

COUNTY COMMISSION- REGULAR SESSION

NOVEMBER 21, 2011

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, NOVEMBER 21, 2011, 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 4-H Members, Joseph Minga and Austin Miracle.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CATHY ARMSTRONG	
MARK BOWERY	BRYAN K. BOYD
LINDA K. BRITTENHAM	MO 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 MCCONNELL	RANDY MORRELL
BOB NEAL	MIKE SURGENOR
R. BOB WHITE	EDDIE WILLIAMS

23 PRESENT 1 ABSENT (ABSENT-BOOMERSHINE)

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. Harkleroad and seconded by Comm. Crawford to approve the minutes of the October 17, 2011 Regular Session and October 27, 2011 Called Session of County Commission. Said motion was approved by voice vote.

SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

To Honor & Recognize Keep Kingsport Beautiful

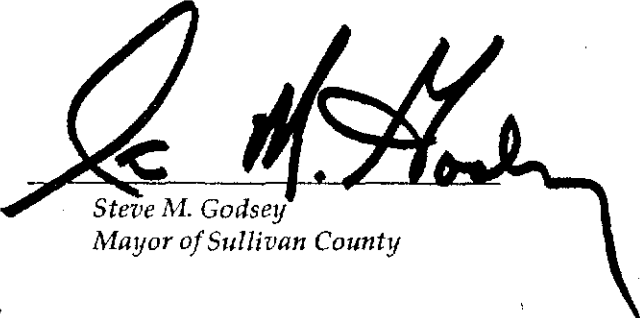
WHEREAS, Keep Kingsport Beautiful, with the mission To Involve The Community In Responsible Solutions For A Clean And Beautiful Environment, the Sullivan County Government is honored to recognize the efforts of Keep Kingsport Beautiful, Director Robin Davis Cleary and Staff.

WHEREAS, As an affiliate of Keep America Beautiful, in association with the Kingsport Chamber of Commerce, Keep Kingsport Beautiful is dedicated to reducing litter, promoting beautification, encouraging recycling, continued education, and recognition of improvements by way of beautification.

WHEREAS, Keep Kingsport Beautiful, founded in 1980, this organization has received over 60 National, State, and other environmental achievements including in 2006 Keep America Beautiful Affiliate of the Year as well as most recently a distinguished service award in the 50,000 and under population category. Keep Kingsport Beautiful was the only affiliate in the State of Tennessee to win this honor.

NOW THEREFORE BE IT PROCLAIMED, that I, Steve M. Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners, do hereby honor and recognize Keep Kingsport Beautiful, Director Robin Davis Cleary along with Staff, and encourage all to support the efforts of this valuable organization.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 21st day of November, 2011.



Steve M. Godsey
Mayor of Sullivan County



SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

To Honor The 50th Anniversary Of Holston Ruritan

Whereas, those interested in a Holston Ruritan Club first met on March 14, 1961 for their organizational meeting and were joined by members of the Fall Branch and Bloomingdale clubs, who were there to assist with knowledge of the club's workings and help in applying for a charter; and

Whereas, on that night in March of 1961 each person who wanted to be a member contributed \$1.00 for the charter application – club dues were set for \$4.00 per quarter. The charter was approved and April 7, 1961 was set as a charter night and dinner meeting at Holston High School; and

Whereas, there were 44 charter members in the original club who represented a variety of occupations in Sullivan County; and

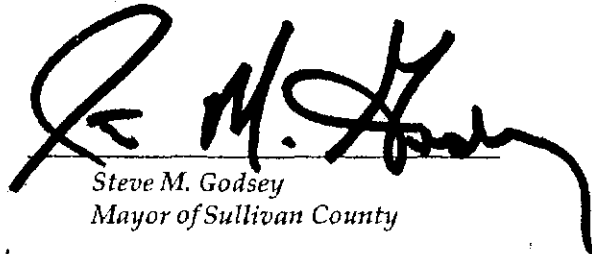
Whereas, this particular club has been so civic minded and active in contributing to the community, as well as the entire area, that it is impossible to list all of their awards and accomplishments on one page. However, a few of them are: "Certificate of Appreciation" from the Sullivan County 4-H and UT Agricultural Extension Service for 4-H Program support; certificates of merit and appreciation from the American Heart Association, Silver, Gold, and Bronze Certificates for good citizenship, patriotism, public service, and social development from the Ruritan National organization, and was named a national winner of the Conservation Award for 1970; and

Whereas, this club has also assisted the Sullivan County Imagination Library, NE State & ETSU College scholarship funding, sent care packages to the U. S. Military, cleaned up cemetery grounds, constructed handicap ramps, helped support youth basketball and football programs, has done tax services for the elderly, helped support local church Bible Schools, and assisted Habitat for Humanity, along with many other charities.

Now, therefore, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners do hereby congratulate the Holston Ruritan Club on their 50th anniversary and encourage all citizens of Sullivan County to join us in honoring their many contributions to the betterment of our local communities.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 21st day of November, 2011.




Steve M. Godsey
Mayor of Sullivan County



PLEASE SIGN IN For Record

	<u>Name</u>		<u>Name</u>
1	Tim Pierce	(Signed in ²¹ but	was not present to speak)
2	Howard Kaugas	22	
3		23	
4		24	
5		25	
6	Judge Toohey with Presentation on Sullivan House	26	
7	James Byrd with Presentation of "Restore Life USA"	27	
8		28	
9		29	
10		30	
11		31	
12		32	
13		33	
14		34	
15		35	
16		36	
17		37	
18		38	
19		39	
20		40	

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 21, 2011

BRANDY GAYLE ADAMS	LEIGH A. MUSICK
INA C. ADKINS	D. Y. MYERS
TERESA DUVALL ALLGOOD	JESSICA RENEE NEECE
VICKIE LYNN BALLARD	ELLA NICOLE ODUM
JIMMY D BELL	LISA MICHELLE PIKE
PAIGE LEE BUCKLES	GWEN PUGH
JAMES R. CADLE	MICHAEL JOSEPH PUGLIS, JR.
VICKIE H. CARTER	DEVEREUX D. RICE
ERIC A. COMBS	BILLY JOE RICHARDSON
ELIZABETH A. CRADIC	THOMAS M. RIDDLE
MARY ALICE CROUCH	C. RHENEA ROSENBALM
NANCY J. DAUGHERTY	RODNEY BARTON ROWLETT III
DEBORAH S GERMROTH	BRUCE L. RUTLEDGE
WANDA HAWKINS	JAN M. SEALS
CHRISTOPHER B. HILL	BRENDA SUE SWINEY
	MARCELLA VICTORIA
DIANE S. HITE	SZULEWSKI
ANITA J. HOOD	AMBER D TAPSCOTT
ROBIN A. KETRON	MICHAEL S. TUCKER
PATRICIA H LARKIN	ROGER L. WARNER
LORISSA DAWN LAWSON	SHIRLEY B. WARREN
BETTY C. LEWIS	ROBIN L. WHITE
GAIL MATTHEWS	HELEN JAYNE WOLFE
THERESA K. MOORE	HERBERT JOE WOODYBY
LINDA NEWMAN MORRIS	J. KENNETH WRIGHT

PERSONAL SURETY
SANDRA H BELL
GEORGE F BELL
JEREMY E. HARR
LISA KODAK
15103257N
N/A
HELEN JAYNE WOLFE-
15099223N

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

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
SURETY BONDS

NOVEMBER 21, 2011

NAME OF NOTARY
JOHN W. NECESSARY
LISA E. KODAK
O. W. FERGUSON

PERSONAL SURETY
CHRISTY RYANS
JEREMY E. HARR
R. WAYNE MCCONNELL

PERSONAL SURETY
REBECCA GRAY
ROBIN A. KETRON
LINDA SMITH

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

QUESTIONS BEFORE THE COMM.

