIVITIES IN M-2 ZONES; B-104.6 SUPPLEMENTAL REGULATIONS APPLICABLE TO PRINCIPAL USES, PART 12, SUBSTANCE ABUSE MEDICAL CLINIC; AND A-103.2, PART 11, DEFINITIONS.

BE IT ORDAINED BY THE BOARD OF SULLIVAN COUNTY COMMISSIONERS, as follows:

Appendix A, Section A-103.2, Part 11 – Definitions: in the appropriate alphabetical order the following definitions:

Medical clinic means a facility properly licensed in the State of Tennessee for examining and treating patients with medical problems on an out-patient basis. A standard medical clinic is *not* a methadone treatment clinic or facility or substance abuse treatment facility as may be defined or used in this Code.

Methadone treatment clinic or facility means a facility properly licensed in the State of Tennessee for counseling of patients and the distribution of methadone for out-patient, non-residential purposes only, and such facility is not included in the meaning of a medical clinic, substance abuse treatment facility, or institution for human care as may be defined or used in this Code.

Substance abuse treatment facility means a facility properly licensed in the State of Tennessee with the purpose of providing out-patient treatment, counseling, or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances, and such facility is not included in the meaning of a medical clinic or methadone treatment clinic or facility, or institution for human care as may be defined or used in this Code.

Article V, Table 5-102A, Section III, Community Facilities Activities as a Conditional Use Reviewed by the Board of Zoning Appeals in M-2 general industrial district. (section will be added in table)

Appendix B, Section B-104.6, Supplemental Regulations Applicable to Principal Uses, Part 12: Substance Abuse Treatment Facility and/or Methadone Treatment Clinic:

Conditional Use by Review for a methadone treatment clinic or facility and/or substance abuse treatment facility with the approval of the Board of Zoning Appeals, subject to the following:

- (1) The consideration for approval by the Board of Zoning Appeals during a public hearing of a methadone treatment clinic or facility and/or substance abuse treatment facility shall be contingent upon the receipt of the appropriate license and certificate of need by the State of Tennessee.

- (2) Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Conditional Use approval along with the license of the applicant, certificate of need, site plan, survey or other information deemed reasonable by the Planning Director for use in making a thorough evaluation of the proposal.
- (3) The clinic or facility shall be located on a Principal Arterial street.
- (4) Measurement shall be made in a straight line on the Sullivan County Zoning Map from the nearest property line of the lot on which the methadone treatment clinic or facility and/or substance abuse treatment facility is situated to the nearest property line of the following uses:
 - a. The clinic or facility shall not be located within one thousand (1,000) feet of a school, day care facility, park, church, synagogue, mosque, mortuary or hospital.
 - b. The clinic or facility shall not be located within one thousand (1,000) feet of any establishment that sells alcoholic beverages for either on-or-off premises consumption.
 - c. The clinic or facility shall not be located within one thousand (1,000) feet of any area devoted to public recreation activity.
 - d. The clinic or facility shall not be located within one thousand (1,000) feet of any amusement area, campground, or other similar land uses catering to family activity.
 - e. The site shall not be within less than one thousand (1,000) feet of any residential dwelling at the time of approval.
 - f. The site shall not be less than one-half (1/2) mile from any other methadone treatment clinic or facility and/or substance abuse treatment facility.
 - g. All other site plan requirements per Article 12-102.3 with minimum parking requirements determined by the Building Commissioner.

RESOLUTIONS ON DOCKET FOR NOVEMBER 15, 2010

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 11-15-10
#2 EXPAND THE "DAY WORKER PROGRAM" IN SULLIVAN COUNTY	APPROVED 11-15-10
#3 REGARDING ELECTION REDISTRICTING IN TENNESSEE COUNTIES	DEFERRED 11-15-10
#4 AMENDING THE PROPERTY MAINTENANCE CODE OF SULLIVAN COUNTY TO INSERT TEXT NECESSARY TO CLARIFY SULLIVAN COUNTY'S REGULATIONS IN CERTAIN SECTIONS	DEFERRED 11-15-10
#5 AUTHORIZING ACCEPTANCE OF GRANT FROM TENN. EMERGENCY MANAGEMENT AGENCY/HOMELAND SECURITY FOR PURCHASE OF EQUIPMENT/TRAINING	APPROVED 11-15-10
#6 TO SELL COUNTY OWNED DELINQUENT TAX PROPERTY IN THE 12 TH CIVIL DISTRICT	APPROVED 11-15-10
#7 AUTHORIZING THE PLANNING DIRECTOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN TENNESSEE DOWNTOWNS, A PROGRAM OF TENNESSEE ECONOMIC AND COMMUNITY DEVELOPMENT	APPROVED 11-15-10
#8 AUTHORIZING APPROPRIATION OF FUNDS FOR THE SCHOOL DEPARTMENT TO REPAY THE INTEREST AND ADMINISTRATIVE COST ON THE \$5.073M 2010 SCHOOL LOAN AGREEMENT	APPROVED 11-15-10
#9 ACCEPT THE PROPOSAL OF THE TN DEPT. OF TRANSPORTATION TO CONSTRUCT A PROJECT DESIGNATED AS NO. NH-I-26(39); 82084-2129-44 DESCRIBED AS I-26 WELCOME CENTER (CORRIDER B) IN SULLIVAN COUNTY	APPROVED 11-15-10
#10 APPROPRIATE DONATION FROM LESTER CHILDS ESTATE TO SULLIVAN COUNTY EMERGENCY MEDICAL SERVICES IN THE AMOUNT OF \$16,569.70	APPROVED 11-15-10
#11 REQUESTING THAT CHAPTER NO. 242 OF THE TENNESSEE PRIVATE ACTS OF 1899 BE REPEALED	APPROVED 11-15-10

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2010-11-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution

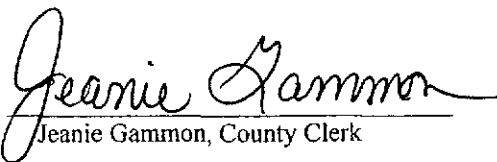
WHEREAS, the attached rezoning petitions have been duly initiated; have been before the Planning Commission (recommendations enclosed); and have received a public hearing as required; and,


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 15th day of November 2010.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsor: John Crawford
Prime Co-Sponsor(s): O.W. Ferguson

2010-11-00	County Commission
ACTION	Approved 11-15-10 Voice Vote

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Administrative/Budget
No. 2010-09-90

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of September 2010.

Expand The Dayworker Program in Sullivan County
RESOLUTION To Establish The "Sullivan County Inmates Taxpayer Savings Program"

WHEREAS, the cost of government operations continues to increase with limited resources to cover the additional cost; and

WHEREAS, on any given day there are more than 600 inmates housed in the Sullivan County taxpayers' correctional facilities at a cost of approximately \$8,000,000 annually including housing, security, and medical care, etc.; and

WHEREAS, there is always an expanding need for personnel to accomplish different tasks for the Sullivan County government and its many branches of operation; and

WHEREAS, what is now known as the "Day Worker Program" was established several years ago which from its origin was a use of trustee labor from the jail for the purpose of cleaning and mowing of county facilities through the county maintenance department with no additional cost to the county taxpayers.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby establish ~~an "Inmate Taxpayer Savings Program"~~ **and Expand The Dayworker Program** Committee to coordinate with the Sheriff's Office in establishing a work program which expands the "Day Worker Program" to extend services to the various government departments and other governmental agencies in the county; the Committee to be made up of the Sponsor and Co-Sponsor;

That the program shall be funded at no additional operating costs to the county; that a portion of the savings will be utilized to provide any financial support for the operation of the program;

That a monthly report be presented to the Commission on the activities and accomplishments of the program.

