

DECEMBER 16, 1982

THURSDAY MORNING, DECEMBER 16, 1982

BE IT REMEMBERED THAT:

COUNTY COMMISSIONERS MET PURSUANT TO ADJOURNMENT FOR AN ADJOURNED SESSION OF SULLIVAN COUNTY BOARD OF COMMISSIONERS OF BLOUNTVILLE, TENNESSEE MET IN SESSION THIS THURSDAY MORNING, DECEMBER 16, 1982, WAS PRESENT AND PRESIDING THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE, AND MARJORIE S. HARR, COUNTY CLERK AND MIKE GARDNER, COUNTY SHERIFF OF SAID BOARD OF COMMISSIONERS, AND FULL QUORUM OF COMMISSIONERS OF SAID COUNTY TO WITNESS:

COMMISSIONERS PRESENT AND ANSWERING ROLL CALL:

AKARD, ARRINGTON, BLALOCK, CARROLL, CHILDRESS, DEVAULT, FERGUSON, HARR, HENDRICKSON, HOOD, ICENHOUR, KETRON, KING, LANGSTAFF, MCKAMEY, MILHORN, MORRELL, NICHOLS, OLTERMAN, RUSSIN, THOMAS, WILLIAMS.

COMMISSIONERS ABSENT:

HEAPE, MILLS.

Sullivan County

P. O. BOX 95 — BLOUNTVILLE, TENNESSEE

PHONE 323-7133

LON V. BOYD
COUNTY JUDGE

December 3, 1982

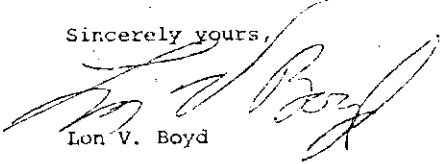
Dear Commissioner:

This is to advise you that there will be an adjourned Session of the Sullivan County Board of Commissioners on Thursday, December 16, 1982 at 9:00 a.m. at the Courthouse in Blountville.

I am enclosing a copy of the agenda and a legal notice to fill the vacancy of a constable.

If anything further is needed to be added to the agenda, please advise this office at your earliest convenience.

Sincerely yours,



Lon V. Boyd

LVB/vm

M E R R Y C H R I S T M A S

RESOLUTIONS FOR SECOND READING:

1. RESOLUTION IN RE:

SALES TAX

BE IT RESOLVED THAT, the Board of County Commissioners of Sullivan County, Tennessee:

SECTION I. The resolution of the Quarterly County Court of Sullivan, County, Tennessee, imposing a local sales and use tax as authorized under the provisions of Section 67-3049 through 67-3056, of the Tennessee Code Annotated, adopted by the Court at an Adjourned Session on February 14, 1966 of record in Minute Book 2, page 179-80, and amended at an Adjourned Session on September 1, 1972 of record in Minute Book 4, page 86, is amended to levy a local sales and use tax at a rate of one-half (1/2) of the rates levied in the Retailer's Sales Tax Act, chapter 30, title 67, Tennessee Code Annotated as amended, so long as the general state rate continues at 4.5 percent, and at three-fourths (3/4) of the state rates if and when the general state rate is reduced to 3 percent and on farm and industrial machinery and on water sold to or used by manufacturers at the rate of one-half of 1 percent, and to maintain the maximum tax on the sale or use of any single item at \$7.50.

SECTION II. If a majority of those voting in the election required by Section 67-3053, T.C.A., vote for the increase in the tax imposed by this resolution, collection of the increased tax levied by this resolution shall begin on the first day on the month occurring 30 or more days after the county election commission makes its official canvass of the election returns.

SECTION III. The Department of Revenue of the State of Tennessee shall collect the additional tax imposed by this resolution concurrent with the collection of the state tax and the local tax now being collected for Sullivan County, in accordance with rules and regulations promulgated by the said Department.

SECTION IV. The County Executive is hereby authorized to contract with the Department of Revenue for the collection of the additional tax imposed by this resolution, and to provide in said contract that the Department may deduct from the tax collected a reasonable amount of percentage to cover the expense of the administration and collection of said tax.

SECTION V. In the event the tax is collected by the Department of Revenue, suits for the recovery of any tax illegally assessed or collected shall be brought against the County Executive.

SECTION VI. A certified copy of this resolution shall be transmitted to the said Department of Revenue by the County Clerk forthwith and shall be published on time in a newspaper of general circulation in Sullivan County prior to the election called for in Section II hereof.

INTRO BYREFERRED TOCOMMITTEE ACTION

Harr

Executive's Report

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2. RESOLUTION IN RE: RULES OF COUNTY COMMISSION

BE IT RESOLVED THAT, the Board of County Commissioners of Sullivan County, approve the "Model Rules Regulating the Procedures Of The Board Of County Commissioners".

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Harr	Executive	

3. RESOLUTION IN RE: BOND FUNDS FOR SCHOOL DEPARTMENT

BE IT RESOLVED THAT WHEREAS, certain projects involving bond funds are presently either under construction or committed, and WHEREAS, these are needed in the schools since they were not completed during construction, and; WHEREAS, certain funds are still available; THEREFORE BE IT RESOLVED THAT, bond funds be allocated to the following projects:

1. Canopy system to cover food service entrance at Rock Springs Elementary School.
2. Testing laboratory for Diesel Mechanics - North High School.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Mills	Budget	

4. RESOLUTION IN RE: APPOINT CONSTABLE

BE IT RESOLVED THAT, the Sullivan County Board of Commissioners elect Mr. J. B. Smith as constable in the 8th Civil District of Sullivan County to replace Mr. Bobby Gammon who has resigned.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Harr	Executive Administrative	

5. RESOLUTION IN RE: PURCHASING OF SURPLUS PROPERTY

BE IT RESOLVED THAT, the Sullivan County Board of Commissioners adopt the attached resolution concerning the purchase of Federal Surplus Property from the Department of General Services, Federal Property Utilization Division. BE IT ALSO RESOLVED, that the following individuals are authorized to make purchases of surplus property as the need arises. (1) Lon V. Boyd, County Executive, (2) James K. White, Director of Accounts and Budgets, (3) Colonel Wallace D. Pardue, Civil Defense Director.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Childress	Executive	

6. RESOLUTION IN RE: LEASE ON ROCK SPRINGS SCHOOL & GROUNDS

BE IT RESOLVED THAT, the Sullivan County Commission reviews the proposed lease between Sullivan County and the Rock Springs Ruritan and take the necessary acts on to execute this lease at the next meeting of the County Commission.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Williams	Executive	

7. RESOLUTION IN RE: STREET NAMING AND COUNTY ROAD MAINTENANCE TAKEOVER

BE IT RESOLVED THAT, an unnamed road located in the 12th Civil District of Sullivan County on Route 6, be named Myron Drive and that the County Highway Department take over the road maintenance of said Myron Drive. This road now connects with the West Carters Valley Road and extends some 250 to 300 yards, to an old county road that intersects with North Holston Drive. The proposed road is now black topped and is in fair condition. This resolution is accompanied by a petition signed by thirty-eight (38) property owners adjoining this road. Amended: Tabled: Need 30' right of way from all property owners or affidavits.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
O. W. Ferguson	Executive	

8. RESOLUTION IN RE: 25 M.P.H. SPEED LIMIT SIGN BE PLACED ON WEBB COURT

BE IT RESOLVED THAT, a 25 m.p.h. speed limit sign be placed on Webb Court (a dead end road) located in the 2nd Civil District. This is requested by the residents on Webb Court.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Morrell	Administrative	