QUESTIONS BEFORE THE COMM.	Resolving		No. Received		Resolution												No. Motion		
	Aye	Nay	Aye	Nay	# 11	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Johnson			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Kilgore			✓	✓	✓	✓	✓	✓	✓	✓								✓	
King			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Marsh			✓	✓	✓	✓	✓	✓	✓	✓								✓	
McConnell			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Margell			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Neal			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Surgeon			✓	✓	✓	✓	✓	✓	✓	✓								✓	
White			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Williams			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Armstrong			A	✓	✓	✓	✓	✓	✓	✓								✓	
Boomershine	A	A	A	A	A	A	A	A	A	A								A	
Bowery			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Boyd			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Butterham			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Brotherton			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Caston			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Crawford			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Ferguson			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Gardner			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Harkness			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Herron			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Hood			✓	✓	✓	✓	✓	✓	✓	✓								✓	
Houser			✓	✓	✓	✓	✓	✓	✓	✓								✓	
					27 Aye	27 Aye	23 Aye	23 Aye	16 Aye									8 Aye	
					2 Abs	1 Abs	1 Abs	1 Abs	6 Nay									15 Nay	
									1 Abs									1 Abs	
									1 Pass										

EB

QUESTIONS BEFORE THE COMM.	No. 7		No. 8		No. 9		No. 10		No. 11		No. 12		No. 13		No. 14		TO Table #8
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
Kilgore	✓		✓				✓				✓						✓
King	✓		✓				✓				✓						✓
Marsh	✓		✓				✓				✓						✓
McConnell	✓		✓				✓				✓	✓					✓
Marvell	✓		✓				✓				✓						✓
Neal	✓		✓				✓				✓						✓
Surgeon	✓		✓				✓				✓						✓
White	✓		✓				✓				✓						✓
Williams	✓		✓				✓				✓						✓
Armstrong	A		A		A		A		A		A		A		A		A
Boomer	A		A		A		A		A		A		A		A		A
Bowery	✓		✓				✓				✓						✓
Boyd	✓		✓				✓				✓						✓
Brittenham	✓		✓				✓				✓						✓
Biotherton	✓		✓				✓				✓						✓
Calton	✓		✓				✓				✓						✓
Crawford	✓		✓				✓				✓						✓
Ferguson	✓		✓				✓				✓						✓
Gardner	✓		✓				✓				✓						✓
Hanfler	✓		✓				✓				✓						✓
Kerron	✓		✓				✓				✓						✓
Hood	✓		✓				✓				✓						✓
Houser	✓		✓				✓				✓						✓
Johnson	✓		✓				✓				✓						✓
	2 Aye		2 Aye				2 Aye				2 Aye						1 Aye
	2 Aye		1 Nay				2 Aye				1 Nay						1 Nay
			2 Aye								2 Aye						2 Aye

RESOLUTIONS ON DOCKET FOR NOVEMBER 21, 2011

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	NO REZONING NO ACTION 11-21-11
#2 AUTHORIZE THE ACCEPTANCE OF A 1994 PACE-ARROW MOTOR HOME DONATED TO THE SULLIVAN COUNTY SHERIFF'S DEPT BY MR AND MRS EDDIE WELCH OF KINGSFORT	APPROVED 11-21-11
#3 CREATE A REGIONAL AIRPORT AUTHORITY TO OWN AND OPERATE THE TRI-CITIES REGIONAL AIRPORT, TN/VA	APPROVED 11-21-11
#4 AUTHORIZE SULLIVAN COUNTY E.M.S. TO OBLIGATE RESOURCES TO HOMELAND SECURITY DISTRICT 1 FOR EMERGENCY RESPONSE, INCLUDING STATE AND NATIONAL EMERGENCY INCIDENT RESPONSES	APPROVED 11-21-11
#5 ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN FOR SULLIVAN COUNTY	APPROVED 11-21-11
#6 SUBSTITUTE RESOLUTION TO CORRECT RESOLUTION NO. 2011-10-88 PASSED OCTOBER 17, 2011 REGARDING SALE TO BIRCH STREET PROPERTIES, LLC	WITHDRAWN 11-21-11
#7 ADOPT THE PROVISIONS OF 2011 TCA 40-11-318 REGARDING THE IMPOSITION OF A BOUNTY HUNTER BACKGROUND CHECK FEE IN THE AMOUNT OF \$200.00 FOR THE SULLIVAN COUNTY SHERIFF'S OFFICE	APPROVED 11-21-11
#8 ESTABLISHING ADDITIONAL REGULATIONS ON THE SALE AND USE OF FIREWORKS IN SULLIVAN COUNTY	FAILED 11-21-11 PUT BACK ON 1 ST READING
#9 AUTHORIZE PLACING A 15 MPH SPEED LIMIT SIGN ON WEAVER LANE IN THE 6 TH COMM. DISTRICT	APPROVED 11-21-11
#10 REPLACING THE STOP SIGN AT THE INTERSECTION OF BROYLES LAND AND VANCE TANK ROAD IN THE 4 TH COMM. DISTRICT	APPROVED 11-21-11
#11 AUTHORIZE PLACING A 35 MPH SPEED LIMIT SIGN ON POTATO HILL ROAD IN THE 8 TH COMM. DISTRICT	APPROVED 11-21-11

#12 AUTHORIZE ADDING THREE ADDITIONAL PARAMEDIC SLOTS TO SULLIVAN COUNTY E.M.S.	APPROVED 11-21-11
#13 APPROPRIATE FUNDS NECESSARY TO BRING REAL PROPERTY LOCATED AT 513 CHADWELL ROAD; KINGSFORT, TN; INTO PARTIAL COMPLIANCE WITH SULLIVAN COUNTY'S PROPERTY MAINTENANCE STANDARDS	1 ST READING 11-21-11
#14 AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET FOR THE SAFE SCHOOLS GRANT RECEIVED FROM THE STATE OF TN (ARRA/SPSF FUNDS) IN THE AMOUNT OF \$44,900.00	1 ST READING 11-21-11
#15 APPROVE A DEBT MANAGEMENT POLICY FOR SULLIVAN COUNTY IN ACCORDANCE WITH REQUIREMENTS OF THE COMPTROLLER OF THE TREASURY FOR THE STATE OF TN	1 ST READING 11-21-11
#16 ACCEPT PROPOSAL FROM THE TN DEPT OF TRANSPORTATION DESIGNATED AS FED. PROJECT NUMBER IM-81-1(111), STATE PROJECT NUMBER 82001-3179-44, INTERCHANGE OF S.R. 394 AND I-81 (EXIT 69) TO INSTALL A TRAFFIC SIGNAL AT THE NORTHBOUND OFF-RAMP	APPROVED 11-21-11
#17 ACCEPT PROPOSAL FROM THE TN DEPT OF TRANSPORTATION DESIGNATED FOR A ROCK AND SEDIMENT DETAINMENT CONSTRUCTION LISTED AS STATE PROJECT NUMBER 82002-4280-04, ON S.R. 1 (U.S.11W), ROCKFALL MITIGATION NEAR L.M. 20.3 IN SULLIVAN COUNTY	APPROVED 11-21-11
#18 EXPRESS SUPPORT FOR LEGISLATION THAT WOULD AMEND TITLE 8, CHAPTER 44 TO SUBJECT GOVERNING BODIES TO THE SAME OPEN MEETING ACT THAT THE GEN. ASSEMBLY IS SUBJECTED TO UNDER T.C.A. 3-1-118	1 ST READING 11-21-11
#19 ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN FOR SULLIVAN COUNTY	1 ST READING 11-21-11

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2011-11-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November 2011.