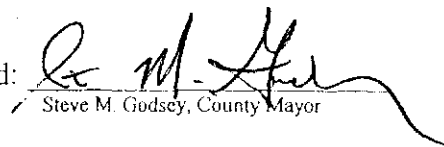
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 15th day of November 2010.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: Dwight King
Prime Co-Sponsor(s): Cathy Armstrong

2010-09-90	Administrative	Budget	Executive	County Commission
ACTION	Deferred 10-4-10; Approved 11-1-10	Deferred 10-7-10; Approved 11-9-10	Deferred 10-5-10; Approved 11-3-10	Approved 11-15-10 23 Aye, 1 Absent

Notes: 1st Reading 09-20-10; Deferred 10-18-10; **Amended by Sponsor 11-15-10 as shown above.**
In the Absence of the Prime Co-Sponsor, Bill Kilgore seconded.

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Executive
No. 2010-09-92

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of September 2010.

RESOLUTION Regarding Election Redistricting In Tennessee Counties

WHEREAS, the Tennessee Constitution in Article VII, Section 1 provides for the election of a county legislative body in each county which should equally represent all areas of the county. The county legislative body shall be composed of representatives from districts in the county as drawn by the county legislative body pursuant to statutes enacted by the General Assembly. Districts shall be reapportioned at least every ten (10) years based upon the most recent federal census; and

WHEREAS, T.C.A. SS5-1-110 through 5-1-112 requires the county legislative body of each county to meet at least once every ten years for the purpose of adopting a plan of reapportionment. By a majority vote of the membership, each county legislative body is to change the boundaries of districts, redistrict the county entirely, or increase or decrease the number of districts; and

WHEREAS, T.C.A. S5-1-111 requires local governments to use the latest federal census in drawing local legislative districts; and

WHEREAS, a reapportionment committee needs to be formed by the county legislative body for the purpose of developing the plan of redistricting; and

WHEREAS, the reapportionment committee by using the latest federal census, shall be responsible for determining the population in each voting precinct and then group these into reasonably compact and contiguous districts with substantially equal population and representation.

NOW THEREFORE BE IT RESOLVED that a committee of six commissioners be appointed and approved by a majority vote of the full commission to develop no less than two alternate plans of redistricting commission districts in Sullivan County.

BE IT FURTHER RESOLVED that every commission district (9 to 25) be assigned no more than one legislative seat per district.

BE IT FURTHER RESOLVED that the reapportionment committee/county legislative body obtain assistance in developing reapportionment plans from the County Technical Assistance Service, the Department of Economic and Community Development's Division of Local Planning, or the Comptroller of the Treasury's Office of Local Government.

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

Approved this _____ day of _____ 2010.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Michael Surgenor
Prime Co-Sponsor(s): Dennis Houser

2010-09-92	Administrative	Budget	Executive	County Commission
ACTION	No Action 10-4-10; Deferred By Sponsor 11-1-10	Deferred 10-7-10, No Action 11-9-10	No Action 10-5-10, Deferred 11-3-10	

Notes: 1st Reading 09-20-10; Deferred 10-18-10; **Deferred 11-15-10;**

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Executive
No. 2010-10-98

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of October 2010.

RESOLUTION Amending The Property Maintenance Code Of Sullivan County To Insert Text Necessary To Clarify Sullivan County's Regulations In Certain Sections

WHEREAS, Sullivan County adopted the 2006 International Property Maintenance Code pursuant to Resolution No. 2009-05-67 approved by the Sullivan County Board of Commissioners on July 20, 2009, said Code to be in full force and effect in Sullivan County on January 1, 2010; and

WHEREAS, the 2006 International Property Maintenance Code, as adopted by Sullivan County, is a comprehensive set of regulations governing property maintenance and is used by governmental entities all over the world; and

WHEREAS, as such regulations are used internationally, certain specific requirements under the regulations are left blank such that the governing body of the jurisdiction adopting same can insert appropriate information based on location, topography, climate, etc.; and

WHEREAS, due to an oversight, three specific requirements were left blank and text needs to be inserted where appropriate to complete these three sections insofar as they pertain to Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the Property Maintenance Code of Sullivan County by inserting the following text:

Section 302.4 – Insert “12 inches”

Section 304.14 – Insert “Year Round”

Section 602.3 – Insert “October through May”

Section 602.4 – Insert “October through May”

The amendments adopted herein shall become effective in Sullivan County upon passage of this Resolution.

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

Approved this _____ day of _____ 2010.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Dennis Houser

Prime Co-Sponsor(s): Terry Harkleroad

2010-10-98	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-4-10; No Action 11-1-10	Deferred 10-7-10, Failed 11-9-10	Approved 10-5-10, No Action 11-3-10	

Notes: Deferred 10-18-10; **Deferred 11-15-10;**

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Administrative
No. 2010-11-100

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION Authorizing Acceptance Of Grant From Tennessee Emergency Management Agency/Homeland Security For Purchase Of Equipment/Training

WHEREAS, Sullivan County has received grant funds in an amount up to \$168,500 available through the Tennessee Emergency Management Agency/Homeland Security for the purchase of equipment/training; and

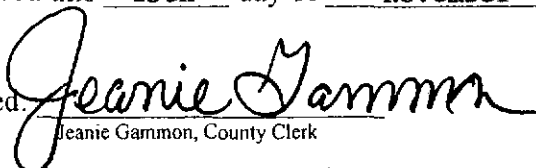
WHEREAS, said grant is funded one hundred percent (100%) thereby requiring no matching funds by Sullivan County.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of November, 2010 hereby approve accepting a grant up to the amount of \$168,500 available through the Tennessee Emergency Management Agency/Homeland Security to be used for the purchase of equipment/training. Account Codes to be assigned by the Director of Accounts and Budgets.

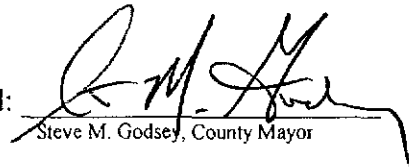
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 15th day of November 2010.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: John Crawford

Prime Co-Sponsor(s): Cathy Armstrong, Eddie Williams

2010-11-100	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-1-10	Approved 11-9-10	Approved 11-3-10	Approved 11-15-10 20 Aye, 3 Nay, 1 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Administrative/Budget
No. 2010-11-101
Attachments

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION To Sell County Owned Delinquent Tax Property In The 12th Civil District

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

WHEREAS, the current amount owed against the property is \$800.00 for the parcel; and

WHEREAS, a bid in the amount of \$800.00 has been received from Tom Franklin on a parcel of land located in the 12th Civil District identified as Tax Map 29C, Group B, Parcel 5.00; 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 the 12th Civil District identified as Tax Map 29C, Group B, Parcel 5.00 to Tom Franklin for the amount of \$800.00 for the parcel in accordance with T.C.A. § 67-5-2507.

