

COUNTY COMMISSION MEETING - APRIL 15, 1996

REGULAR SESSION

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, APRIL 15, 1996; 9:00 O'CLOCK A.M., IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY,

TO WIT:

The meeting was called to order by County Executive, Gil Hodges. Sheriff Keith Carr opened the Commission Meeting. Commissioner Aubrey Kiser gave the invocation and pledge to the flag was led by County Executive, Gil Hodges.

Commissioners present and answering roll call are as follows:

CAROL BELCHER	JACK JONES
JAMES R. "JIM" BLALOCK	JAMES. L. KING, JR.
BRYAN K. BOYD	AUBREY L. KISER, JR.
JUNE CARTER	CARL KRELL
RAYMOND C. CONKIN, JR.	DWIGHT MASON
TOM DANIEL	GARY MAYES
O. W. FERGUSON	WAYNE MCCONNELL
MIKE GONCE	PAUL MILHORN
RALPH P. HARR	MICHAEL B. SURGENOR
EDLEY HICKS	MARK A. VANCE
PAT HUBBARD	EDDIE WILLIAMS
MARVIN HYATT	

ABSENT - RON REEDY

23 present

Motion was made by Commissioner Ralph Harr and second by Commissioner Gonce to approve the Minutes of the Regular Session of County Commission held on March 18, 1996. Motion approved - Voice Vote. Commissioner Gonce requested resumes and certain other attachments be included in the Commissioners minutes.

The following pages indicates the action by the Commission on approval of Notary Applications, approval of Notary Bonds, rezoning requests and resolutions.

STATE OF TENNESSEE
 COUNTY OF SULLIVAN

APRIL 15, 1996

ELECTION OF NOTARIES

Ray H. Adams	Joyce Lee Prokopuk
Claudia P. Alexander	Rebecca Rush
Lynne D. Barker	Margaret M. Schubert
Charles E. Beach	J. B. Shelton
Elizabeth Davis Beach	Elizabeth M. Shine
Suzanne Hurst Booher	James Randall Shipley
W. Roscoe Bowman	Patricia S. Taylor
Polly A. Carter	Benjie A. Tolbert
Novella G. Caywood	Gilbert E. Torbett
Kathy Chapman	Page M. Travis
Mark G. Cloninger	Charles L. Walsh
James C. Cradic	Ruth R. Wassom
Brenda J. Crockett	Dianna Weaver
Patricia N. DeSpain	Iva Winebarger
William W. Doss	Dania E. Wolfe
Angela Duncan	
Teresa S. Hammonds	
M. JoAnne Hughes	
Millie D. Hutchins	
Evelyn J. Kirk	
Nina L. Lewis	
Lorrie McGovern	
Dorothy S. Nickles	
Mae R. Oliver	
Jonnie R. Pendleton	

MOTION BY: Comm. Harr
 2ND BY: Comm. Hyatt

TO APPROVE THE ABOVE NAMED NOTARY
 APPLICANTS.

MOTION APPROVED 4/15/96 ROLL CALL 20 Aye, 4 Absent

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

APRIL 15, 1996

James R. Boatright
Richard A. Clark
Delta Conkin
Preston E. Deal
Mary Kay English
Evelyn Hicks
Jerry L. Petzoldt
Nancy Warren Smithson

MOTION BY: Comm. Harr
2ND BY: Comm. Hyatt To approve the Notary Bonds of the
above named persons.

Motion approved 4/15/96 ROLL CALL 20 Aye, 4 Absent

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 1996.

RESOLUTION AUTHORIZING The Sullivan County Board of Commissioners to Consider Amendments to the Sullivan County Zoning Resolution as Amended

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 1996.

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

WHEREAS, Such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution;

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

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

Attest: B. Fechner Date: 4/15/96 Gil Hodges Date: 4/15/96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: _____

SECONDED BY COMMISSIONER Kiser FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	x				

COMMENTS: Motion by: Comm. Vance, 2nd by: Comm. Harr TO APPROVE
APPROVED 4/15/96 VOICE VOTE

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

April 15, 1996

Consider the following:

- (1) **File # 3/96-1** A request by John Lisenby to rezone the property described below from R-1 to PRD:
- REQUEST DISAPPROVED** ROLL CALL 4/15/96 9 Aye, 12 Nay, 1 Pass
2 Absent
- Being a tract of land located in the 13th Civil District on the south side of Pactolas Road approximately 1600 feet north of its intersection with Moreland Drive and further described as parcel 1.30 group A map 91D of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 3/96-1, John Lisenby Request

John Lisenby requested that a tract of land located in the 13th Civil District on the south side of Pactolas Road approximately 1600 feet north of its intersection with Moreland Drive be rezoned from R-1 to PBD-3 to permit the location of condominiums or duplex apartments.

The applicant was present and spoke and presented a petition in support of the request. Staff stated that proposed zoning to PHD-3 was incompatible with the low density residential character of the neighborhood and recommended the request for PBD-3 be denied. Mr. Lisenby discussed modification of his application for zoning and requested a change to PRD. Mr. Lee Talbot spoke in support of the PRD zone. Marvin Goodman, Jerry Salyer and other residents of the neighborhood spoke in opposition to the request for PRD citing negative impacts resulting from potential incompatible high density residential development including decreased residential property values for existing homes and creating of dangerous traffic conditions on already inadequate roadway access.

Motion Childress, second Barnes to deny the request for PRD zoning based on comments and reasoning of those residents speaking in opposition. Vote in favor of the motion: Childress, Barnes, Brown, Daniel; vote opposed: Kiser, Blecher, Goodwin. The motion fails 4 to 3 due to the lack of a majority of the quorum present.