**RESOLUTION To Consider Amendment(s) To The SULLIVAN COUNTY ZONING PLAN:
Zoning Map Or The Zoning Resolution**

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

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

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

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

Duly passed and approved this 21st day of November 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-11-00	County Commission
ACTION	No Rezoning No Action Taken 11-21-11

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Administrative
No. 2011-10-84

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of October, 2011.

RESOLUTION To Authorize The Acceptance Of A 1994 Pace-Arrow Motor Home Donated To The Sullivan County Sheriff's Department By Mr. And Mrs. Eddie Welch Of Kingsport

WHEREAS the Sullivan County Sheriff's Office has received a letter from Mr. and Mrs. Welch stating that they wish to donate a 1994 Pace-Arrow Motor Home to the Sheriff's Office; and

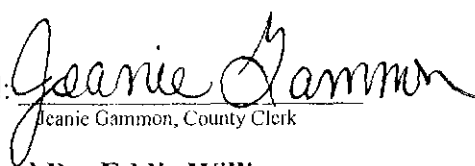
WHEREAS The Sheriff's office is requesting that this Motor Home be added to the list of assets for the Sullivan County Sheriff's Office and covered by the county insurance plan; and

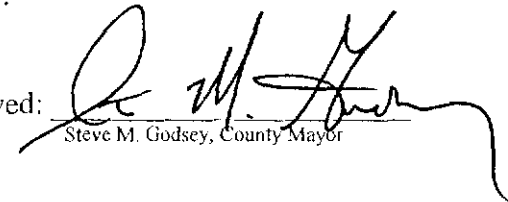
WHEREAS the title to the vehicle will be turned over to the Purchasing department upon acceptance of donation and purchase of tags.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby accepts the donation of 1994 Pace-Arrow Motor Home and be added to Sheriff's Office list of assets.

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): John Crawford

2011-10-84	Administrative	Budget	Executive	County Commission
ACTION	No Action 10-3-11; Approved 11-7-11	No Action 10-6-11; Approved 11-10-11	No Action 10-4-11; Approved 11-1-11	Approved 11-21-11 23 Aye, 1 Absent

Notes: 1st Reading 10-17-11;

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Executive
No. 2011-10-89
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of October, 2011.

RESOLUTION To Create A Regional Airport Authority To Own And Operate The Tri-Cities Regional Airport, TN/VA

WHEREAS, Public Chapter 139 of the Public Acts of 2011 was enacted into law by the Tennessee General Assembly, effective May 2, 2011, for the purpose of amending Title 42, Chapter 3, Part 1 of the Tennessee Code [Tennessee Code Annotated § 42-3-104 (a) (3)]; and

WHEREAS, said Public Chapter 139 of the Public Acts of 2011, provides a mechanism whereby the current six (6) Owners of the Tri-Cities Regional Airport, TN/VA, may create, by unanimous consent, a Tri-Cities Regional Airport Authority and would permit the current representational structure of the Tri-Cities Airport Commission to be maintained on the Tri-Cities Regional Airport Authority; and

WHEREAS, it is necessary for each of the current six (6) owners of the Tri-Cities Regional Airport, TN/VA, to pass a resolution that said Tri-Cities Regional Airport Authority should be created pursuant to the procedure set forth in said Public Act 139 of the Public Acts of 2011; and

WHEREAS, the Board of County Commissioners of Sullivan County, Tennessee desires that said Tri-Cities Regional Airport Authority be created and that the representational structure of the current Tri-Cities Airport Commission be maintained on the Tri-Cities Regional Airport Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, one of the six (6) owners of the Tri-Cities Regional Airport TN/VA, that, pursuant to Public Chapter 139 of the Public Acts of 2011, there be created a Tri-Cities Regional Airport Authority, a public body, corporate and politic, to own and operate the Tri-Cities Regional Airport, TN/VA; and

BE IT FURTHER RESOLVED that once each of the six (6) current owners of the Tri-Cities Regional Airport, TN/VA, by resolution, expresses its consent that said Tri-Cities Regional Airport Authority be created, the Tri-Cities Airport Commission shall make application for and obtain from the Secretary of State of the State of Tennessee a certificate of incorporation for said Tri-Cities Regional Airport Authority; and

BE IT FURTHER RESOLVED that said certificate of incorporation shall mandate that the Commissioners of the newly-created Tri-Cities Regional Airport Authority shall consist of exactly the same number of persons as currently serve on the Tri-Cities Airport Commission, with each of the current owners appointing the same number of Commissioners to the Tri-Cities Regional Airport Authority as they currently appoint to the Tri-Cities Airport Commission.

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 21st day of November 2011.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsored By: Joe Herron

Prime Co-Sponsor(s): Eddie Williams , Moe Brotherton

All Commissioners voting in the affirmative

2011-10-89	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 23 Aye, 1 Absent

Notes: 1st Reading 10-17-11;



State of Tennessee

PUBLIC CHAPTER NO. 139

SENATE BILL NO. 761

By Faulk

Substituted for: House Bill No. 909

By Lundberg, Shipley

AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 9, Part 1 and Title 42, Chapter 3, Part 1, relative to regional airport authorities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 42-3-104(a), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) In addition to the procedures set forth in subdivisions (a)(1) and (2), when three (3) or more municipalities and counties and at least one (1) political subdivision of another state jointly create and participate in a regional airport commission, then all such municipalities, counties, and the political subdivisions of another state who have participated in such regional airport commission, may, by resolution of each, create a public body, corporate and politic, to be known as a regional airport authority which shall be authorized to exercise its functions upon the issuance by the secretary of state of a certificate of incorporation. The governing body of each participating municipality and the governing body of each participating county and the governing body of each political subdivision of another state shall, pursuant to its resolution, appoint the same number of persons as commissioners of the authority as existed in the regional airport commission. Such number of commissioners shall be specified in the certificate of incorporation.

SECTION 2. Tennessee Code Annotated, Section 42-3-104, is amended by deleting subsection (e) in its entirety and by substituting instead the following:

(e) All commissioners of a regional airport authority created in accordance with subdivision (a)(1) or (a)(2) shall be appointed for terms of five (5) years each, except that a vacancy occurring other than by expiration of term shall be filled for the unexpired term in the same manner as the original appointments. Appointments at the expiration of a term shall be filled by the governing body of the participating municipality, the governing body of the participating county, or by the commissioners or the governor as appropriate, that made the original appointments in accordance with subdivision (a)(1) or (a)(2).

SECTION 3. Tennessee Code Annotated, Section 42-3-118, is amended by deleting the section in its entirety and by substituting instead the following:

42-3-118.

(a) The powers conferred by this chapter are in addition to the powers conferred by any other law, and are not in substitution for such powers, and the limitations imposed by this chapter shall not affect powers conferred by any other law.