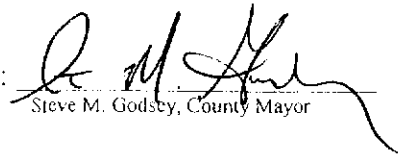
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 15th day of November 2010.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

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

2010-11-101	Administrative	Budget	Executive	County Commission
ACTION		Approved 11-9-10	Approved 11-3-10	Approved 11-15-10 23 Aye, 1 Absent

Notes:

**OFFER TO PURCHASE
COUNTY OWNED TAX PROPERTY**

I, Tom Franklin (Bidder's Name), on this the 20 day of Oct, 2010, hereby submit this Offer to Purchase to the Office of the County Mayor of Sullivan County located in Blountville, Tennessee, and hereby offer to purchase a particular piece of property located at:

1316 Bellridge Dr. (street address) in Kingsport Sullivan Co Tenn
Sullivan County, Tennessee, for the sum of \$ 800.00

This property is identified by the Sullivan County Property Assessor's Office as:
Civil District 12, Tax Map 241, Group A, Parcel 5.00

I understand and agree that the Office of the County Mayor shall cause a one-time legal notice of this bid to be published in a newspaper(s) of general circulation within the county, as required by law, and I agree to be liable for the costs thereof, even if I later withdraw my bid. I understand that in the event raised bids are placed by other parties, if I am the high bidder I will be responsible for full costs of the legal notice publication.

I have enclosed \$ 80.00 as a 10% deposit on the bid hereby submitted. I further understand that the county will be depositing these funds into their general account. In the event I withdraw my bid, I understand that my bid may be refunded less the cost of the legal notice publication costs; or in the event I am not the successful bidder I understand that I will be entitled to a full refund of my deposit.

I fully understand that *in addition to this bid* I am responsible for the full amount of the current year's Sullivan County taxes owed against this property. I fully understand that *in addition to this bid* all city taxes, delinquent or current, must be paid to the appropriate municipality.

Bidder: Tom Franklin 10-20-10
Signature Date

Address: 2819 Rockspring Rd.
Kingsport, TN 37664

Phone: 423-349-0743 / cell 423-879-1073

Name(s) as they should appear on deed: Cody A Franklin

RECEIVED BY Office of the County Mayor:

Signature

Date/Time

Mark Bate 10-20-10 11:26 a.m.

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN

10/26/10

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 10/24/10, and appearing 1 consecutive weeks/times as per order of _____

Sullivan County Mayors Office

Signed

Betha Hays

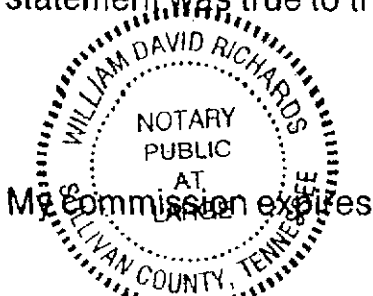
NOTICE OF PROPOSED SALE
Pursuant to TCA 67-5-2507 (b), notice is hereby given that Tom Haskin placed a bid of \$800.00 for real property located in the 4th Civil District, acquired by Sullivan County pursuant to a sale for delinquent taxes to him as Tax Map 250. Group B, Parcel 5.00. Raised bids will be accepted at the office of the County Mayor, Sullivan County, Kingsport, Tennessee, 126 S.W. 205, Kingsville, Tenn. 37603, on or after 10 days after publication of this notice; however, raised bids must exceed the amount of the bid herein by a minimum of ten percent (10%). Said property to be sold without warranties. Steve Gadsby, County Mayor
PUB#T:102410

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 26th day of October 2010, Betha Hays of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

William David Richards

NOTARY PUBLIC



7-2-11

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Executive/Budget
No. 2010-11-102

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION Authorizing The Planning Director To Submit An Application To Participate In Tennessee Downtowns, A Program Of Tennessee Economic And Community Development.

Whereas Tennessee Downtowns has been created to guide communities through an 18-month process to develop direction for the revitalization of their downtown commercial area; and

Whereas the non-profit volunteer Steering Committee will be charged with developing a Work Plan and identifying improvement projects of the study area with reimbursable funds of up to \$15,000 from TECD through the grant; and

Whereas the Tennessee Department of Economic and Community Development will be selecting communities to participate in the Tennessee Downtowns based on a competitive application; and

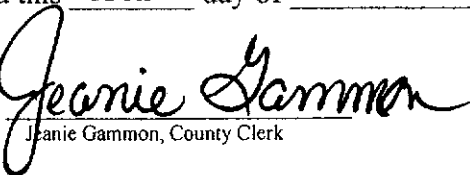
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby endorses the submittal of the application to the Tennessee Downtowns Program and participation if selected; endorses the revitalization of the downtown commercial district; endorses the 5-member volunteer steering committee as the non-profit organization that participates in the 18-month assistance program if selected; and endorses the steering committee participation and planner facilitation and coordination with all required meetings for the Tennessee Downtowns.

Waiver Of Rules Requested (Due To Grant Application Deadline)

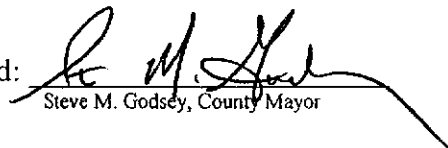
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 15th day of November 2010.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: Dennis Houser

Prime Co-Sponsor(s): Linda Brittenham, Ed Marsh, All Voting "Aye"

2010-11-102	Administrative	Budget	Executive	County Commission
ACTION		Approved 11-9-10	Approved 11-3-10	Approved 11-15-10 23 Aye, 1 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Budget
No. 2010-11-103

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

Resolution Authorizing Appropriation Of Funds For the School Department To Repay The Interest And Administrative Cost On The \$5.073M 2010 School Loan Agreement

WIIEREAS, the Board of County Commissioners authorized a \$5.073M loan for the Sullivan County Department of Education to fund a project for the Emmett and Holston Schools additions/renovations; and

WIIEREAS, the repayment of the interest and administrative cost for the loan will become due for the first 3 months on November 1, 2010 and each month thereafter during the 2010-2011 FY budget; and

WHEREAS, the General Purpose School Fund has restricted funds available to repay this loan for the current fiscal year.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, approve the grant and amend the General Purpose School Fund budget as follows:

Increase in Appropriations	Debt Service	\$240,649.00
Funding Source	Restricted Funds (BEP)	\$240,649.00

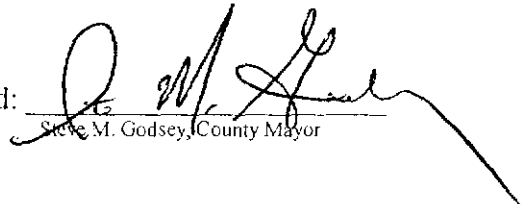
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 15th day of November 2010.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams

Prime Co-Sponsor(s): Dwight King

2010-11-103	Administrative	Budget	Executive	County Commission
ACTION		Approved 11-9-10		Approved 11-15-10 23 Aye, 1 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Executive
No. 2010-11-104
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION To Accept The Proposal Of The Tennessee Department Of Transportation To Construct A Project Designated As No. NH-I-26(39); 82084-2129-44 Described As I-26 Welcome Center (Corridor B) In Sullivan County

WHEREAS, the Tennessee Department of Transportation has determined that the above referenced project will benefit Sullivan County and the citizens thereof; and

WHEREAS, Sullivan County wishes to cooperate with the State of Tennessee, Department of Transportation, to make this service available to any travelers on I-26; and

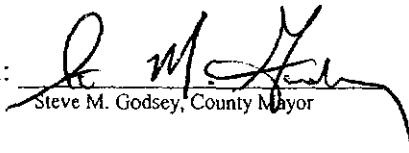
WHEREAS, a copy of the above mentioned proposal is attached outlining both State and County obligations, terms and conditions.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby agrees to accept proposal No. NH-I-26(39); 82084-2129-44 described as I-26 Welcome Center (Corridor B) in Sullivan County.