9. RESOLUTION IN RE: SPEED LIMIT ON OVERHILL DRIVE

BE IT RESOLVED THAT, a 35 m.p.h. speed limit sign be installed on Overhill Drive this county road is located in the 5th Civil District.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Akard	Administrative	

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10. RESOLUTION IN RE: 35 M.P.H. SPEED LIMIT
SIGN ON WAHOO VALLEY ROAD

BE IT RESOLVED THAT, a 35 m.p.h. speed limit sign be placed on Wahoo Valley Road. This is located in the 18th Civil District.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Blalock	Administrative	

11. RESOLUTION IN RE: 35 M.P.H. SPEED LIMIT
SIGN ON SHARP CREEK
ROAD TO CAMP TOM HOWARD

BE IT RESOLVED THAT, a 35 m.p.h. speed limit sign be placed from Sharp Creek Road to Camp Tom Howard, located in the 19th Civil District.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Thomas	Administrative	

12. RESOLUTION IN RE: ROADS TO BE ADDED TO
DELETED FROM ROAD ATLAS

BE IT RESOLVED THAT, The Sullivan County Board of Commissioners approve to delete the following roads from the atlas: (1) Tangelwood Road, (2) Glenbrook Drive, (3) Grace Drive, (4) Briarwood Road, (5) Woodhaven Drive & (6) Lakeland Drive. All roads are located in the Cooks Valley Area in the 7th Civil District.

Road to be added to the atlas: (1) Woodbine Road located in the 22nd Civil District.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
McKamey	Executive	

13. RESOLUTION IN RE: ROADS TO BE ADDED
TO ATLAS

BE IT RESOLVED THAT, the following eight roads be added to the Road Atlas: (1) Kennerly Addition Road - 14th C.D., (2) Hillard Road - 1st C.D. (3) Shady Lane - 19th C.D., (4) Echo Lane - 4th C.D., (5) Shale St. - 11th C.D., (6) Eastland Drive - 13th C.D., (7) Eastland Place - 13th C.D., (8) Forrester Road - 9th C. D., & (9) Pond Springs Road - 13th C. D.

<u>INTRO BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
McKamey	Executive	

RESOLUTIONS FOR FIRST READING:

14. RESOLUTION IN RE:

DISPOSITION OF PROPR Y
CENTRAL STORES DEPT.

BE IT RESOLVED THAT, the Sullivan County Board of Commissioners allow the Sullivan County Purchasing Agent to sell USED RECAPPABLE AND NON-RECAPPABLE TIRES, OLD INNER TUBES AND LINERS, as per the attached document. The four hundred and twelve (412) tires and approximately five hundred (500) pounds of old inner tubes and liners are to be sold to the highest bidder by sealed bids, after having been properly advertised in our two (2) local newspapers.

INTRO BYREFERRED TOCOMMITTEE ACTION

McKamey

15. RESOLUTION IN RE:

SALE OF TIMBER AT
YOUTH CENTER (FIREWOOD
HARVEST)

BE IT RESOLVED THAT, the Sullivan County Board of Commissioners allow the Sullivan County Purchasing Agent to sell approximately 46.43 cords of firewood to the highest bidder by sealed bids, after having been properly advertised in two (2) local newspapers. Said timber is located on 9.5 acres on Sullivan County land near the Sullivan County Youth Center in Blountville, Tennessee. This sale was approved by majority of the Sullivan County Executive Committee and has been properly advertised and formally bid (bid opening date, December 17, 1982), pending approval by majority vote of the entire Sullivan County Board of Commissioners.

The purchasing agent requests the right to award the sale of this timber (firewood harvest) to the highest bidder, after having obtained the \$200.00 bond as requested on the formal bid announcement.

INTRO BYREFERRED TOCOMMITTEE ACTION

DeVault

16. RESOLUTION IN RE:

RENAMING ROAD

BE IT RESOLVED THAT, Independence Drive, a county road in the 12th Civil District, (Gravelly Section) extends into a subdivision which forks to the left and right.

WHEREAS BE IT RESOLVED THAT this road be named West Independence and East Independence.

INTRO BYREFERRED TOCOMMITTEE ACTION

Ketron

17. RESOLUTION IN RE:

RENAMING ROAD

BE IT RESOLVED THAT, the Sullivan County Board of Commissioners rename
Univac Road to Sperry Road

INTRO BY

REFERRED TO

COMMITTEE ACTION

Icenhour

STATE OF TENNESSEE
COUNTY OF SULLIVAN

DECEMBER 16, 1982

NOTARIES ELECTED

R. E. ARMSTRONG, JR.
NORMAN R. BAKER
MAE BARRETT
ANNA LOIS BLEVINS
J. RICHARD CARROLL
CHARLOTTE CARTER
HERBERT P. CULP
JOY A. DARLING
ROBERT M. DICKENS
JULIA K. DUNLAP
WILLIAM T. GAMBLE
MACK B. GIBSON
PHYLLIS S. GREER
JOHN E. HARDIN
JANET SUE HICKS
SHELTON B. HILLMAN, JR.
RALPH W. JONES
B. W. KERN
MRS. WANDA W. KILBY
DWIGHT KILBY

HENRY Q. KILGORE
SARA L. LEVITT
MARGARET M. MCDAVID
CLARENCE WADE NOTTINGHAM
SALLY J. PIPPIN
WILLIE HOWARD SHARP
JACK L. SHEPHERD
LYLE V. STATEN
FRANCES B. STEVENS
HUGH STOVER
ELOISE STROUTH
KAREN R. THOMPSON
WILLIAM S. TODD
MARGARET TURNBULL
D. L. WEBB, JR.
HAZEL B. WICKER
PEGGY J. WILLIAMS
DORLENE GOINS WOLFE
C. W. WOODS

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Adj. REGULAR SESSION

MET THIS THE 16 ~~18th~~ DAY OF October ~~Dec.~~, 19 82.

RESOLUTION IN RE: SALES TAX

BE IT RESOLVED THAT

RESOLUTION OF THE SULLIVAN COUNTY COMMISSION FOR AMENDMENT OF LOCAL SALES TAX RESOLUTIONS AND TO LEVY AN ADDITIONAL SALES AND USE TAX FOR SULLIVAN COUNTY, TENNESSEE.

BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee:

SECTION 1. The resolution of the Quarterly County Court of Sullivan County, Tennessee, imposing a local sales and use tax as authorized under the provisions of Section 67-3049 through 67-3056, of the Tennessee Code Annotated, adopted by the Court at an Adjourned Session on February 14, 1966 of record in Minute Book 2, page 179-80, and amended at an Adjourned Session on September 1, 1972 of record in Minute Book 4, page 86, is amended to levy a local sales and use tax at a rate of one-half (1/2) of the rates levied in the Retailer's Sales Tax Act, chapter 30, title 67, Tennessee Code Annotated as amended, so long as the general state rate continues at 4.5 percent, and at three-fourths (3/4) of the state rates if and when the general state rate is reduced to 3 percent and on farm and industrial machinery and on water sold to or used by manufacturers at the rate of one-half of 1 percent, and to maintain the maximum tax on the sale or use of any single item at \$7.50.

SECTION 2. If a majority of those voting in the election required by Section 67-3053, T.C.A., vote for the increase in the tax imposed by this resolution,

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____

SECONDED BY COMMISSIONER _____ PAID FROM _____ FUND _____

COMMISSION ACTION: DATE SUBMITTED: _____

ROLL CALL: Aye _____ Nay _____ County Clerk _____

VOICE VOTE: _____ BY: _____

COMMITTEE ACTION: APPROVED: _____ DISAPPROVED: _____

collection of the increased tax levied by this resolution shall begin on the first day on the month occurring 30 or more days after the county election commission makes its official canvass of the election returns.