(b) The powers granted by this chapter may be exercised without regard to requirements, restrictions, or procedural provisions contained in any other law or chapter, except as expressly provided in this chapter.

(c) In addition to the general and special powers conferred by this chapter, every authority is authorized to exercise such powers as are necessarily incidental to the exercise of such general and special powers.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 761

PASSED: April 14, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of May 2011



BILL HASLAM, GOVERNOR

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Administrative
No. 2011-10-91

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of October, 2011.

RESOLUTION To Authorize Sullivan County E.M.S. To Obligate Resources To Homeland Security District 1 For Emergency Response, Including State And National Emergency Incident Responses

WHEREAS, Sullivan County E.M.S. is charged with pre-hospital emergency care to residents and visitors of Sullivan County, being charged with saving lives by providing emergency medical services; and

WHEREAS, the neighboring cities and agencies within Homeland Security District 1 (Carter, Greene, Washington, Hancock, Hawkins, Unicoi, and Johnson Counties) have also committed to respond to emergencies in Sullivan County and other regional communities to assist when they have a dire need for additional ambulances and personnel.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize that Sullivan County E.M.S. is a key agency within the Northeast Tennessee Task Force and is committing trained members and equipment to assist in the effort of emergency medical services and or search and rescue within the Homeland Security District 1 when requested by the aforementioned regional communities and cities.

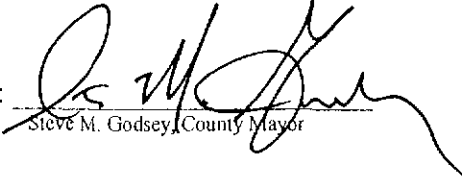
All expenditures for the deployment will be fully reimbursed to Sullivan County EMS by the local, state, or federal government depending on how it is set up through TEMA and Tennessee State Health Office prior to deployment.

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Mark Bowery
Prime Co-Sponsor(s): John Crawford

2011-10-91	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 23 Aye, 1 Absent

Notes: 1st Reading 10-17-11;

Underlined paragraph added and approved at request of the Executive Committee on 11-1-11

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Executive
No. 2011-10-92

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of October, 2011.

RESOLUTION To Adopt A Reapportionment/Redistricting Plan For Sullivan County

WHEREAS, Tennessee Code Annotated, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

WHEREAS, Sullivan County has prepared a plan consistent with the provision of Tennessee Code Annotated, section 5-1-111, which provides for a county legislative body composed of twenty-four (24) members and which creates eleven (11) districts, as depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110.

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

SECTION 1. There is hereby adopted a reapportionment plan for Sullivan County which provides for twenty-four (24) Commissioners with three (3) Commissioners in districts two (2), four (4), six (6) and eleven (11) and provides for two (2) Commissioners in districts five (5), seven (7), eight (8), nine (9) and ten (10), with one (1) Commissioner in districts one (1) and three (3). The districts for members of the county legislative body are depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map will be attached as Exhibit A to this resolution and is incorporated herein as reference.

SECTION 2. All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. The candidates receiving the greatest number of votes in each district, pursuant to the number of seats in each district as described in Section 1, shall be elected.

SECTION 3. This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.

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 21st day of November 2011.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsored By: W.G. "Bill" Kilgore

**Prime Co-Sponsor(s): Dwight King, Randy Morrell, Terry Harkleroad, Bryan Boyd,
James "Moe" Brotherton, Mark Bowery**

2011-10-92	Administrative	Budget	Executive	County Commission
ACTION	Failed 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 8 Aye, 15 Nay, 1 Pass, 1 Absent

Notes: 1st Reading 10-17-11;

Note: Request made 10-17-11 by Ed Marsh to be removed as a Co-Sponsor

Motion to defer made by Surgenor, seconded by Hood 11-21-11; motion failed by roll call vote.

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Budget/Executive
No. 2011-11-95
Attachments

SUBSTITUTE RESOLUTION TO CORRECT RESOLUTION NO. 2011-10-88
PASSED OCTOBER 17, 2011

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Sell County Owned Property To Birch Street Properties, LLC. This Property Is Located On The North Side Of State Highway 394 And Is Identified As Parcel Number 95.35 On Tax Map 66

WHEREAS, Sullivan County acquired real property through condemnation of the property through a delinquent property tax proceeding and it is adjoined on the east by Paul Darnell property and on the west by Hal Almaroad property; and

WHEREAS, Birch Street Properties is offering \$17,500.00 for said property; and

WHEREAS, the deed for this property will contain restrictions governing the uses that will be allowed at said location; and

WHEREAS, Birch Street Properties is seeking to purchase said property for the purpose of access and improvements to the existing property located at 250 Birch Street; Blountville, Tennessee (formerly Davis Pipe property); and

WHEREAS, The Sullivan County Budget Committee, which also serves as the delinquent tax committee, unanimously approved this transition on October 6, 2011.

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 identified as Tax Map 66, Parcel 95.35 to Birch Street Properties, LLC for \$17,500.00.

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 _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Ed Marsh
Prime Co-Sponsor(s): Randy Morrell

2011-11-95	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Withdrawn 11-21-11

Notes: **AFTER WITHDRAWAL OF THIS RESOLUTION, MOTION WAS MADE BY MARSH, SECONDED BY WHITE TO RESCIND RES. #2011-10-88 which was APPROVED 10-17-11; MOTION TO RESCIND APPROVED 11-21-11.**

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Budget/Executive
No. 2011-10-88
Attachment

Attachment To Resolution No. 2011-11-95

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of October, 2011.

RESOLUTION To Sell County Owned Property To Birch Street Properties, LLC. This Property Is Located On The North Side Of State Highway 394 And Is Identified As Parcel Number 95.35 On Tax Map 66

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding and it is adjoined on the east by Paul Darnell property and on the west by Hal Almaroad property; and

WHEREAS, Birch Street Properties is offering \$17,500.00 for said property; and

WHEREAS, Birch Street Properties is seeking to purchase said property for the purpose of access and improvements to the existing property located at 250 Birch Street, Blountville, Tennessee (formerly Davis Pipe property); and

WHEREAS, The Sullivan County Budget Committee, which also serves as the delinquent tax committee, unanimously approved this transition on October 6, 2011.

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 identified as Tax Map 66, Parcel 95.35 to Birch Street Properties, LLC for \$17,500.00.

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 17th day of October 2011.

Attested:

Jeanie Gammon
Jeanie Gammon, County Clerk

Approved:

Steve M. Godsey
Steve M. Godsey, County Mayor

Sponsored By: Ed Marsh

Prime Co-Sponsor(s): Randy Morrell

2011-10-88	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-17-11 24 Aye

Notes: **Waiver of rules requested.**

Attachment To Resolution No. 2011-11-95

Offer to Purchase

Owner Sullivan County, Tennessee City Blountville State Tennessee

Address Highway 394

Date October 3th, 2011

We hereby request to purchase a certain parcel of land known as Sullivan County, Tennessee property located on the north side of State Highway 394, and identified on the Sullivan County tax records as parcel number 95.35 on map 66, said property is adjoined on the east by Paul Darnell property, on the west by Hal Almaroad property, and on the north by Birch Street Properties, LLC. The subject property consists of 8.55 acres, more or less, as described in Deed Book 1482C, Page 1 (see attached exhibits "A" and "B"). We seek the purchase of this property for the purpose of access and improvements to the existing property located at 250 Birch Street, Blountville, Tennessee (formerly Davis Pipe property).