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

Approved this 15th day of November 2010.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron

Prime Co-Sponsor(s): John Gardner , All Voting "Aye"

2010-11-104	Administrative	Budget	Executive	County Commission
ACTION		Approved 11-9-10		Approved 11-15-10 21 Aye, 1 Pass, 2 Absent

Notes:

P R O P O S A L
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF SULLIVAN, TENNESSEE

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project designated as No. NH-I-26(39); 82084-2129-44 that is described as I-26, Welcome Center (Corridor B) in the COUNTY of Sullivan, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and
2. To close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law; and
3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of

way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project, But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. To maintain any frontage road to be constructed as part of the project; and

6. That after the project is completed and open to traffic, to accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map; and

7. That the COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right of way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of

any utility facilities within the right of way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT; and

8. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

9. That it is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT'S right of way shall be maintained and replaced by the COUNTY; and

10. That when traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right of way for the project, any structures that become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefor.

The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto. Thereafter, the DEPARTMENT will acquire the right of way and easements, construct the project and defend any inverse condemnation or damage civil actions of which the Attorney General has received the notice and pleadings provided for herein.

The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this ____ day of _____, 20 ____.

THE COUNTY OF SULLIVAN

BY: _____
COUNTY MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
Gerald F. Nicely
Commissioner

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
John Reinbold
General Counsel

DATE: _____

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Executive
No. 2010-11-105

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION To Appropriate Donation From Lester Childs Estate To Sullivan County Emergency Medical Services In The Amount Of \$16,569.70

WHEREAS, the estate of Lester Childs (Marvin Blizzard, Executor) has given a very generous donation to Sullivan County EMS; and

WHEREAS, these funds will help with training of paramedics and provide equipment to save lives and help the people of Sullivan County.

Therefore the 2011FY budget for the EMS Fund is to be amended as follows:

48610 Donations	\$16,569.70
55130.400 Supplies & Materials	\$16,569.70

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes approval for the EMS to accept the donation of \$16,569.70 from the Lester Childs Estate.

Waiver Of Rules Requested

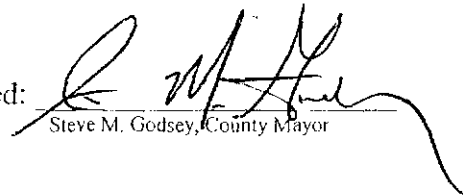
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Approved this 15th day of November 2010.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: Dwight King

Prime Co-Sponsor(s): Randy Morrell, Joe Herron , Wayne McConnell

2010-11-105	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-15-10 22 Aye, 2 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Executive
No. 2010-11-106

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION Requesting That Chapter No. 242 Of The Tennessee Private Acts Of 1899 Be Repealed

WHEREAS, Chapter No. 242 required that satellite offices for the Register of Deeds be maintained in locations outside the county seat; and


WHEREAS, total control of a local government's satellite offices should not be in the hands of the state, but in the hands of local government.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby request that the Tennessee General Assembly repeal Chapter No. 242 of the Private Acts of 1899.

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 15th day of November 2010.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams

Prime Co-Sponsor(s): Dwight King, Wayne McConnell, Terry Barkleroad

2010-11-106	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-15-10 23 Aye, 1 Absent

Notes:

Acts of Tennessee 1899

Re:
Resolution,
No.
2010-11-106

CHAPTER 242.

HOUSE BILL No. 749.

AN ACT to provide for keeping a register's office at Bristol, Tennessee, for the convenience of the citizens of the first, second, nineteenth, twenty-first, twenty-second, and seventeenth civil districts of Sullivan county.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That for the convenience of the citizens of the first, second, nineteenth, twenty-first, twenty-second, and seventeenth civil districts of Sullivan county, the register of said county is hereby authorized and directed to open and keep at Bristol, Tennessee, a register's office, in which shall hereafter be registered all conveyances of property located in said civil districts, and all deeds of trust, mortgages, charters, liens, memorandums of judgments and other instruments arising in said civil districts, or pertaining to property located therein, now or hereafter required by law to be recorded.

Sec. 2. Be it further enacted, That all of said instruments recorded at Bristol, Tennessee, shall be governed by the same laws, and have the same force and effect, as they now have, when recorded at the register's office at Blountville, Tennessee.

Sec. 3. Be it further enacted, That the register of said county for services in said office at Bristol, by himself or by a deputy register, shall receive the same fees now allowed registers by law.

Sec. 4. Be it further enacted, That any of the records in the register's office at Blountville pertaining to property in said civil districts may be transcribed by the register upon the books at the Bristol office, if any person or corporation pays the cost of same, and when so transcribed shall have the same effect as they have where now recorded, and copies from said transcribed records may be used as evi-

dence in the same manner as copies from the original records.

Sec. 5. Be it further enacted, That the register of said county shall not be required to hold and keep said office at Bristol unless the board of mayor and aldermen of the city of Bristol shall furnish an office for same.

Sec. 6. Be it further enacted, That all laws in conflict with the provisions of this act be, and the same are hereby, repealed.

Sec. 7. Be it further enacted, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1899.

JOSEPH W. BYRNS,
Speaker of the House of Representatives.

SEID WADDELL,
Speaker of the Senate.

Approved April 12, 1899.

BENTON McMILLIN,
Governor.

CHAPTER 243.

HOUSE BILL No. 783.

AN ACT to provide attorney's liens.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That attorneys of record who begin a suit in a court of record in this state shall have a lien upon the plaintiff's right of action from the date of the filing of the suit.