SECTION 3. The Department of Revenue of the State of Tennessee shall collect the additional tax imposed by this resolution concurrent with the collection of the state tax and the local tax now being collected for Sullivan County, in accordance with rules and regulations promulgated by the said Department.

SECTION 4. The County Executive is hereby authorized to contract with the Department of Revenue for the collection of the additional tax imposed by this resolution, and to provide in said contract that the Department may deduct from the tax collected a reasonable amount of percentage to cover the expense of the administration and collection of said tax.

SECTION 5. In the event the tax is collected by the Department of Revenue, suits for the recovery of any tax illegally assessed or collected shall be brought against the County Executive.

SECTION 6. A certified copy of this resolution shall be transmitted to the said Department of Revenue by the County Clerk forthwith and shall be published on time in a newspaper of general circulation in Sullivan County prior to the election called for in Section 2 hereof.

Dated this day of

County Attorney

APPROVED: County Executive

ATTEST: County Clerk

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MODEL RULES REGULATING THE PROCEDURES
OF THE BOARD OF COUNTY COMMISSIONERS

RULE 1

CONVENING THE BOARD

The Board shall meet at the County Courthouse, 9:00 a.m. on the third Monday of every month, unless cancelled or postponed by the County Executive. Should any prescribed meeting date fall on a legal holiday or if an emergency should arise, the Board shall meet at 9:00 a.m. on the following day. Notification of the members for regular meetings shall be left to the discretion of the Chairman and Clerk.

RULE 2

QUORUM

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the Board of County Commissioners. Vacancies shall not be included in determining the membership of the Board.

RULE 3

ORDER OF BUSINESS

1. (A) Call to order by Chairman. In the absence of the Chairman the Chairman Pro Tempore shall preside.
(B) Prayer
(C) Pledge to Flag
2. Roll Call
3. Reading and approval of the minutes
4. Resolutions for special recognition, memorials, etc.
- 4A. Public Discussion
5. Elections, appointments and confirmations
6. Reports - County Officials, standing and special committees
7. Unfinished business (2nd Readings)
8. New business (1st Readings)
9. Announcement and statements
10. Adjournment

RULE 4

GENERAL

- 4A. WHO MAY ADDRESS THE BOARD: It is a commissioner's right to address the Chairman and the Board at any appropriate time after proper recognition by the Chairman. It may be allowable for non-commission members to address the Board if there is no objection by the Board or if a majority of the membership vote to allow such participation. Any person wishing to address the Board must inform the Chairman prior to the meeting of their intent and must give the Chairman their name, address, and subject on which they wish to speak.

A total of thirty (30) minutes will be allotted for public comments with a maximum of five (5) minutes per person.

- 4B. GAINING THE FLOOR: In all cases, the member who shall first rise and address the Chairman shall be entitled to speak first; but when two or more members shall rise and address the Chairman at the same time, the Chairman shall name the member who shall speak first.
- 4C. SPEAKING: When any member is about to speak in debate, discussion or deliver any address on any matter whatsoever to the Board; the member shall rise and respectfully address the Chairman and shall, after being recognized by the Chairman proceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities. Commission member shall be limited to a maximum of fifteen (15) minutes on any one subject.
- 4D. CONSENT TO YIELD: While a member is speaking he/she is not to be interrupted except for a question by another member. If the speaker declines to yield the floor for a question, then they shall not be interrupted, but shall yield to questions at the end of the presentation.
- 4E. POINTS OF ORDER: If any member, speaking or otherwise, transgresses the Rules of the Board, the Chairman shall, or any member may, call to order; in which case the member so called to order shall immediately sit down. When the point of order has been decided by the Chairman, the member having the floor can proceed, subject to the decision made.
- 4F. APPEAL ON RULING: Any member of the Board may appeal to the Board from the ruling of the Chairman and a majority vote of the members present shall decide the appeal.

RULE 5

MOTIONS

- 5A. INTRODUCTION AND DEBATE: Motions may only be made by members. No motion shall be debated until the same is seconded and stated by the Chairman.
- 5B. MOTIONS IN WRITING: When a motion is made and seconded, it shall be reduced to writing by the Clerk, and read by the Chairman prior to any debate or vote.

- 5C. REQUIRING ROLL CALL: Motions shall be put to the Board for a voice vote, by the Chairman provided however, any one (1) member of the Board may require a roll call by raising of hand or indicating otherwise.

RULE 6

RESOLUTIONS

- 6A. INTRODUCTION: Any proposed resolution may be introduced only by a member of the Board, and the Clerk or Chairman shall not receive or file any resolution that is not reduced to writing and signed by at least two (2) members of the Board.
- 6B. AUTHOR: A resolution may have as many signatures as there are members of the Board. However, the first two signatures on the resolution shall be deemed the authors for the purpose of debate and the author or his designated agent shall appear before the appropriate committee to present their resolution (:
- 6C. ROLL CALL VOTE: Resolutions shall be put to the Board for a roll call vote by the Clerk. Each member shall vote "yes" or "no" on its passage when the Clerk calls their name.
- 6D. CHANGING VOTE: Any member of the Board may change their vote before the results of a roll call is announced by the Clerk. It shall be the duty of the Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if anyone who has voted wishes to change their vote. Then, the results shall be announced by the Clerk.
- 6E. SUCCESSFUL RESOLUTIONS: All successful resolutions, shall be submitted to the Chairman for his signature and attested by the signature of the Clerk. The resolution along with the vote of the members shall then be submitted to the County Executive, within five (5) days of its passage for his consideration.
- 6F. All resolutions shall be submitted to the appropriate committee for consideration. This rule shall not apply to resolutions which are submitted to the commission for consideration under a waiver of the Rules.

RULE 7

ELECTIONS AND APPOINTMENTS

- 7A. ELECTIONS AND NOMINATIONS FROM THE FLOOR: When the Chairman is to receive nominations from the floor, a member may nominate only one person. The floor will be kept open until every member has had an opportunity to make nominations or until a motion has been made and seconded that nominations cease and a majority of those present so vote.

- 7B. APPOINTMENTS AND CONFIRMATIONS: When the Board is called upon to appoint someone from a list of nominees (such as a county medical examiner) or to confirm an appointee of the county executive (such as a department head) then the name or names of those being considered for the position shall be read to the membership and discussion of each such appointee shall follow
- 7C. ELECTION OR CONFIRMATION: All ballots for election or confirmation shall be cast by roll call vote as each member's name is called by the Clerk. If the vote is on confirmation of an appointee each member will vote either "yes" or "no" on the confirmation. A majority of the membership of the full Board is required for election or confirmation.
- 7D. SECOND BALLOT: If no one is elected on a given ballot, the nominee receiving the smallest number of votes will be dropped and the ballot will be cast again until a nominee is elected by the required majority of the membership.

RULE 8

COMMITTEE MEMBERSHIP

NOMINATING COMMITTEE: The Chairman shall, at the July meeting, appoint a nominating committee from the membership of the Board. It shall be the duty of this nominating committee to recommend Board members for appointment to the standing committees of the Board. This committee shall make its report and recommendations to the full Board at the October meeting. However, members of the Board may also make committee nominations from the floor. All standing committees shall be elected annually at the regular October meeting.