If this request is acceptable we offer to pay the sum of \$ 17,500.00 for said property.

Please advise if you are willing to discuss this proposal.



Tim Kuykendall
Birch Street Properties, LLC
Phone: (423) 323-6710

MOTION ON FLOOR

MOTION AS FOLLOWS:

MOTION MADE TO RESCIND ACTION TAKEN ON RESOLUTION NO. 2011-10-88 WHICH WAS APPROVED ON OCTOBER 17, 2011.

MOTION MADE BY: MARSH
SECONDED BY: WHITE

ACTION: MOTION APPROVED BY ROLL CALL VOTE 11-21-11

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Administrative/Budget
No. 2011-11-96

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Adopt The Provisions Of 2011 Tennessee Code Annotated 40-11-318 Regarding The Imposition Of A Bounty Hunter Background Check Fee In The Amount Of (Two Hundred Dollars) \$200 For the Sullivan County Sheriff's Office

WHEREAS, Tennessee Code Annotated, Section 40-11-318, authorizes the Sheriff to charge a fee of not more than two hundred dollars (\$200.00) for each background check pursuant to T.C.A. 38-6-109 which states that any resident of this state who is a United States citizen and who intends to perform the functions of a bounty hunter shall submit to a criminal history background check at the sheriff's office at the county of the person's permanent residence. The person requesting the criminal history background check shall be responsible for any fees associated with the background check. The criminal background check shall include fingerprint checks against state and federal criminal records maintained by the TBI and FBI. The sheriff's office in the respective counties shall maintain files on bounty hunters requesting a criminal history background check.

WHEREAS, the county legislative body of Sullivan County is desirous that it be fully compensated for each background check performed by the Sheriff's Office.

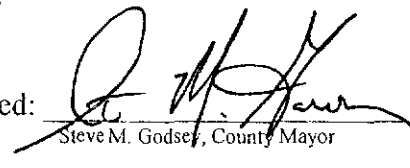
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session that:

Pursuant to the provisions of Tennessee Code Annotated, Section 40-11-318, the sheriff is entitled to demand and receive a fee of not more than two hundred dollars (\$200.00) for each background check performed and shall be collected at the time the request is made.

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

**Sponsored By: John Crawford
Prime Co-Sponsor(s): Bob White**

2011-11-96	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Administrative
No. 2011-11-97

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION Establishing Additional Regulations On The Sale And Use Of Fireworks In Sullivan County

WHEREAS, Chapter No. 72 of the Private Acts of 2010, ratified by the Sullivan County Board of Commissioners on June 21, 2010 pursuant to Resolution No. 2010-06-59, repealed Chapter No. 16 of the Private Acts of 1953 prohibiting fireworks in Sullivan County and accordingly authorized the sale and use of fireworks in Sullivan County; and

WHEREAS, the Sullivan County Board of Commissioners on September 20, 2010 approved Substitute Resolution No. 2010-07-67 establishing regulations regarding the sale and/or use of fireworks in Sullivan County; and

WHEREAS, in an effort to insure additional safety and convenience for Sullivan County residents, it is necessary to institute more stringent regulations for individuals detonating fireworks; and

WHEREAS, individuals who choose to detonate fireworks in Sullivan County will be allowed to detonate them from 2:00 p.m. to 10:00 p.m., and fireworks cannot be detonated unless they are at least 100 feet from any and all inhabited residential structures unless the occupant or owner of such residence gives permission; and

WHEREAS, the time during which fireworks may be detonated is extended to midnight on the eves of and the days of: Memorial Day, July 4th, Veteran's Day and New Year's Day; and

WHEREAS, a ~~\$500~~ ^{of up to \$500} penalty shall apply to non-compliance of this resolution;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves and adopts the additional regulations governing the use of fireworks in Sullivan County: (1) fireworks may only be detonated between the hours of 2:00 p.m. and 10:00 p.m. with the exception that fireworks may be detonated between the hours of 2:00 pm and midnight on the eve of Memorial Day, Memorial Day, eve of the 4th of July, July 4th, eve of Veteran's Day, Veteran's Day, New Year's Eve and New Year's Day; (2) fireworks may not be detonated closer than 100 feet to any inhabited residential structure unless the occupant or owner of such residence gives permission; and (3) a penalty of ~~\$500~~ ^{up to \$500} shall apply to anyone who violates 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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Baxter Hood
Prime Co-Sponsor(s): John Gardner

2011-11-97	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	No Action 11-10-11	No Action 11-1-11	Failed 11-21-11 6 Aye, 16 Nay, 2 Absent

Notes: **Motion made to TABLE mady by Johnson, seconded by Bowery; Motion failed 11-21-11.**
RESOLUTION put back on 1st Reading by Sponsor 11-21-11.

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Executive
No. 2011-11-98
Attachments

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November 2011.

RESOLUTION To Authorize Placing A 15 MPH Speed Limit Sign On Weaver Lane In The 6th Commissioner District

WHEREAS, Commissioner Terry Harkleroad requested the Sullivan County Highway Department to make this change; and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:


6th Commission District

**To Place A 15 MPH Speed Limit Sign
On Weaver Lane**

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk


Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Terry Harkleroad

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

2011-11-98	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested.**


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

Terry A. Shaffer
Highway Commissioner

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

RESOLUTION REQUEST REVIEW

DATE: October 26, 2011

TO: Sullivan County Commission

REQUEST MADE BY: Terry Harkleroad

SUBJECT: To place a 15 MPH Speed Limit Sign on Weaver Lane.

6th COMMISSIONER DISTRICT

Matthew Johnson
Michael Surgenor

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:



TRAFFIC COORDINATOR

10/10/11

DATE



HIGHWAY COMMISSIONER

10/10/11

DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Executive
No. 2011-11-99
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November 2011.

RESOLUTION To Authorize Replacing The STOP Sign At The Intersection Of Broyles Lane And Vance Tank Road In The 4th Commissioner District

WHEREAS, Commissioner Dennis Houser requested the Sullivan County Highway Department to make this change; and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;


NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:


4th Commission District

**To Replace The STOP Sign
At The Intersection Of Broyles Lane And Vance Tank Road**

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

Approved this 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

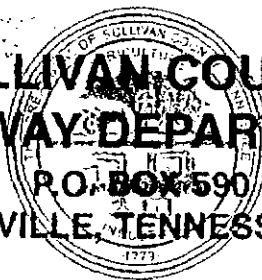
Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Dennis Houser

Prime Co-Sponsor(s): Ed Marsh, Linda Brittenham

2011-11-99	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 22 Aye. 2 Absent

Notes: **Waiver of rules requested.**


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

Terry A. Shaffer
Highway Commissioner

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

RESOLUTION REQUEST REVIEW

DATE: October 6, 2011

TO: Sullivan County Commission

REQUEST MADE BY: ~~Terry Shaffer~~ *Dennis Houser*

SUBJECT: To replace the STOP sign at the intersection
of Broyles Lane and Vance Tank Road.

4th COMMISSIONER DISTRICT ~~Dennis Houser~~

Ed Marsh

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:



TRAFFIC COORDINATOR

10/10/11
DATE



HIGHWAY COMMISSIONER

10/10/11
DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Executive
No. 2011-11-100
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November 2011.