Sec. 2. Be it further enacted, That any attorney who is employed to prosecute a suit that has already been brought in any court of record in this state shall have a lien upon the plaintiff's right of action from the date of his employment in the case; Provided, The record of the case will first be made to show such employment by notice upon the rule docket of such court, or a written memorandum filed with the papers

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Administrative
No. 2010-11-107

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION Authorizing Sullivan County To Enter Into Agreement With The Cities Of Kingsport And Bluff City To Create And Implement The "Sullivan County-Bluff City-Kingsport Animal Control Center, Inc." To Provide Animal Control In The Unincorporated Areas Of Sullivan County And Within The Corporate Limits Of Kingsport And Bluff City

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2010-07-68 on July 19, 2010 authorizing the concept of Sullivan County entering into an agreement with the Cities of Kingsport and Bluff City to establish a non-profit corporation for the purpose and with the authority to regulate dogs and cats in Sullivan County including within the city limits of Kingsport and Bluff City, subject to the final proposal and necessary documents being submitted to the Board of Commissioners for approval; and

WHEREAS, representatives of Sullivan County and the Cities of Kingsport and Bluff City, in conjunction with the Kingsport City Attorney and Sullivan County Attorney, have prepared proposed By-Laws, Charter and an Interlocal Agreement defining the terms of the proposed joint endeavor, all of which are attached to this resolution and are subject to approval by the governing bodies of the three entities; and

WHEREAS, the governing bodies of the City of Kingsport and the City of Bluff City have previously given final approval for the creation and implementation of this joint endeavor and adoption of the necessary documents and are ready to finalize same upon approval by the Sullivan County Board of Commissioners; and

WHEREAS, the City of Bristol, Tennessee has elected at this point in time not to participate in the creation and implementation of the new corporation; however, Sullivan County stands willing to consider the City of Bristol joining in said joint endeavor in the future should it desire to do so;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of November, 2010 hereby authorize Sullivan County to enter into agreement with the Cities of Kingsport and Bluff City for the creation and implementation of a not-for-profit corporation to be known as the "Sullivan County-Bluff City-Kingsport Animal Control Center, Inc." and hereby approve and adopt the attached By-Laws, Charter and Interlocal Agreement. The Sullivan County Mayor is hereby authorized to execute the attached documents on behalf of Sullivan County upon passage of this Resolution.

Waiver Of Rules Requested

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

Approved this _____ day of _____ 2010.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron

**Prime Co-Sponsor(s): Cathy Armstrong, Linda Brittenham, Terry Harkleroad
W. G. "Bill" Kilgore, John Crawford**

2010-11-107	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 11-15-10;**

INTERLOCAL AGREEMENT

This interlocal Agreement is entered into this the ____ day of _____, 2010, by and among SULLIVAN COUNTY, TENNESSEE, hereinafter referred to as "Sullivan County", the CITY OF BLUFF CITY, TENNESSEE, hereinafter referred to as "Bluff City" and the CITY OF KINGSFORT, TENNESSEE, hereinafter referred to as "Kingsport".

WITNESSETH:

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to T.C.A. § 12-9-101 et seq.; and

WHEREAS, it is deemed in the public interest for the parties hereto to enter into this Interlocal Agreement for the purpose of creating a not for profit corporation to operate exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future tax code, by providing animal control and operation of one or more animal shelters within County of Sullivan, Tennessee, the City of Bluff City, Tennessee, and City of Kingsport, Tennessee and to prevent cruelty to animals, together with the general powers set forth under T.C.A. § 48-53-102.

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

1. This agreement shall continue in effect until the dissolution of the not for profit corporation formed pursuant to the authority of this Interlocal Agreement or upon the withdrawal of one of the parties, whichever occurs first. Any party may withdraw from this Agreement at anytime upon six (6) months notice to all the other parties.

2. The parties desire to form a not for profit corporation as authorized by T.C.A. § 12-9-104 for the provision of animal control and operation of one or more animal shelters for the unincorporated part of Sullivan County and the corporate limits of Bluff City and Kingsport. The organization, composition, nature, and purpose of the separate legal entity shall be as set out in the Articles of Incorporation and the By-Laws of the entity, as follows:

CHARTER OF SULLIVAN COUNTY-BLUFF CITY-KINGSFORT ANIMAL CONTROL CENTER, INC.

The undersigned natural person having capacity to contract and acting as the incorporator of a corporation under the Tennessee General Corporation Act adopts the following charter for such corporation:

1. The name of the corporation is Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.
2. The duration of the corporation is perpetual.
3. The corporation is a public benefit corporation.
4. The name, address and zip code of the incorporator is Dennis R. Phillips, City of Kingsport, 225 West Center Street, Kingsport, Tennessee 37660.
5. The address of the principal office of the corporation in the State of Tennessee shall be _____, Tennessee, _____, County of Sullivan.

6. The corporation is not for profit.

7. The purpose or purposes for which the corporation is organized are to operate exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future tax code, by providing animal control within the County of Sullivan, Tennessee, the City of Bluff City, Tennessee, and City of Kingsport, Tennessee and to prevent cruelty to animals, together with the general powers set forth under T.C.A. Section 48-53-102 of Tennessee Code Annotated. This corporation shall not participate in activities that are not within the activities for non-profitable purposes as set out in Section 501 (c) of the Internal Revenue Code of 1986.

8. This corporation will not have members.

9. The number of the members of the Board of Directors, the manner of election of the Directors and the terms of the members of the Board of Directors shall be as stated in the Corporate By-Laws; however, there shall be no more than nine (9) members of the Board of Directors.

10. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its directors, officers, or other private individuals or persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for goods and services rendered and to make payments in furtherance of the purposes set forth in the paragraph just above. Notwithstanding any other provision of this Charter, the corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code, or by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code.

11. Upon dissolution, after all creditors of the corporation have been paid, its assets shall be distributed to one or more organizations which qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for exclusively public purposes, as the Directors may determine.

DATED this ____ day of _____, 2010.

INCORPORATOR

**BY-LAWS
OF
SULLIVAN COUNTY-BLUFF CITY-KINGSPORT
ANIMAL CONTROL CENTER, INC.**

**ARTICLE I
MEMBERSHIP**

The corporation is to have no members, but shall consist of the Board of Directors during their respective terms in office.

**ARTICLE II
BOARD OF DIRECTORS**

1. The affairs of this corporation shall be managed and its corporate powers exercised by a Board of Directors composed of nine (9) members. Except for Directors who are ex officio members of the Board each Director shall hold office for the term of three (3) years; however, the terms of office for the Directors shall be staggered and in order to set up the staggered terms, the initial members of the Board of Directors shall by drawing determine which of their number shall have an initial, shortened term as follows:

- (a) Two initial Directors to serve a full, initial term of three (3) years.
- (b) Two initial Directors to serve an initial term of two (2) years.
- (c) Two initial Directors to serve an initial term of one (1) years.

2. Each Director shall hold office for his or her term or until his or her successor is selected and qualified, and shall be eligible for re-election or re-appointment. Directors who hold the office of Director as an ex officio shall serve until they no longer hold that position. The terms of the initial directors shall be computed from the date of the first meeting of the Board. Thereafter, the terms shall be computed from the end of the preceding terms.

3. Except for Directors who hold the office of Director as an ex officio the members of the Board of Directors of the corporation shall be selected by the Sullivan County Commission and the City of Kingsport Board of Mayor and Alderman as follows:

(a) The Sullivan County Commission shall select two members of the Board of Directors and those members shall be residents of Sullivan County, Tennessee. Additionally, the Sullivan County Mayor or designee shall be a voting ex officio member of the Board of Directors.

(b) The City of Kingsport, Tennessee Board of Mayor and Aldermen shall select two members of the Board of Directors and those members shall be a resident of the City of Kingsport, Tennessee. Additionally, the City Manager of the City of Kingsport or designee shall be a voting ex officio member of the Board of Directors.

(c) The Board of Mayor and Aldermen of Bluff City shall select one member of the Board of Directors and that member shall be a resident of Bluff City, Tennessee.