RULE 9

APPROPRIATION REQUESTS

REQUEST FOR APPROPRIATION: Request for appropriations in addition to those within the annual budget shall be submitted in the following manner:

- A. The request shall be submitted in writing to the appropriate committee of the Board and shall reflect the estimated cost which shall be attached to the proposed resolution.
- B. All request for appropriations falling in this area shall be summarized and submitted in writing to each member of the Board at least seven (7) days prior to the regular or called meeting such request is to be submitted.
- C. The committee to which the request has been referred shall in open meeting of the Board, assume one of the following positions: (1) Adoption recommended (2) Rejected or (3) Submitted to the Board without recommendation.
- D. The budget committee chairman or a member designated by him shall advise the Board as to fund availability before a vote is taken on appropriations in any amount which are in addition to those of the annual budget.
- E. The resolution requesting such appropriations shall be voted upon by membership of the Board as provided by Rule 6 of these Rules.

RULE 10

SUSPENDING THE RULES

10. Any rule or rules may be suspended by two-thirds (2/3) majority vote of the members. Copies of all resolutions requiring a suspension of the rules shall be submitted in writing to the Board members prior to the reading of the resolution.
- 10A. All resolutions in which wavier of rules are requested must be presented to the Chairman at the beginning of Court.

RULE 11

ROBERT'S RULES OF ORDER

All matters not covered herein shall be governed by Robert's Rules of Order Revised, as contained in the latest copyrighted edition.

RULE 12

THE CHAIRMAN

- 12A. ELECTION: Annually, at its October regular meeting the Board shall elect a Chairman and a Chairman Pro Tempore. The Chairman may be one of the membership of the Board or the County Executive. If the Board elects as its Chairman the County Executive, and he accepts the position, then the County Executive shall relinquish his veto power.
- 12B. VOTING BY THE CHAIRMAN: The Chairman may vote only in the case of a tie.
- 12C. CALL TO ORDER: The Board shall be called to order by the Chairman. In the absence of the Chairman, the Chairman Pro Tempore shall preside. In the absence of the Chairman Pro Tempore, the Board shall be called to order by the County Clerk, and shall elect one of its members to preside over the deliberations.
- 12D. SPEAKING: Should the Chairman desire to speak upon any subject either in the negative of the affirmative, he may do so, provided he vacates the chair. Whereupon the Chairman Pro Tempore shall preside until the matter under consideration is disposed of by the Board. However, the Chairman may answer questions, provide information, and give explanations from the chair, the Board not objecting.
- 12E. PRESERVE ORDER: The Chairman shall preserve order and decorum. They may speak to points of order in preference to other members, from their seats for that purpose. They shall decide questions of order, subject to an appeal to the Board of any member.
- 12F. ORDER OF RECOGNITION: Before a member is allowed to speak twice on the same subject the Chairman shall inquire if there is another member who has not spoken on that subject and who wishes to speak.
- 12G. MOTIONS: Once a motion has been made and duly seconded, the Chairman shall state the motion so that debate on the motion may begin.

- 12H. CLARIFICATION: The Chairman shall state or put a question and shall clearly state the question before the Board before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced.
- 12I. AGENDA: The Chairman will forward to each member of the Board the tentative agenda of the next Board meeting not less than five (5) days prior to meeting date.

RULE 13

THE CLERK

- 13A. NOTICE: The Clerk shall notify each member of the Board of any special or called meetings not less than five (5) days in advance thereof. Notification of regular meetings shall be within the discretion of the Clerk and the Chairman.
- 13B. MINUTES: The Clerk shall reduce the minutes of each Board meeting to writing and attach a copy of each resolution considered and the vote thereon. The minutes shall be prepared within ten (10) days after said meeting and placed in a well-bound book for public inspection. A copy of the minutes of the last meeting shall be forwarded to each board member with the prepared agenda or meeting notice.
- 13C. RESOLUTIONS: A copy of all resolutions approved by the Board shall be submitted to the County Executive, within five (5) days after such approval, for his consideration and signature, unless he is elected County Chairman.
- 13D. ROLL CALL: In all instances involving authorization to expend public funds, the Clerk shall call the roll for "yes" and "no" votes. In all instances where the roll is called for any vote, the Clerk shall make such roll call and the vote of each member a part of the record of the meeting and include it in the official minutes.
- 13E. CHANGE OF VOTE: It shall be the duty of the Clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if any member who has voted wishes to change their vote. Subsequently, the Clerk shall announce the results.

RULE 14

SHERIFF

The Sheriff or a deputy designated by him shall attend each session of the Board. That officer shall preserve order and carry out orders of the presiding officer of the Board. The attending officer shall be paid the prevailing statutory fee for his services, unless such officer is paid a salary from County funds. In that instance no fee will accrue.

RULE 15

COUNTY ATTORNEY

The County Attorney shall, as legal consultant, attend all meetings of the Board, It shall be the duty of that official to voice their negative opinion when, in their opinion, the Board is in the process of taking action outside of its jurisdiction, or in any manner proceeding illegally, and to give their legal opinion on any subject where such guidance is requested by the Chairman.

RULE 16

COMMITTEES

- 16A. All committees, standing and temporary, shall meet and elect from its membership a Chairman. The election of a Secretary shall be optional in the absence of a specific mandate of the Board.
- 16B. Standing committee Chairman shall report to and confer with the Chairman on all pertinent matters to be presented at the next meeting of the Board.
- 16C. All committee Chairmen shall contact the County Attorney on matters appearing to warrant legal evaluation prior to the presentation to the Board.
- 16D. Should questions arise as to jurisdiction of any committee it shall be referred to the Chairman and/or the County Attorney for determination, subject to an appeal to the Board at its next regular meeting.
- 16E. The following procedure shall be followed pertinent to committee reports and related action:
1. The committee chairman or a member designated by him shall make the presentation in an open meeting of the Board.
 2. Upon completion of a report the speaker shall yield to questions.
 3. There shall be a vote on the proposition when discussion is complete and when there is a call for the question by the Board.
- 16F. If for any reason the chairman of a committee fails or refuses to call a meeting, the Chairman of the Board, or a majority of the committee membership may do so.

RULE 17

CONFLICT WITH LAW

In the event any of the foregoing rules are determined to be in conflict with statutory provisions that part in conflict shall be null and void.

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN _____ SESSION

MET THIS THE _____ DAY OF _____, 19 _____

RESOLUTION IN RE: Diesel Mechanics Lab
North High School

BE IT RESOLVED THAT

WHEREAS, in order to provide a more adequate program in diesel mechanics at North High School the diesel lab needs upgraded, and

WHEREAS, the construction of a clean room for test equipment is necessary. This will allow us to utilize test equipment valued at over \$34,000.00 in 1978. This equipment must be used in a dust free, and climate controlled environment. To use the equipment outside the confines of a clean room would result in incorrect calibration readings and damage to the equipment, and

WHEREAS, the present exhaust system is inadequate at the present time. To remedy this would require some modification such as the purchase of a light weight four inch exhaust hose to replace the six inch flexible metal hose now in use, and

WHEREAS, at the present time the clean-up area is inadequate, and is located inside the diesel lab area. A clean-up area is necessary to properly clean engines and related items before instruction or work can take place. An outside clean-up area would prevent grease, oil, and dirt from building up in the instructional area or causing a safety hazard, and

WHEREAS, installation of dynamometer is necessary and is used to test a diesel engine under various stress loads. This item would require the installation of adequate water lines, and waste drains, and

WHEREAS, a 14' high door should be installed in place of one of the 10' high doors to enable a diesel truck to be brought into the shop area.

THEREFORE BE IT RESOLVED, That \$30,000.00 bond funds be allocated to the diesel mechanics program at North High School. These funds to come from Bond Fund surplus that was transferred to Debt Service October 8, 1982.