RESOLUTION To Authorize Placing A 35 MPH Speed Limit Sign On Potato Hill Road In The 8th Commissioner District

WHEREAS, Commissioner Eddie Williams requested the Sullivan County Highway Department to make this change; and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

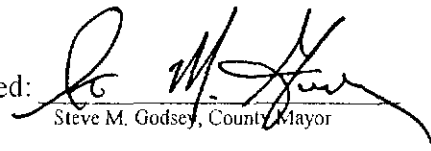
8th Commission District

**To Place A 35 MPH Speed Limit Sign
On Potato Hill Road**

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

Approved this 21st day of November 2011.

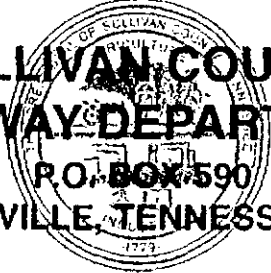
Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Darlene Calton

2011-11-100	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11	Approved 11-1-11	Approved 11-21-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested.**


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

Terry A. Shaffer
Highway Commissioner

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

RESOLUTION REQUEST REVIEW

DATE: October 31, 2011

TO: Sullivan County Commission

REQUEST MADE BY: Eddie Williams

SUBJECT: To place a 35 MPH Speed Limit Sign on Potato Hill Road.

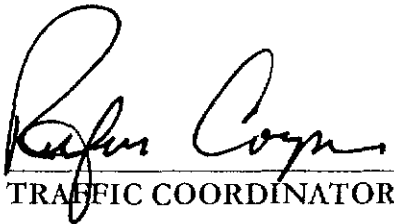
8th COMMISSIONER DISTRICT

Darlene Calton

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:



TRAFFIC COORDINATOR

10/31/11
DATE



HIGHWAY COMMISSIONER

10/31/11
DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Administrative/Budget
No. 2011-11-101

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Authorize Adding Three Additional Paramedic Slots To Sullivan County E.M.S.

WHEREAS, the Greater Kingsport area is in need of an additional E.M.S. unit to provide emergency and non-emergency service.

WHEREAS, the Kingsport Life Saving Crew has graciously approved housing this unit ~~for little to~~ ^{at} no cost.


WHEREAS, Sullivan County E.M.S. is funded by fees for service. Funds for this additional service will be supported by those fees. In the event fees do not cover the expense the service will be discontinued.

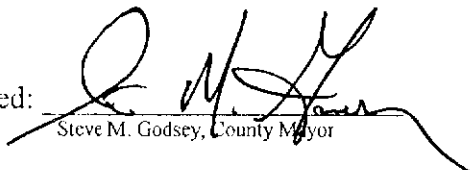
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize Sullivan County E.M.S. to increase staffing for three paramedics to staff an additional ambulance in Sullivan County, and the Greater Kingsport City area.

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-11-101	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	Approved 11-10-11		Approved 11-21-11 21 Aye, 1 Nay, 2 Absent

Notes: **Amended by Sponsor to read "at no cost" in second paragraph. 11-21-11.**

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Budget/Executive
No. 2011-11-102

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Appropriate Funds Necessary To Bring Real Property Located At 513 Chadwell Road; Kingsport, Tennessee; Into Partial Compliance With Sullivan County's Property Maintenance Standards

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 Sullivan County Code Official and his Deputy Code Officials are charged with the enforcement of the Property Maintenance Code in all areas of Sullivan County outside of municipal boundaries; and

WHEREAS, real property located at 513 Chadwell Road, Kingsport, Tennessee has been and continues to be the subject of numerous complaints of violation of Sullivan County's Property Maintenance Code due to the dilapidated and unsafe condition of the vacant house and an outdoor storage building located on said real property, the excessive amount of overgrowth on the property, and the excessive amount of trash, garbage, rubbish, scrap, salvage items, and debris stored and strewn about the exterior of the property; and

WHEREAS, the Sullivan County Code official, through the Office of the Sullivan County Attorney, had to file litigation against the property owner of 513 Chadwell Road, Kingsport, Tennessee to enforce the provisions of the Property Maintenance Code as said property owner is a resident in a local nursing home and had failed to take any action to remedy the situation; and

WHEREAS, the Court entered an Order on October 31, 2011 directing the property owner to bring her property into full compliance with Sullivan County's Property Maintenance Code on or before November 30, 2011 and in the event the property is not in full compliance on or before November 30, 2011 authorizing the Sullivan County Code Official, or his agent, to take such action as is necessary to bring said real property into partial compliance by: (a) removing from the property and disposing of all trash, garbage, rubbish, scrap, salvage items, debris and personal property located on the outside of the property; (b) boarding up all doors on the house such that they cannot be entered; (c) tearing down and removing from the property the dilapidated outside storage building; and (d) mowing the lawn and removing any excessive overgrowth from the property; and

WHEREAS, the Sullivan County Code Official has solicited bids to perform the necessary services in the event the subject property has not been brought into full compliance with Sullivan County's Property Maintenance Code on or before November 30, 2011 and has determined that the cost should not exceed \$3,000.00.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby appropriates the maximum sum of Three thousand (\$3,000.00) Dollars to be used for the purpose of bringing real property into partial compliance with Sullivan County's Property Maintenance Code pursuant to the Court's Order entered October 31, 2011. Any costs expended by Sullivan County for the purposes set forth in this Resolution shall be recorded as a lien against the subject real property. (Account codes to be assigned by the Director of Accounts and Budgets.)

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Terry Harkleroad
Prime Co-Sponsor(s): Matthew Johnson, Mike Surgenor

2011-11-102	Administrative	Budget	Executive	County Commission
ACTION	Approved 11-7-11	No Action 11-10-11		

Notes: **1st Reading 11-21-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Budget
No. 2011-11-103

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget For The Safe Schools Grant Received From The State Of Tennessee (ARRA/SPSF Funds) In The Amount Of \$44,900.00.

WHEREAS, the additional grant funds have been made available from the State of Tennessee for this program; and

WHEREAS, these monies will be used to provide funds to the Department of Education for additional security measures, signage, student led respect and leadership teams, and conflict resolution materials; and

WHEREAS, the Sullivan County Department of Education Board approved this grant.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby authorizes amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
46230.000	Safe and Drug Free Schools	+44,900.00
71100.308	Regular Instruction - Consultants	+2,500.00
72620.499	Maintenance of Plant – Other Supplies & Materials	+39,400.00
72520.499	Human Resource – Other Contracted Services	+3,000.00

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 _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron
Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, O. W. Ferguson, Terry Harkleroad

2011-11-103	Administrative	Budget	Executive	County Commission
ACTION		Approved 11-10-11		

Notes: **1st Reading 11-21-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 15
Budget
No. 2011-11-104
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Approve A Debt Management Policy For Sullivan County In Accordance With Requirements Of The Comptroller Of The Treasury For The State Of Tennessee

WHEREAS, the Comptroller of the Treasury of the State of Tennessee has established new policies for the State of Tennessee requiring each County to develop a policy for the management of its long-term debt. This policy is to be approved by the governing body before January 1, 2012; and

WHEREAS, the University of Tennessee's County Technical Assistance Service (CTAS) has developed a basic guide for County Governments that could be utilized by individual counties in setting their Debt Management Policy which has been followed in developing the attached policy for Sullivan County.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session approve the attached document as the "Sullivan County Debt Management Policy."