(d) The Sullivan County Humane Society, d/b/a Humane Society of Greater Kingsport shall select one member of the Board of Directors, which member, prior to appointment, must be approved by a majority vote of the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport. The Sullivan County Humane Society will no longer have the right to appoint a member to the Board of Directors if the organization ceases to exist, loses its 501(c) tax exempt status from the Internal Revenue Service, or the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport by a majority vote of each board determine that the member of the Board of Directors appointed by the Sullivan County Humane Society should be appointed by another entity.

(e) The Animal Rescue Coalition shall select one member of the Board of Directors, which member, prior to appointment, must be approved by a majority vote of the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport. The Animal Rescue Coalition will no longer have the right to appoint a member to the Board of Directors if the organization ceases to exist, loses its 501(c) tax exempt status from the Internal Revenue Service, or the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport by a majority vote of each board determine that the member of the Board of Directors appointed by the Animal Rescue Coalition should be appointed by another entity.

4. A meeting of the Board of Directors shall be held as soon as possible after the annual selection of Directors. Regular meetings of the Board of Directors shall be held monthly, the time and place to be determined by the Board. The Board shall keep a record of all of its proceedings which shall be at all times subject to the inspection of any Director.

5. Notice of all meetings, except emergency meetings, of the Board of Directors shall be given by regular mail to each Director at least five (5) days before the date therein designated for such meeting. The notice shall specify the time and place of such meeting and the business to be brought before the meeting. The President may call an emergency meeting of the Board at any time, pursuant to procedures determine by the Board of Directors, for any proper purpose.

6. The presence of six Directors, or designees, duly authorized in writing, shall be necessary at any meeting of the Board to constitute a quorum to transact business. The vote of a simple majority of the entire Board of Directors shall be necessary to authorize an act of the Board of Directors.

7. At all meetings or acts of the Board of Directors, each Director, or designee, present at the meeting is to have one vote.

8. Upon the resignation or removal of a Director, such Director shall be replaced pursuant to the provisions of Article II, Paragraph 3 hereinabove.

9. The Board of Directors may recommend to the respective appointing authority that a particular Director be removed from the Board by the affirmative vote of a majority of the full Board, present in person, at any regular or special meeting called for that purpose, whenever in the Board's judgment the best interest of the corporation would be served thereby. Any such Director proposed to be removed shall be entitled to at least five day's notice in writing

and shall be entitled to appear before the Board and be heard at such meeting, at which time such Director may present witnesses and make such defense as he or she shall deem advisable. Failure to attend two consecutive meetings without a valid excuse may constitute cause for removal of a Director. Only the respective appointing authority can remove a Director. This Article II, Paragraph 9 shall not apply to those members serving as Directors as ex officio members.

10. The Board of Directors shall have the power to appoint such committees as it deems necessary to advise it about the business of the corporation.

11. The Board of Directors may employ and discharge such employees and agents of the corporation as it may deem necessary. The board must approve the hiring, firing, and salaries and benefits of all employees of the corporation.

ARTICLE III OFFICERS

1. The officers of the Board of Directors shall be the officers of this corporation. They shall consist of the President, Vice-President, Secretary, Treasurer, and such other officers as the Board may deem necessary.

2. The President shall preside at all meetings of the Board of Directors. The President shall have and exercise general charge and supervision of the affairs of the corporation and shall do and perform such other duties as may be assigned by the Board of Directors. The Vice-President shall perform the above duties in the absence of the President.

3. The Secretary shall keep a complete record of all meetings of the corporation and of the Board and shall have general charge and supervision of the books and records of the corporation. The Secretary shall sign such papers pertaining to the corporation as he or she may be authorized or directed to sign by the Board. The Secretary shall serve all notices required by Law and by these By-Laws and shall make a full report of all matters and business that pertain to the office to the Directors at the annual meeting. The Secretary shall keep complete written records of the corporation. The Secretary shall make all reports required by the Board.

4. The Treasurer shall have the custody of all funds, property, and securities of the corporation, subject to such regulations as may be imposed by the Board of Directors. The Treasurer shall, in general, perform all the duties incident to the Office of the Treasurer, subject to the control of the Board of Directors. The Treasurer may delegate any duties of a routine or bookkeeping nature to any employee, or agent of the corporation without the approval of the Board. The Board may direct the delegation of any duty of the Treasurer to any employee or agent.

ARTICLE IV MANAGER

1. The Board of Directors may hire a Manager for the corporation's day-to-day operations who shall serve at the discretion of and for a salary set by the Board of Directors. The initial annual salary of the Manager will be that established by the members of the corporation.

2. The Manager shall operate the corporation following the rules, guidelines, and policies created by the Board of Directors. The Manager shall attend all Board meetings, submit budgets for Board approval, and make such periodic reports on the corporation status as required by the Board of Directors. The Manager may serve as the Secretary of the Corporation at the discretion of the Board of Directors, but shall not be a Director or have a vote.

ARTICLE V FISCAL YEAR

The fiscal year of the corporation shall commence on the 1st day of July and end on the 30th day of June.

ARTICLE VI AMENDMENT TO BY-LAWS

The Board of Directors may make, amend, revise, alter, or rescind these By-Laws, from time to time, in whole or in part, by a simple majority vote of the entire Board of Directors of this corporation at any meeting of the Directors duly called and convened at which a quorum is present, provided that notice of the meeting as required in Article II, Paragraph 5 hereinabove shall have been given in writing to each.

ARTICLE VII DISSOLUTION

Dissolution of the corporation may, at any time, be voluntarily dissolved pursuant to T.C.A. § 48-64-101 - 109, as amended from time to time, and conveyance of its assets and property shall be to the State of Tennessee, or any County or municipality of the State.

3. The manner of financing the undertaking and maintaining a budget for the not for profit corporation shall be the responsibility of the Board of Directors of the not for profit corporation, and the powers of the not for profit corporation shall be exercised by the Board of Directors in accordance with its Charter and By-Laws. Each party agrees to contribute the following percentage of the operating budget.

4. The permissible method of accomplishing the partial or complete termination of this agreement shall be as set for in Article VII, Dissolution of the By-Laws set forth hereinabove. This agreement shall automatically terminate upon the Dissolution of the not for profit corporation formed pursuant to this Interlocal Agreement.

5. No party will be liable to the other parties or be deemed to be in breach of this Agreement for any failure or delay in rendering performance arising out of causes beyond its reasonable control and without its fault or negligence. Such causes may include but are not limited to, acts of God or the public enemy, terrorism, severe weather, thunderstorms, severe wind, significant fires, floods, earthquakes, epidemics, quarantine restrictions, strikes, freight embargoes, or Governmental Authorities approval delays which are not caused by any act or omission by either party. The party whose performance is affected agrees to notify the other promptly of the existence and nature of any delay.

6. No amendment to this Interlocal Agreement will be made except upon the written consent of the parties properly executed by their respective authorized representatives after such amendment has been approved by their respective governing bodies.

7. In the event that any provision or portion of this Interlocal Agreement is found to be invalid or unenforceable, then such provision or portion thereof will be reformed in accordance with the applicable laws. The invalidity or unenforceability of any provision or portion of any of this Interlocal Agreement will not affect the validity or enforceability of any other provision or portion of the Interlocal Agreement.