INTRODUCED BY ESQ. Blalock ESTIMATED COST: _____

SECONDED BY ESQ. Russin PAID FROM _____ FUND

COURT ACTION: _____ DATE SUBMITTED: _____

Aye Nay

ROLL CALL _____ County Court Clerk

VOICE VOTE _____ BY: _____

COMMITTEE ACTION: _____ APPROVED: _____ DISAPPROVED: _____

FISCAL AGENT: _____

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Adj Regular SESSION

MET THIS THE 23rd ~~15th~~ DAY OF Dec ~~October~~ Nov, 19 82.

RESOLUTION IN RE: APPOINT CONSTABLE

BE IT RESOLVED THAT

The Sullivan County Board of Commissioners elect Mr. J. B. Smith as constable in the 8th Civil District of Sullivan County to replace Mr. Bobby Gammon who has resigned.

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____

SECONDED BY COMMISSIONER _____ PAID FROM _____ FUND _____

COMMISSION ACTION: Aye _____ Nay _____ DATE SUBMITTED: _____

ROLL CALL: _____
VOICE VOTE: _____
County Clerk

COMMITTEE ACTION: _____ APPROVED: _____ BY: _____
DISAPPROVED: _____

046

NO. 5
78

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION MET THIS THE 16 ~~23rd~~ DAY OF NOVEMBER Dec., 19 82.

RESOLUTION IN RE: PURCHASING OF
SURPLUS PROPERTY

BE IT RESOLVED THAT

The Sullivan County Board of Commissioners adopt the attached resolution concerning the purchase of Federal surplus property from the Department of General Services, Federal Property Utilization Division.

BE IT ALSO RESOLVED, that the following individuals are authorized to make purchases of surplus property as the need arises.

1. Lon V. Boyd, County Executive
2. James K. White, Director of Accounts and Budgets
3. Colonel Wallace D. Pardue, Civil Defense Director

INTRODUCED BY COMMISSIONER _____

ESTIMATED COST: _____

SECONDED BY COMMISSIONER _____

PAID FROM _____ FUND

COMMISSION ACTION: Aye Nay

DATE SUBMITTED: _____

ROLL CALL: _____ _____

_____ County Clerk

VOICE VOTE: _____ _____

BY: _____

COMMITTEE ACTION: _____

APPROVED: _____

DISAPPROVED: _____

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE 16 ~~23rd~~ DAY OF ~~NOVEMBER~~ Dec., 19 82

RESOLUTION IN RE: LEASE OF ROCK SPRINGS SCHOOL & GROUNDS

BE IT RESOLVED THAT

The Sullivan County Commission review the attached proposed lease between Sullivan County and the Rock Springs Ruritan and take the necessary acts on to execute this lease at the next meeting of the County Commission.

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: None

SECONDED BY COMMISSIONER Childress PAID FROM _____ FUND

COMMISSION ACTION: Aye _____ Nay _____ DATE SUBMITTED: _____

ROLL CALL: _____

VOICE VOTE: _____ County Clerk

BY: _____

COMMITTEE ACTION: APPROVED: _____ DISAPPROVED: _____

Executive _____

LEASE AGREEMENT

THIS AGREEMENT entered into this ____ day of _____, 1982, by and between the County of Sullivan, Tennessee, hereinafter called Lessor, and Rock Springs Ruritan, hereinafter called Lessee.

W I T N E S S E T H:

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

I.

Lessor does hereby demise, let and lease a certain parcel of property with all improvements located thereon and generally known as the old Rock Springs Elementary School property located in the _____ Civil District of Sullivan County, Tennessee as may be more particularly described in Deed Book _____, at Page _____, of record in the Register's Office for Sullivan County, Tennessee at Blountville, which description is incorporated herein by reference as if stated verbatim.

II.

This Lease Agreement shall be for a term of twenty-five (25) years commencing _____, 1982, and ending at midnight on _____, 2007.

III.

The Lessee shall pay rent at the rate of One (\$1.00) dollar per year, payable in arrears at the end of each year. Said rent shall be paid to the Lessor at such address as Lessor shall provide to Lessee in writing.

IV.

The premises demised herein shall be used by Lessee for recreational purposes and as a community center for the Rock Springs community. It is the understanding of the Lessor that the Lessee's use of the premises demised herein is with the general

knowledge and consent of the Rock Springs community and is with the approval consent of other civic and service clubs servicing the Rock Springs community and that it is the desire of the community that the Lessee act as managing agent for the use of the premises demised herein and that Lessee's use and utilization of these premises shall be nonexclusive to the extent that other civic clubs, service clubs and individuals may enjoy use of the property consistent with the management practices and policy of the Lessee and the schedules, terms and conditions propounded by the Lessee.

The aforesaid understanding of the Lessor is an essential condition, term and covenant of this Lease Agreement and to the obligations of the parties and should the Lessee fail to carry out its activities in accordance with such understanding of the Lessor then this Lease Agreement shall terminate upon thirty (30) days written notice to Lessee by Lessor.

V.

The Lessee shall not assign this Lease nor sub-let the premises without written consent of the Lessor. All additions, fixtures, or improvements which may be made by the Lessee shall, unless otherwise agreed, become the property of the Lessor and remain upon the premises as a part thereof and shall be surrendered with the premises at the termination of the lease term or as otherwise provided herein at no cost or additional expense to the Lessor.

VI.

All personal property placed or moved upon or into the premises above described shall be at the sole risk of the Lessee or owner thereof and the Lessor shall not be liable for any damages to such personal property, or to the Lessee from the bursting or leaking of water pipes, leaks, fire or other casualty or from any actual negligence of the Lessee, any occupant of the

premises, or of any other person whomsoever and the Lessee agrees to save harmless and indemnify Lessor of and from such risk or loss.

VII.

Lessee agrees that it will during this lease term save harmless and indemnify the Lessor from and against all loss, liability or expense that may be incurred by reason of any accident or from any damage, neglect or misadventure arising from or in any way growing out of the use, misuse, or abuse of the premises demised herein and will maintain insurance for such purposes, including liability insurance and insurance to cover the contents of any building on the aforescribed premises such that the Lessor shall not be liable to the Lessee or any other person for injury, loss or damage to the property or to any person on the premises for which loss Lessee shall insure and save harmless Lessor from any and all liability whatsoever.

Lessor agrees that it will during this lease term insure and keep insured in name of the Lessor any permanent structure or building which had formerly been used as the Rock Springs Elementary School, at its option, from loss or damage due to fire and other causes that the Lessor deems necessary. Lessor shall not be required to insure any building or structure constructed by or at the instance of the Lessee.

Lessee agrees to furnish to Lessor certificates of insurance demonstrating that the Lessee has complied with the terms of this Article of this Lease Agreement.

VIII.

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

IX.

Lessor reserves the right to terminate this Lease by giving written notification to Lessee at least ninety (90) days prior to the date when such termination becomes effective.

Lessee reserves the right to terminate this Lease by giving written notification to Lessor at least ninety (90) days prior to the date when such termination becomes effective.

Upon termination or expiration of this Lease, Lessee shall peacefully surrender said property to Lessor in as good a condition as they are now, ordinary wear and tear excepted.

X.

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

To the Lessor at: _____

To the Lessee at: _____

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

SULLIVAN COUNTY, TENNESSEE

By _____
LON V. BOYD, SULLIVAN
COUNTY JUDGE

By _____
MARJORIE HARR, SULLIVAN
COUNTY COURT CLERK

LESSOR

ROCK SPRINGS RURITAN CLUB

By _____
President

By _____
Secretary

LESSEE

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Ady Regular SESSION

MET THIS THE 15th DAY OF Dec. 1904 19 82.