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-11-104	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 11-21-11;



SULLIVAN COUNTY, TN

Debt Management Policy

**Prepared by the
OFFICE OF ACCOUNTS & BUDGETS**

November, 2011

SULLIVAN COUNTY TENNESSEE

Debt Management Policy

Goal/Mission: To provide management with appropriate guidelines and direction to assist in making sound debt management decisions. To further demonstrate strong financial management practices for our county citizens, outside investors, and credit agencies.

Objectives: To enhance the decision process by identifying the methodology of decision making and outline the criteria on which the principles utilized are based.

A. ENHANCE TRANSPARENCY OF DECISIONS BY WAY OF ANNUAL DEBT REPORT, ANNUAL BUDGETS, AND SPECIFIC NEW ISSUE REPORT

- a. Annual debt reports shall be submitted to the county legislative body by June 30th of each year either with the annual budget document or separate. In addition to the outstanding debt and requirements, it should also include:
 - i. Calculations of percentage of total debt to assessed value
 - ii. Calculation of debt to per capita income
 - iii. Sullivan County shall prepare a multi-year debt budget for at least 5 years
- b. Sullivan County shall comply with legal requirements for notice and for public meetings related to debt issuance. In the interest of transparency, all costs (including interest, issuance, continuing, and one-time) shall be disclosed to the citizens/members, governing body, and other stakeholders in a timely manner.
- c. Debt issuance shall comply with the State Form CT-0253, as well as, any other state required forms that detail all associated cost for the issuance of the proposed debt. These records shall be available for public and county commission inspection prior to the commission approval of the debt issuance.

B. ACQUIRING OF PROFESSIONAL SERVICES FOR THE ISSUANCE OF DEBT

- a. Sullivan County shall require all professionals engaged in the process of issuing debt to clearly disclose all compensation and consideration received related to services provided in the debt issuance process by both Sullivan

County and the lender or conduit issuer, if any. This includes “soft” costs or compensations in lieu of direct payments.

- b. **Counsel:** Sullivan County shall enter into an engagement letter agreement with each lawyer or law firm representing Sullivan County in a debt transaction. (No engagement letters required for any lawyer who is an employee of Sullivan County or lawyer or law firm which is under general appointment or contract to serve as counsel to the County. The County does not need an engagement letter with counsel not representing the County, such as underwriters’ counsel.)
- c. **Financial Advisor:** If Sullivan County chooses to hire financial advisors, Sullivan County shall enter into a written agreement with each person or firm serving as financial advisor for debt management and transactions.
- d. **Whether in a competitive or negotiated sale, the financial advisor shall not be permitted to bid on, privately place or underwrite an issue for which they are or have been providing advisory services.**
- e. **Underwriter:** If there is an underwriter, Sullivan County shall require the underwriter to clearly identify itself in writing as an underwriter and not as a financial advisor from the earliest states of its relationship with Sullivan County with respect to that issue. The underwriter must clarify its primary role as a purchaser of securities in an arm’s-length commercial transaction and that it has financial and other interests that differ from those of Sullivan County. The underwriter in a publicly offered, negotiated sale shall be required to provide pricing information both as to interest rates and to takedown per maturity to the governing body or its designated representative in advance of the pricing of the debt.

C. ESTABLISHING STANDARDS TO ASSURE AGAINST CONFLICTS OF INTEREST FOR BOTH INTERNAL AND EXTERNAL PROFESSIONALS

- a. **Professionals involved in a debt transaction hired or compensated by Sullivan County shall be required to disclose to Sullivan County existing client and business relationships between and among the professionals to a transaction (including but not limited to financial advisor, swap advisor, bond counsel, swap counsel, trustee, paying agent, underwriter, counterparty, and remarketing agent), as well as conduit issuers, sponsoring organizations sufficient to allow Sullivan County to appreciate the significance of the relationships.**
- b. **Professionals who become involved in the debt transaction as a result of a bid submitted in a widely and publicly advertised competitive sale conducted using an industry standard electronic bidding platform are not subject to this disclosure. No disclosure is required that would violate any rule or regulation of professional conduct.**
- c. **Review the representatives of the County Staff and the other representatives of the County involved in the decision making process and their adherence to knowledge of the County Ethics Policy.**

D. OTHER REQUIREMENTS FOR MANAGING AND ISSUING DEBT

- a. The Debt Service Fund(s) shall maintain minimum balances equal or greater than the requirements for the first half of the fiscal year less any designated recurring revenues for the respective debt.**
- b. Sullivan County shall service all debt principal and interest payments through the debt service fund with the exception of leases for less than \$100,000 principal.**
- c. Sullivan County shall not utilize variable rate debt for any debt beyond 3 years without a special advertised public hearing before the issuance.**
- d. All debt repayment schedules shall use the straight-line method of repayment. Other repayment schedules must be approved by the comptroller's office in writing and fully disclose the additional interest cost compared to straight-line repayment method.**
- e. Borrowing using capital outlay notes, the county shall solicit a minimum of three rates and issuance cost quotes and select the lowest and best offer. The county may use the State loan pool as one of the three quotes.**
- f. All leases of amounts of \$100,000 exceeding 1 year shall be compared to a quote for a capital outlay note for similar principal and duration to be reported to the County Commission before issuance.**
- g. In the case of refinancing, an analysis report shall be provided which fully explains the reasons for the refinancing and the net savings and cost of the refinancing which will include not only interest charges but also the fees associated with the transactions for the issuance.**
- h. Sullivan County shall not issue debt that exceeds the life of the capital asset funded by the debt.**
- i. All Elected and appointed officials, as well as, department heads should be knowledgeable that the Sullivan County Purchasing Laws govern the approval and signing of all contractual commitments including lease agreements.**

Sullivan County, Tennessee
Board of County Commissioners

Item 16
Executive
No. 2011-11-105
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Accept Proposal From The Tennessee Department Of Transportation Designated As Federal Project Number IM-81-1(111), State Project Number 82001-3179-44, Interchange Of S. R. 394 And I-81 (Exit 69) To Install A Traffic Signal At The Northbound Off-Ramp

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, in its effort to improve safety and convenience for drivers in Sullivan County; and

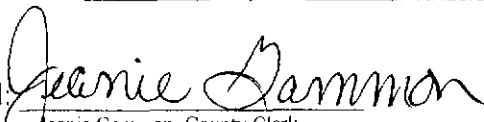
WHEREAS, said Proposal is incorporated herein by referenced, the same as if copied herein verbatim, with a copy of said Proposal attached hereto; and

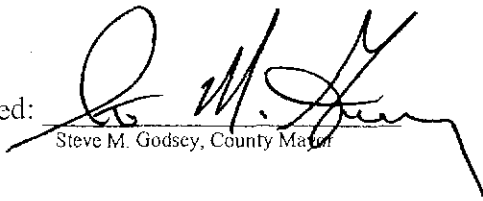
WHEREAS, the terms and conditions of said Proposal to Sullivan County as submitted by the State of Tennessee, Department of Transportation, are accepted and approved by the Sullivan County Board of Commissioners; and Sullivan County shall fulfill all obligations concomitant thereto.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes that above listed proposal be accepted.

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: John Gardner

Prime Co-Sponsor(s): Matthew Johnson , Linda Brittenham

2011-11-105	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-21-11 19 Aye, 3 Nay, 2 Absent

Notes: **Waiver of rules requested.**

AGREEMENT NO: 110358
PROJECT IDENTIFICATION NO: 112540.00
FEDERAL PROJECT NO: IM-81-1(111)
STATE PROJECT NO: 82001-3179-44
State of Tennessee Department of Transportation

LOCAL AGENCY PROGRAM AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and Sullivan County (hereinafter called the "Agency").