8. Upon the occurrence of an alleged default, or a dispute or disagreement between the parties hereto arising out of or in connection with any term or provision of this Agreement or, the subject matter hereof, or the interpretation or enforcement hereof (the "Dispute"), the parties will engage in informal, good faith discussions and attempt to resolve the Dispute. In connection therewith, upon written notice of either party, each of the parties will appoint a designated officer whose task it will be to meet for the purpose of attempting to resolve such Dispute. The designated officers will meet as often as the parties will deem to be reasonably necessary. Such officers will discuss the Dispute. If the parties are unable to resolve the Dispute in accordance with this paragraph, and in the event that any of the parties concludes in good faith that amicable resolution through continued negotiation with respect to the Dispute is not reasonably likely, then the parties may mutually agree to submit to nonbinding mediation. If the matter is not resolved by mediation any party will have the right, at its sole option, without further demand or notice, to take whatever action at law or in equity may appear necessary or desirable to enforce its rights including, but not limited to, the suspension or termination of this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement in triplicate original counterparts, each of which constitutes an original.

SULLIVAN COUNTY, TENNESSEE

ATTEST:

By: _____
Mayor

APPROVED AS TO FORM:

Daniel P. Street
County Attorney for Sullivan County

CITY OF BLUFF CITY, TENNESSEE

ATTEST:

Judy A. Dulaney, City Recorder

By: _____
Mayor

APPROVED AS TO FORM:

City Attorney for Bluff City

CITY OF KINGSFORT, TENNESSEE

ATTEST:

James H. Demming, City Recorder

By: _____
Dennis R. Phillips, Mayor

APPROVED AS TO FORM:

J. Michael Billingsley
City Attorney for Kingsport

**CHARTER
OF
SULLIVAN COUNTY-BLUFF CITY-KINGSPORT
ANIMAL CONTROL CENTER, INC.**

The undersigned natural person having capacity to contract and acting as the incorporator of a corporation under the Tennessee General Corporation Act adopts the following charter for such corporation:

1. The name of the corporation is Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.

2. The duration of the corporation is perpetual.

3. The corporation is a public benefit corporation.

4. The name, address and zip code of the incorporator is Dennis R. Phillips, City of Kingsport, 225 West Center Street, Kingsport, Tennessee 37660.

5. The address of the principal office of the corporation in the State of Tennessee shall be _____, Tennessee, _____, County of Sullivan.

6. The corporation is not for profit.

7. The purpose or purposes for which the corporation is organized are to operate exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future tax code, by providing animal control within the County of Sullivan, Tennessee, the City of Bluff City, Tennessee, and City of Kingsport, Tennessee and to prevent cruelty to animals, together with the general powers set forth under T.C.A. Section 48-53-102 of Tennessee Code Annotated. This corporation shall not participate in activities that are not within the activities for non-profitable purposes as set out in Section 501 (c) of the Internal Revenue Code of 1986.

8. This corporation will not have members.

9. The number of the members of the Board of Directors, the manner of election of the Directors and the terms of the members of the Board of Directors shall be as stated in the Corporate By-Laws; however, there shall be no more than nine (9) members of the Board of Directors.

10. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its directors, officers, or other private individuals or persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for goods and services rendered and to make payments in furtherance of

the purposes set forth in the paragraph just above. Notwithstanding any other provision of this Charter, the corporation shall not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code, or by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code.

11. Upon dissolution, after all creditors of the corporation have been paid, its assets shall be distributed to one or more organizations which qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for exclusively public purposes, as the Directors may determine.

DATED this ____ day of _____, 2010.

INCORPORATOR

**BY-LAWS
OF
SULLIVAN COUNTY-BLUFF CITY-KINGSPORT
ANIMAL CONTROL CENTER, INC.**

**ARTICLE I
MEMBERSHIP**

The corporation is to have no members, but shall consist of the Board of Directors during their respective terms in office.

**ARTICLE II
BOARD OF DIRECTORS**

1. The affairs of this corporation shall be managed and its corporate powers exercised by a Board of Directors composed of nine (9) members. Except for Directors who are ex officio members of the Board each Director shall hold office for the term of three (3) years; however, the terms of office for the Directors shall be staggered and in order to set up the staggered terms, the initial members of the Board of Directors shall by drawing determine which of their number shall have an initial, shortened term as follows:

- (a) Two initial Directors to serve a full, initial term of three (3) years.
- (b) Two initial Directors to serve an initial term of two (2) years.
- (c) Two initial Directors to serve an initial term of one (1) years.

2. Each Director shall hold office for his or her term or until his or her successor is selected and qualified, and shall be eligible for re-election or re-appointment. Directors who hold the office of Director as an ex officio shall serve until they no longer hold that position. The terms of the initial directors shall be computed from the date of the first meeting of the Board. Thereafter, the terms shall be computed from the end of the preceding terms.

3. Except for Directors who hold the office of Director as an ex officio the members of the Board of Directors of the corporation shall be selected by the Sullivan County Commission and the City of Kingsport Board of Mayor and Alderman as follows:

(a) The Sullivan County Commission shall select two members of the Board of Directors and those members shall be residents of Sullivan County, Tennessee. Additionally, the Sullivan County Mayor or designee shall be a voting ex officio member of the Board of Directors.

(b) The City of Kingsport, Tennessee Board of Mayor and Aldermen shall select two members of the Board of Directors and those members shall be a resident of the City of Kingsport, Tennessee. Additionally, the City Manager of the City of Kingsport or designee shall be a voting ex officio member of the Board of Directors.

(c) The Board of Mayor and Aldermen of Bluff City shall select one member of the Board of Directors and that member shall be a resident of Bluff City, Tennessee.

(d) The Sullivan County Humane Society, d/b/a Humane Society of Greater Kingsport shall select one member of the Board of Directors, which member, prior to appointment, must be approved by a majority vote of the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport. The Sullivan County Humane Society will no longer have the right to appoint a member to the Board of Directors if the organization ceases to exist, loses its 501(c) tax exempt status from the Internal Revenue Service, or the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport by a majority vote of each board determine that the member of the Board of Directors appointed by the Sullivan County Humane Society should be appointed by another entity.

(e) The Animal Rescue Coalition shall select one member of the Board of Directors, which member, prior to appointment, must be approved by a majority vote of the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport. The Animal Rescue Coalition will no longer have the right to appoint a member to the Board of Directors if the organization ceases to exist, loses its 501(c) tax exempt status from the Internal Revenue Service, or the Sullivan County Commission and the Board of Mayor and Aldermen of the City of Kingsport by a majority vote of each board determine that the member of the Board of Directors appointed by the Animal Rescue Coalition should be appointed by another entity.

4. A meeting of the Board of Directors shall be held as soon as possible after the annual selection of Directors. Regular meetings of the Board of Directors shall be held monthly, the time and place to be determined by the Board. The Board shall keep a record of all of its proceedings which shall be at all times subject to the inspection of any Director.

5. Notice of all meetings, except emergency meetings, of the Board of Directors shall be given by regular mail to each Director at least five (5) days before the date therein designated for such meeting. The notice shall specify the time and place of such meeting and the business to be brought before the meeting. The President may call an emergency meeting of the Board at any time, pursuant to procedures determine by the Board of Directors, for any proper purpose.

6. The presence of six Directors, or designees, duly authorized in writing, shall be necessary at any meeting of the Board to constitute a quorum to transact business. The vote of a simple majority of the entire Board of Directors shall be necessary to authorize an act of the Board of Directors.