RESOLUTION IN RE: Speed Limit on Overhill Drive

BE IT RESOLVED THAT

35 mph speed limit signs be installed on Overhill Drive, this county road is located in the 5th Civil District

INTRODUCED BY COMMISSIONER Atard

ESTIMATED COST: _____

SECONDED BY COMMISSIONER Nichols

PAID FROM _____ FUND

COMMISSION ACTION: Aye _____ Nay _____

DATE SUBMITTED: _____

ROLL CALL: _____

County Clerk _____

VOICE VOTE: _____

BY: _____

COMMITTEE ACTION: _____

APPROVED: _____

DISAPPROVED: _____

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY
BOARD OF COMMISSIONERS IN Adjourned SESSION
MET THIS THE 16~~23~~ DAY OF Nov. Dec. 19 82.

RESOLUTION IN RE: 35 M.P.H. SPEED
LIMIT SIGN ON WAHOO
VALLEY ROAD

BE IT RESOLVED THAT

A 35 Mile per hour speed limit sign be placed on Wahoo Valley Road. This
is located in the 18th Civil District.

INTRODUCED BY COMMISSIONER Bjaloek ESTIMATED COST: _____
SECONDED BY COMMISSIONER Mills PAID FROM _____ FUND
Russin
COMMISSION ACTION: Aye _____ Nay _____ DATE SUBMITTED: _____
ROLL CALL: _____ County Clerk
VOICE VOTE: _____ BY: _____
COMMITTEE ACTION: _____ APPROVED: _____ DISAPPROVED: _____

056

NO. 1176

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE ~~23rd~~ 16 DAY OF ~~NOVEMBER~~ Dec, 19 82.

RESOLUTION IN RE: 35 M.P.H. SPEED

LIMIT SIGN ON SHARP

CREEK RD TO CAMP TO

HOWARD

BE IT RESOLVED THAT

A 35 m.p.h. speed limit sign be placed from Sharp Creek Road to Camp Tom Howard, located in the 19th Civil District.

INTRODUCED BY COMMISSIONER THOMAS

ESTIMATED COST: _____

SECONDED BY COMMISSIONER MORRELL

PAID FROM _____ FUND

COMMISSION ACTION: Aye Nay

DATE SUBMITTED: _____

ROLL CALL: _____

County Clerk

VOICE VOTE: _____

BY: _____

COMMITTEE ACTION:

APPROVED:

DISAPPROVED:

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Adj. SESSION

MET THIS THE 23 DAY OF November, 19 82.

RESOLUTION IN RE: ROADS TO BE ADDED

TO ATLAS

BE IT RESOLVED THAT

the following eight roads be added to the Road Atlas.

[Lined area for listing roads to be added to the atlas]

INTRODUCED BY COMMISSIONER John McKamey

ESTIMATED COST: _____

SECONDED BY COMMISSIONER Hood

PAID FROM _____ FUND

COMMISSION ACTION: Aye _____ Nay _____

DATE SUBMITTED: _____

ROLL CALL: _____

County Clerk

VOICE VOTE: _____

BY: _____

COMMITTEE ACTION: _____

APPROVED: _____ DISAPPROVED: _____

12/1/82 As per attached list.

11/23/82 1st reading
12/16/82 Passed

NOVEMBER 23, 1982

FOLLOWING ROADS TO BE ADDED TO THE ATLAS

Free 12/1/82

- OK* 1. Kennerly Addition Road - 5(106), 14th C.D., Gravel Road 10' wide 1/8 mile long. Located off Fordtown Road.
- OK* 2. Hillard Road - 3(39), 1st C. D., 100' long, 25' R.O.W., presently 10' wide gravel, located off Paperville Road.
- OK* 3. Shady Lane No. 2 (off Friendship)- 3(41), 19th C.D., 12' wide gravel road, 40' R.O.W., 200' long.
- OK w/adjustments* 4. Echo Lane - In Pioneer S/D - 2(82), 4th C.D., 12' wide, asphalt road, 30' R.O.W.
- ? 5. Shale St. - 1(30), 11th C.D., on map, but has no name, 12' wide, asphalt road, 30' R.O.W.
- OK* 6. Eastland Drive - 5(105), 13th C.D., 50' R.O.W., 0.23 miles long, 28' asphalt. Approved by Planning Commission June 17, 1982.
- OK* 7. Eastland Place - 5(105), 13th C.D., 0.07 miles, 28' asphalt, 50' R.O.W.. Approved by Planning Commission June 17, 1982.
- defer* 8. Forrester Road - 9th C.D., 6(124),
- 9. Penn Springs Rd *West* 13 CD
- 10. Duncan Lane - 1st CD
- 12. Rojas Lane *HE* 2nd CD

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE 16~~20th~~ DAY OF DECEMBER, 19 82.

RESOLUTION IN RE: DISPOSITION OF
PROPERTY; CENTRAL
STORES DEPARTMENT.

BE IT RESOLVED THAT

... the Sullivan County Board of County Commissioners allow the Sullivan County Purchasing Agent to sell USED RECAPPABLE AND NON-RECAPPABLE TIRES, OLD INNER TUBES AND LINERS, as per the attached document. The four hundred and twelve (412) tires and approximately five hundred (500) pounds of old inner tubes and liners are to be sold to the highest bidder by sealed bids, after having been properly advertised in our two (2) local newspapers.

This disposition of property has been properly advertised and formally bided (bid opening date, December 17, 1982). The Purchasing Agent requests the right to award the sale of these items to the highest bidder as filed within the Purchasing Office.

WE REQUEST WAIVER OF RULE BY TWO-THIRDS (2/3) VOTE!

INTRODUCED BY COMMISSIONER McKAMEY ESTIMATED COST: _____

SECONDED BY COMMISSIONER _____ PAID FROM _____ FUND

COMMISSION ACTION: Aye _____ Nay _____ DATE SUBMITTED: _____

ROLL CALL: _____ County Clerk

VOICE VOTE: _____ BY: _____

COMMITTEE ACTION: _____ APPROVED: _____ DISAPPROVED: _____

NOVEMBER 23, 1982

DISPOSITION OF PROPERTYATSULLIVAN COUNTY CENTRAL STORES

The following is a listing of RECAPABLE AND NON-RECAPABLE TIRES, OLD INNER TUBES AND LINERS to be sold to the highest bidder by sealed bids for the Sullivan County Central Stores' Department (Tire Repair Center).

<u>SIZE</u>	<u>NUMBER</u>
8:25 X 20	22
9:00 X 20	10
10:00 X 20	85
10:00 X 22	24
14:00 X 24	5
14.9 X 24	1

PLUS, two hundred and sixty-five (265) small passenger car, truck and tractor tires including sizes: HR70 X 15, HR78 X 15, G78 X 15, H78 X 15, L78 X 15, F78 X 14, 700 X 15, 650 X 16.5, 950 X 16.5.

TOTAL TIRES TO BE SOLD 412

ALSO, to be sold, approximately five hundred (500) pounds of old inner tubes and liners.

Each bidder must bid on all tires, tubes, and liners (one lump sum price).

The tire lot must be cleared/emptied of the above mentioned items and successful high bidder is responsible for removing said items within five (5) days after the bid has been awarded.

AHK/gc

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE 16 ~~20th~~ DAY OF DECEMBER, 19 82.

RESOLUTION IN RE: SALE OF TIMBER
(FIREWOOD HARVEST)
AT YOUTH CENTER.