W I I N E S S E T H:

WHEREAS, the Department desires to install a traffic signal within the jurisdictional limits of the Agency and

WHEREAS, the Agency, in recognition of the benefits to be received from the installation of said traffic signal desires to cooperate with the Department such that the traffic signal may be installed, operated and maintained.

NOW THEREFORE, in consideration of these premises, the Department and the Agency hereby enter into agreement to provide performance of the project.

SECTION I: The Project to be performed is described as follows:

"Traffic Signal Improvement at I-81 Northbound off-Ramp at SR 394 (Exit 69)"

SECTION II: The Agency shall be solely responsible for and pay all costs associated with maintenance and operation of all electrically operated devices together with the related equipment, wiring and other necessary appurtenances, and the Agency shall furnish electrical current to all such devices which may be installed as part of the project. Additionally, the Agency shall be solely responsible for and pay all costs associated with the maintenance and operation of solar-powered devices, including, but not limited to, replacement of solar panels, batteries, lights and lenses.

SECTION III: The Agency agrees to comply with all applicable federal and state laws and regulations in the performance of its duties under this contract. The parties hereby agree that failure of the Agency to comply with this provision shall constitute a material breach of this agreement and subject the Agency to the repayment of all state funds expended, or expenses incurred, under this agreement.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

SULLIVAN COUNTY

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

By: _____
Mayor Date

By: _____
John C. Schroer
Commissioner Date

APPROVED AS TO
FORM AND LEGALITY

APPROVED AS TO
FORM AND LEGALITY

By: _____
Attorney Date

By: _____
John Reinbold
General Counsel Date

TED

LOCAL PROGRAMS DEVELOPMENT OFFICE

Sullivan County, Tennessee
Board of County Commissioners

Item 17
Executive
No. 2011-11-106
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

RESOLUTION To Accept Proposal From The Tennessee Department Of Transportation Designated For A Rock And Sediment Detainment Construction Listed As State Project Number 82002-4280-04, On S. R. 1 (U.S. 11W), Rockfall Mitigation Near L.M. 20.3 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, in its effort to improve safety and convenience for drivers in Sullivan County; and

WHEREAS, said Proposal is incorporated herein by referenced, the same as if copied herein verbatim, with a copy of said Proposal attached hereto; and

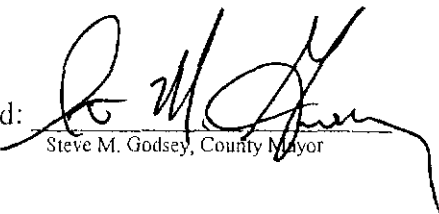
WHEREAS, the terms and conditions of said Proposal to Sullivan County as submitted by the State of Tennessee, Department of Transportation, are accepted and approved by the Sullivan County Board of Commissioners; and Sullivan County shall fulfill all obligations concomitant thereto.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes that above listed proposal be accepted.

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 21st day of November 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Bob Neal

Prime Co-Sponsor(s): Bob White, Cathy Armstrong, Bryan Boyd

2011-11-106	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-21-11 21 Aye. 3 Absent

Waiver of rules requested.

Notes:

PROPOSAL
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. 82002-4280-04 that is described as S.R. 1 (U.S. 11W), Rockfall Mitigation near L.M. 20.3 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: _____
John Schroer
Commissioner

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
John Reinbold
General Counsel

DATE: _____

Sullivan County, Tennessee
Board of County Commissioners

Item 18
Administrative/Budget/Executive
No. 2011-11-107

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

Resolution To Express Support For Legislation That Would Amend Title 8, Chapter 44 To Subject Governing Bodies To The Same Open Meeting Act That The General Assembly Is Subjected To Under T.C.A. 3-1-118

WHEREAS, the Tennessee General Assembly previously adopted T.C.A. 3-1-118 which, in some circumstances, subjects the General Assembly to open meeting requirements if a quorum of the members of a State body are present and public business within the jurisdiction of that body is being deliberated and decided; and

WHEREAS, local governments are currently subjected to the open meeting act as provided for in T.C.A. 8-44-101, et. seq. ("Sunshine Law"); and

WHEREAS, the Sunshine Law provides that if two (2) or more members of a body with the power to make decisions or recommendations to a public body meet, regardless of whether there is a quorum present, adequate public notice must be given prior to being able to meet, and

WHEREAS, The Sullivan County Board of Commissioners finds it would be in the interest of its citizens to express its support for amending T.C.A. 8-44-101, et. seq. to subject all governing bodies currently subjected to the Sunshine Law to the similar open meeting requirements as the State has subjected its self.

NOW, THEREFORE, BE IT RESOLVED, by action of the Board of Commissioners, meeting in regular session, Sullivan County expresses its support for State legislation which would amend T.C.A. 8-44-101, et. seq. to define a meeting as a meeting of a quorum of the members of a governing body which has the power to make decisions or recommendations to a public body.

BE IT FUTHER RESOLVED, that upon approval of this resolution and its signing, the Board of Commissioners directs the County Clerk's Office to mail copy of this resolution to Sullivan County's State Representatives and State Senator.

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: W.G. "Bill" Kilgore
Prime Co-Sponsor(s): Michael Surgenor

2011-11-107	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 11-21-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 19
Executive
No. 2011-11-108

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of November, 2011.

Resolution To Adopt A Reapportionment/Redistricting Plan For Sullivan County

WHEREAS, Tennessee Code Annotated, Section 5-1-11, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

WHEREAS, Sullivan County has prepared a plan consistent with the provision of Tennessee Code Annotated, Section 5-1-111, which provides for a county legislative body composed of twenty-one (21) members and which creates seven (7) districts, as depicted in the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110; and

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

Section 1. Rescind Resolution #2011-10-92 (approved 11-21-11).

Section 2. There is hereby adopted a reappointment plan for Sullivan County which provides for twenty-one (21) commissioners, with three commissioners in each of seven (7) districts. The districts for members of the county legislative body are depicted on the official redistricting map for Sullivan County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map will be furnished to commissioners as Exhibit B to this resolution and is incorporated herein as reference.

Section 3. All members of the county legislative body shall be elected at large within the district the candidate seeks election. Within each commission district, each commission seat shall be designated as Commission Seat A, Commission Seat B, or Commission Seat C. Candidates wishing to run for the office of County Commissioner in their respective district shall proclaim which designated seat they seek upon requesting for petition to have their names placed on the ballot.

Section 4. This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

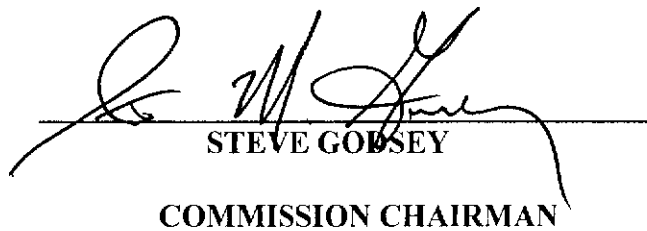
Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Ed Marsh
Prime Co-Sponsor(s): Michael Surgenor

2011-11-108	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 11-21-11;**
Amended by Surgenor as shown above.

**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION DECEMBER 19, 2011.**


STEVE GOBSEY
COMMISSION CHAIRMAN