7. At all meetings or acts of the Board of Directors, each Director, or designee, present at the meeting is to have one vote.

8. Upon the resignation or removal of a Director, such Director shall be replaced pursuant to the provisions of Article II, Paragraph 3 hereinabove.

9. The Board of Directors may recommend to the respective appointing authority that a particular Director be removed from the Board by the affirmative vote of a majority of the full Board, present in person, at any regular or special meeting called for that purpose, whenever in the Board's judgment the best interest of the corporation would be served thereby. Any such Director proposed to be removed shall be entitled to at least five day's notice in writing and shall be entitled to appear before the Board and be heard at such meeting, at which time such Director may present witnesses and make such defense as he or she shall deem advisable. Failure to attend two consecutive meetings without a valid excuse may constitute cause for removal of a Director. Only the respective appointing authority can remove a Director. This Article II, Paragraph 9 shall not apply to those members serving as Directors as ex officio members.

10. The Board of Directors shall have the power to appoint such committees as it deems necessary to advise it about the business of the corporation.

11. The Board of Directors may employ and discharge such employees and agents of the corporation as it may deem necessary. The board must approve the hiring, firing, and salaries and benefits of all employees of the corporation.

ARTICLE III OFFICERS

1. The officers of the Board of Directors shall be the officers of this corporation. They shall consist of the President, Vice-President, Secretary, Treasurer, and such other officers as the Board may deem necessary.

2. The President shall preside at all meetings of the Board of Directors. The President shall have and exercise general charge and supervision of the affairs of the corporation and shall do and perform such other duties as may be assigned by the Board of Directors. The Vice-President shall perform the above duties in the absence of the President.

3. The Secretary shall keep a complete record of all meetings of the corporation and of the Board and shall have general charge and supervision of the books and records of the corporation. The Secretary shall sign such papers pertaining to the corporation as he or she may be authorized or directed to sign by the Board. The Secretary shall serve all notices required by Law and by these By-Laws and shall make a full report of all matters and business that pertain to the office to the Directors at the annual meeting. The Secretary shall keep complete written records of the corporation. The Secretary shall make all reports required by the Board.

4. The Treasurer shall have the custody of all funds, property, and securities of the corporation, subject to such regulations as may be imposed by the Board of

Directors. The Treasurer shall, in general, perform all the duties incident to the Office of the Treasurer, subject to the control of the Board of Directors. The Treasurer may delegate any duties of a routine or bookkeeping nature to any employee, or agent of the corporation without the approval of the Board. The Board may direct the delegation of any duty of the Treasurer to any employee or agent.

ARTICLE IV MANAGER

1. The Board of Directors may hire a Manager for the corporation's day-to-day operations who shall serve at the discretion of and for a salary set by the Board of Directors. The initial annual salary of the Manager will be that established by the members of the corporation.

2. The Manager shall operate the corporation following the rules, guidelines, and policies created by the Board of Directors. The Manager shall attend all Board meetings, submit budgets for Board approval, and make such periodic reports on the corporation status as required by the Board of Directors. The Manager may serve as the Secretary of the Corporation at the discretion of the Board of Directors, but shall not be a Director or have a vote.

ARTICLE V FISCAL YEAR

The fiscal year of the corporation shall commence on the 1st day of July and end on the 30th day of June.

ARTICLE VI AMENDMENT TO BY-LAWS

The Board of Directors may make, amend, revise, alter, or rescind these By-Laws, from time to time, in whole or in part, by a simple majority vote of the entire Board of Directors of this corporation at any meeting of the Directors duly called and convened at which a quorum is present, provided that notice of the meeting as required in Article II, Paragraph 5 hereinabove shall have been given in writing to each.

ARTICLE VII DISSOLUTION

Dissolution of the corporation may, at any time, be voluntarily dissolved pursuant to T.C.A. § 48-64-101 - 109, as amended from time to time, and conveyance of its assets and property shall be to the State of Tennessee, or any County or municipality of the State.

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Administrative
No. 2010-11-108

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2010.

RESOLUTION To Expand The Early Retirement Plan For 2010 To Provide Health Insurance Benefits To Any Employee Electing To Retire Without Any Monetary Incentive Being Paid On Or Before December 31, 2010 That Is 64 Years Of Age With 19 Or More Years Of Service

WHEREAS, by providing the retiree health insurance benefits to senior employees with only one year before the age of 65 will result in a reduction of benefit costs to the county after the one year is over due to the lower cost of the Over 65 Insurance, and

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Mayor to accept the retirement of any employee with 19 or more years of service and 64 years of age on or before December 31, 2010; and

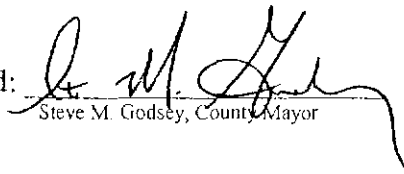
BE IT FURTHER RESOLVED THAT the position will result in a permanent reduction in staffing for the department with the retiree's health insurance cost being paid by the respective fund; and

BE IT FURTHER RESOLVED THAT Each employee electing to retire under this plan must submit their signed letter of intent to their department head with a copy filed with the payroll office by November 30, 2010.

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 15th day of November 2010.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Dwight King

2010-11-108	Administrative	Budget	Executive	County Commission
ACTION		Approved		Approved 11-15-10 23 Aye, 1 Absent

Notes:

MOTION ON FLOOR

MOTION AS FOLLOWS:

MOTION THAT WE LOOK AT ALLOWING DEPARTMENT HEADS TO LOOK IN THEIR BUDGETS AND IF THEY HAVE MONEY IN THEIR BUDGETS THAT THEY CAN GIVE A \$500 CHRISTMAS BONUS TO THEIR EMPLOYEES, NO COST TO THE COUNTY, HAVE TO COME DIRECTLY OUT OF THEIR BUDGETS AND IT WOULD BE AN OPTIONAL THING, IF THE DEPARTMENTS WANT TO PARTICIPATE.

MOTION MADE BY: CRAWFORD
SECONDED BY: GARDNER

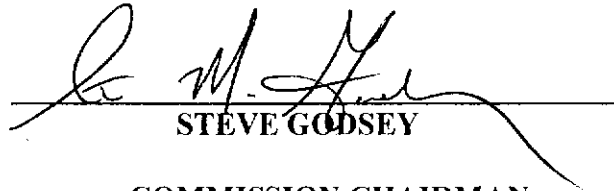
ACTION: MOTION APPROVED 13 AYE, 4 NAY, 5 PASS, 2 ABSENT
11-15-10

MOTION WAS MADE BY MCCONNELL SECONDED BY HOOD TO AMEND THE ABOVE MOTION AS FOLLOWS: "THAT IF ONE DEPARMENT GIVES IT, THAT EVERY EMPLOYEE IN THE COUNTY BE GIVEN THE BONUS".

MOTION NOT ACCEPTED BY SPONSOR CRAWFORD.

ROLL CALL TAKEN AND THIS AMENDMENT FAILED 11-15-10
10 AYE, 9 NAY, 3 PASS, 2 ABSENT.

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
WHITE
MOTION MADE BY COMM. WILLIAMS TO MEET AGAIN IN REGULAR
SESSION DECEMBER 20, 2010.


STEVE GODSEY
COMMISSION CHAIRMAN