BE IT RESOLVED THAT

. . . the Sullivan County Board of County Commissioners allow the Sullivan County Purchasing Agent to sell approximately 46.43 cords of firewood to the highest bidder by sealed bids, after having been properly advertised in two (2) local newspapers. Said timber is located on 9.5 acres on Sullivan County land near the Sullivan County Youth Center in Blountville, Tennessee.

This sale was approved by majority of the Sullivan County Executive Committee and has been properly advertised and formally bided (bid opening date, December 17, 1982), pending approval by majority vote of the entire Sullivan County Board of County Commissioners.

The Purchasing Agent requests the right to award the sale of this timber (firewood harvest) to the highest bidder, after having obtained the \$200.00 bond as requested on the formal bid announcement.

WE REQUEST WAIVER OF RULE BY TWO-THIRDS (2/3) VOTE!!!

INTRODUCED BY COMMISSIONER DeVAULT ESTIMATED COST: _____

SECONDED BY COMMISSIONER McKAMEY PAID FROM _____ FUND

COMMISSION ACTION: _____ DATE SUBMITTED: _____

Aye Nay

ROLL CALL: _____ County Clerk

VOICE VOTE: _____ BY: _____

COMMITTEE ACTION: _____ APPROVED: _____ DISAPPROVED: _____

062

NO. 16.

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE _____ DAY OF DECEMBER, 19 82.

RESOLUTION IN RE: RENAMING ROAD

BE IT RESOLVED THAT

Independence Drive, a county road in the _____ Civil District, (Gravelly Section)
extends into a subdivision which forks to the left and right.

WHEREAS BE IT RESOLVED THAT this road be named West Independence and East
Independence.

INTRODUCED BY COMMISSIONER Ketron

ESTIMATED COST: _____

SECONDED BY COMMISSIONER _____

PAID FROM _____ FUND

COMMISSION ACTION: Aye Nay

DATE SUBMITTED: _____

ROLL CALL: _____

County Clerk

VOICE VOTE: _____

BY: _____

COMMITTEE ACTION: _____

APPROVED: _____

DISAPPROVED: _____

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE 16th DAY OF DECEMBER, 19 82.

RESOLUTION IN RE: ADDITIONAL LITIGATION TAX FOR SULLIVAN COUNTY, TENNESSEE

BE IT RESOLVED THAT

WHEREAS, Chapter 488 of the Public Acts of 1981 which imposed a state litigation tax has been interpreted by the State Attorney General's office in an opinion dated November 9, 1981 as allowing counties to levy a litigation tax in the same manner as the State litigation tax now levied by Tennessee Code Annotated, Section 67-4102, Item J and in an amount not to exceed the amount of Item J tax, and

WHEREAS, Sullivan County is in need of additional revenue, now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, in Adjourned Session on this 16th day of December, 1982, that an additional privilege tax on litigation is hereby levied in the amount of five dollars and twenty-five cents (\$5.25) in all civil suits in Sullivan County and fifteen dollars (\$15.00) in all criminal cases instituted in Sullivan County. The clerks of the various courts who are required to collect the state litigation tax shall also collect the tax imposed by this Resolution in the same manner as the state litigation tax imposed by Tennessee Code Annotated, Section 67-4102, Item J, is collected and shall be liable for the tax imposed by this Resolution. The privilege tax imposed by this Resolution shall be subject to the same exceptions as are granted by general law to the state privilege tax in Tennessee Code Annotated, Section 67-4102, Item J, and shall therefore, not be collected on original proceedings in a juvenile court or in any hearing before a court of the judiciary.

INTRODUCED BY COMMISSIONER _____ ESTIMATED COST: _____

SECONDED BY COMMISSIONER _____ PAID FROM _____ FUND _____

COMMISSION ACTION: _____ DATE SUBMITTED: _____

ROLL CALL: Aye _____ Nay _____
VOICE VOTE: _____
County Clerk _____

BY: _____

COMMITTEE ACTION: _____ APPROVED: _____ DISAPPROVED: _____

BE IT FURTHER RESOLVED, that the privilege taxes collected pursuant to this Resolution shall be paid over monthly to the County Trustee who shall deposit said taxes in a Courthouse/Judicial Improvement Fund.

BE IT FURTHER RESOLVED, that the tax levied by this Resolution shall become effectige on the first day of the month following its adoption.

[Empty lined area for additional text or signatures]

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE 16th DAY OF DECEMBER, 19 82.

RESOLUTION IN RE: PUBLIC RECORDS COMMISSION

BE IT RESOLVED THAT

The Sullivan County Board of Commissioners approve the appointment of the following persons to the County Public Records Commission.

- Judge Roger Thayer
Mary Lou Duncan
Ralph P. Harr
John Denton
Alma Grant

INTRODUCED BY COMMISSIONER ESTIMATED COST:

SECONDED BY COMMISSIONER PAID FROM FUND

COMMISSION ACTION: Aye Nay DATE SUBMITTED:

ROLL CALL: VOICE VOTE: County Clerk

BY:

COMMITTEE ACTION: APPROVED: DISAPPROVED:

[Blank lines for committee action, approved, and disapproved]

no

(C A P T I O N)

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That a Probate Court is hereby created and established for Sullivan County to be known as "The Probate Court of Sullivan County, Tennessee".

Section 2. Be it further enacted, That said Probate Court shall have general, common law and statutory jurisdiction, original and exclusive, over all probate matters existing and arising in said county to the same extent as is now or may hereafter be conferred upon courts of this state under the common law or the statutes thereof, and to hear, try and determine all probate matters in Sullivan County, Tennessee.

Section 3. Be it further enacted, That there is hereby created the office of Probate Judge for the Probate Court of Sullivan County, Tennessee. The duly elected and qualified Judge of Part 2 of the Chancery and Law Courts for Bristol, Blountville and Kingsport shall be the Probate Judge for the Probate Court of Sullivan County, Tennessee and shall serve in said capacity without additional compensation.

*Waived Rules 2/3 Vote
Roll Call - Passed.*

Section 4. Be it further enacted, That said Probate Court shall be held in continuous term or session.

Section 5. Be it further enacted, That the Judge of said Probate Court shall have authority to hold chambers court at any location within Sullivan County for the disposition of probate matters.

Section 6. Be it further enacted, That the Judge of said Probate Court shall be clothed with the same powers and jurisdiction as to extraordinary process as is now provided by law for Chancellors, Circuit Judges, Criminal Court Judges, Special Judges and Special Chancellors in this State.

Section 7. Be it further enacted, That all process shall be returnable to said Probate Court at Blountville, Tennessee.

Section 8. Be it further enacted, That the procedural rules for said Probate Court shall be the Tennessee Rules of Civil Procedure and such local rules as are promulgated by the Probate Judge.

Section 9. Be it further enacted, That all Chancellors, Circuit Judges, Criminal Court Judges, Special Judges and Special Chancellors shall have the right and power to sit by interchange for the Probate Judge.

Section 10. Be it further enacted, That the venue for all probate matters in Sullivan County shall be in said Probate Court at Blountville, Tennessee.

Section 11. Be it further enacted, That there is hereby created the office of Clerk of the Probate Court, whose powers, duties and responsibilities relating to probate matters shall be the same as those conferred by law upon Clerk and Masters of this State, including, but not limited to those powers set forth in Tennessee Code Annotated, Section 16-16-203, as amended. The Probate Clerk shall maintain his or her office at Blountville, Tennessee, and all files and records of the Probate Court shall be physically located at Blountville, Tennessee.

Section 12. Be it further enacted, That said Probate Clerk, including his or her deputy or deputies, shall be appointed by the Judge of said Probate Court. The expenses of the office of the Clerk of the Probate Court, including the salaries of all personnel, shall be paid by Sullivan County. The salaries of the Probate Clerk and his or her deputy clerks, if any, shall be set by the Board of Commissioners of Sullivan County. The Clerk and Deputy Clerks shall subscribe to the same oath of office as is administered to Clerk and Masters in this State.

Bonds same or similar to those executed by Clerk and Masters in this State shall be required of the Probate Clerk and his or her deputies.

Section 13. Be it further enacted, That all probate matters pending in any court in Sullivan County on the date of passage of this Act shall automatically be transferred to the Probate Court where said matters shall be tried or otherwise determined. The clerks and/or clerk and masters of such other courts where probate matters are pending shall forthwith transfer all proceedings and papers to the Clerk of the Probate Court who shall procure and maintain the proper books, records and minutes of the Probate Court of Sullivan County, Tennessee. All records of closed probate matters shall be transferred by the Sullivan County Clerk to the Probate Court.

Section 14. Be it further enacted, That after the final order of settlement is entered in any estate probated in whole or in part in the Chancery Courts of Sullivan County during the period from September 1, 1982 until the effective date of this Act, no party to the estate proceeding, nor anyone bound by the findings in the estate proceeding, may later question the validity of said probate proceeding on the ground of improper venue.

Section 15. Be it further enacted, That this Act shall take effect April 1, 1983, the public welfare requiring it.

Subject to approval by Bd. of Comm.

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION

MET THIS THE 16th DAY OF DECEMBER, 19 82.

RESOLUTION IN RE: APPOINTING ATTORNEY

FOR TAX LIENS

BE IT RESOLVED THAT

Pursuant to T.C.A. 67-2001 Enforcement of Tax Liens that the Sullivan County Turstee, Frances S. Harrell, has appointed John S. McLellan, III as ^{Deputy} Tax Attorney for Sullivan County and that said appointment has been approved by Lon V. Boyd, County Executive of Sullivan County.

INTRODUCED BY COMMISSIONER Harv. ESTIMATED COST: _____

SECONDED BY COMMISSIONER W. H. Harv. PAID FROM _____ FUND _____

COMMISSION ACTION: Aye _____ Nay _____ DATE SUBMITTED: _____

ROLL CALL: ✓ _____ County Clerk

VOICE VOTE: ✓ _____ BY: _____

COMMITTEE ACTION: APPROVED: _____ DISAPPROVED: _____

12/16/82 - Passed 2/3 vote

NO. 23

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY QUARTERLY COURT IN _____ SESSION

MET THIS THE 16th DAY OF DECEMBER, 1982

RESOLUTION IN RE: _____

BE IT RESOLVED THAT

WHEREAS, weather conditions on the weekend of 11-12 December resulted in a heavy snowfall in Sullivan and the surrounding counties, disrupting electric power supply to many residents,

WHEREAS, it was determined that shelters might be required for families without electric power and three shelters were established throughout the County on very short notice. Manpower to assist in this effort was provided by the Sullivan County Volunteer Fire Department, The Bloomingdale Volunteer Fire Department, the Bluff City Rescue Squad, and the City of Kingsport. The Bluff City Rescue Squad also provided shelter facilities. The Kingsport Chapter, American Red Cross operated the Kingsport Area Shelter. Other County Agencies assisting included the Sheriff and School Departments and the Sullivan County Ambulance

INTRODUCED BY ESQ. BLALOCK ESTIMATED COST: _____

SECONDED BY ESQ. _____ PAID FROM _____ FUND

COURT ACTION: Aye Nay DATE SUBMITTED: _____

ROLL CALL _____
VOICE VOTE _____ County Court Clerk

BY: _____

COMMITTEE ACTION:	APPROVED:	DISAPPROVED:
_____	_____	_____
_____	_____	_____
_____	_____	_____

FISCAL AGENT: _____

Service.

THEREFORE, BE IT RESOLVED that the Sullivan County ^{Board of Commission} Quarterly--

Court expresses appreciation to the agencies enumerated above with special thanks to the volunteers.

No. 27.

1982 CENSUS OF AGRICULTURE



BUREAU OF THE CENSUS Washington D.C. 20233

A FARM CENSUS PROCLAMATION

Since the economy of Sullivan County benefits in large measure from farming, the county's presiding officials bring to the attention of all county residents the 1982 Census of Agriculture.

Whereas, the periodic farm census is the primary source of accurate information on the number of farms and farm operators in our county;

Whereas, it also provides accurate data on sales of farm products as well as production costs in our county;

And whereas, many business decisions affecting the county's farmers in today's economy, depend upon accurate data from the Census of Agriculture;

Now, therefore, be it resolved that the county's presiding officials urge all farm and ranch operators to fill out and return promptly the farm census questionnaires they have received in the mail and thus help to make the 1982 census the most successful in a series of 22 farm census counts which began in 1840.

Signed *[Signature]*, Chairman

(County Governing Body)



U.S. Department of Commerce
BUREAU OF THE CENSUS

*Waived Rules 2/3 Vote
Voice Vote - Passed.*

Private industry uses census statistics to provide a more effective production and distribution system for the benefit of the farm community. Companies have used the data to locate feed mills and tractor dealerships in order to provide better service and competitive prices for farmers.

While surveys are made regularly by the U.S. Department of Agriculture, the agriculture census conducted by the Commerce Department's Census Bureau provides the necessary benchmark or check point on which to develop other data.

The same law which requires farmers and ranchers to complete the census forms also protects the confidentiality and privacy of their individual forms. Only sworn Census Bureau employees are permitted to see the forms, and they are subject to 5 years imprisonment and \$5,000 fine for unauthorized disclosure of information. Individual forms cannot be seen by officials of other government agencies nor shown to news reporters using the Freedom of Information Act.

Since the first census was conducted in 1840, the census has been the only source of uniform data at the county level on agricultural production and inventories. Originally taken every 10 years, farm census data have been collected every five years since 1920. The present census is the first to be conducted with the Census Bureau's other economic censuses.

Because a successful farm census depends upon farmers and ranchers completing their report forms accurately and quickly, the Census Bureau is seeking the cooperation of each county's agriculture and business leaders and local officials.

1982 CENSUS OF AGRICULTURE

AGRICULTURE
1982
CENSUS

BUREAU OF THE CENSUS Washington D.C. 20233

Public Information Office
(301) 763-4040

For Immediate Release

Officials of Sullivan County issued a proclamation today encouraging cooperation with the 1982 Census of Agriculture now being conducted by the U.S. Department of Commerce's Census Bureau.

The proclamation points out that "many business decisions affecting the county's farmers in today's economy, depend heavily upon accurate data from the Census of Agriculture."

Officials urged the county's farm and ranch operators to complete the census questionnaires accurately and return them promptly to the Census Bureau. Similar proclamations are being issued by officials of other counties and state governors in support of the census, the 22nd in a series that began in 1840.

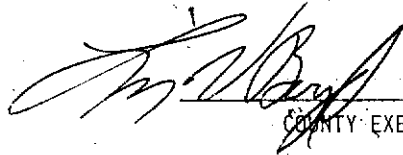
The current census will update the findings of the most recent farm census conducted for 1978 operations. Census figures are used in many national and state programs affecting agriculture which are designed or allocated on the basis of this data. These include funds for extension work, soil conservation, research, and other services. The more dependent a county is on agricultural income, the more vital census information becomes, local officials point out.



U.S. Department of Commerce
BUREAU OF THE CENSUS

(more)

AND THEREUPON COURT ADJOURNED TO MEET AGAIN JANUARY 17, 1983.



COUNTY EXECUTIVE