Motion Kiser, second Goodwin to approve the request for PRD zoning. Vote in favor of the motion: Kiser, Goodwin, Belcher; vote opposed Childress, Barnes, Brown, Daniel. The motion fails 3 to 4 due to the lack of a majority of the quorum present.

- (2) **File # 3/96-3** A request by David Quillen to rezone the property described below from R-1 to B-3:
- REQUEST APPROVED** 4/15/96 ROLL CALL 22 Aye, 2 Absent
- Being a tract of land located in the 6th Civil District on the north side of U.S. Hwy. 11-W west of its intersection with Hines Road and further described as parcel 9.00 map 34 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 3/96-3, David Quillen Request

David Quillen requested that a tract of land located in the 6th Civil District on the north side of U.S. Hwy. 11-W west of its intersection with Hines Road be rezoned from R-1 to B-3 to permit the location of commercial development.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing land use patterns and recommended approval.

Motion Barnes, second Childress to approve the request as recommended by staff. Vote in favor of the motion unanimous.

(3) File # 3/96-4 A request by Lonnie Home to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 4/15/96 ROLL CALL 22 Aye, 2 Absent
Being a tract of land located in the 7th Civil District on the south side of Cedar Branch Road approximately 600 feet west of its intersection with Emory Church Road and further described as that part of parcel 42.00 map 63 of the Sullivan County Tax Maps fronting 100 feet by 150 feet deep on Cedar Branch Road at a point 560 feet west of the easterly boundary of parcel 42.00.

The Planning Commission took the following action:

File No. 3/96-4, Lonnie Home Request

Lonnie Home requested that a tract of land located in the 7th Civil District on the south side of Cedar Branch Road approximately 600 feet west of its intersection with Emory Church Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing land use patterns and recommended approval.

Motion Brown, second Kiser to approve the request as recommended by staff. Vote in favor of the motion unanimous.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 19 96.

RESOLUTION AUTHORIZING Contracting with Regional Dieticians for Nutritional Services for AIDS Patients in Sullivan County

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of March 19 96

THAT WHEREAS, The State Health Department's AIDS Support Services has responsibility for nutritional assessments and services under the Ryan White Comprehensive AIDS Resources Emergency Act of 1990, and

WHEREAS, The Local Health Department is to contract Nutritional Services for AIDS patients with Registered Dieticians.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the Sullivan County Health Department to contract this service for \$15.00 per hour plus travel at \$.24 per mile. The Health Department is to be compensated by the Federal Government at the rate of \$121.40 for the first visit and \$49.05 for each additional visit, and

FURTHER BE IT RESOLVED, That the Sullivan County Health Department will not make payment on the contract until the County receives funds from the State.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19__.

Attested: _____ Date: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER Vance ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Hyatt FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 3/18/96 WITHDRAWN 4/15/96

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 19 96.

RESOLUTION AUTHORIZING Amendment of the Sullivan County Zoning Resolution

WHEREAS, TENNESSEE CODE ANNOTATED, SECTION 13-7-104 AUTHORIZES COUNTIES TO amend their Zoning Resolutions

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of March 19 96

THAT WHEREAS, Article X Board of Zoning Appeals, Section 1004.3 Variance, differs from the enabling legislation of TCA Section 13-7-109(3), and

WHEREAS, In order to clarify the County's Zoning Resolution concerning variances, an amendment is required, and

WHEREAS, Such amendment has been duly initiated by the Board of Zoning Appeals and approved by the Planning Commission, and

WHEREAS, A public hearing has been advertised and held pursuant to State Law,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Zoning Resolution, Article X, Board of Zoning Appeals, Section 1004.3, Variance, be amended to read exactly as TCA Section 13-7-109(3). (See attached)

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Created: B. Feather Date: 4-15-96 Gil Hodges Date: 4-18-96
County Clerk County Executive

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST:
SECONDED BY COMMISSIONER Kiser FUND:

Table with 5 columns: Committee Action, Approved, Disapproved, Deferred, Date. Rows: Administrative, Budget, Executive.

Table with 6 columns: Commission Action, Aye, Nay, Pass, Absent, Total. Rows: Roll Call, Voice Vote.

COMMENTS: FIRST READING 3/18/96 APPROVED 4/15/96 ROLL CALL

13-7-109. Powers of board of appeals. — The board of appeals has the powers to:

(1) Hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal made by the county building commissioner or any other administrative official in the carrying out or enforcement of any ordinance enacted pursuant to this part;

(2) Hear and decide, in accordance with the provisions of any such ordinance, requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such ordinance to pass; and

(3) Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under such sections would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship; provided, that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinances. [Acts 1935, ch. 33, § 6; C. Supp. 1950, § 10268-6; T.C.A. (orig. ed.); § 13-409.]

Attachment
Res # 464

Cited: State ex rel. Poteat v. Bowman, 491 S.W.2d 77 (Tenn. 1973); Union Trust Co. v. Williamson County Bd. of Zoning Appeals, 500 S.W.2d 608 (Tenn. 1973); Williamson County

Regional Planning Comm'n v. Hamilton Bank, 473 U.S. 172, 105 S. Ct. 3108, 87 L. Ed. 2d 126 (1985).

NOTES TO DECISIONS

ANALYSIS

- 1. Exercise of zoning powers.
- 2. Appellate review.

1. Exercise of Zoning Powers.

The board of zoning appeals has neither the power to zone nor to amend the zoning ordinance; that power is in the county legislative body. Merritt v. Wilson County Bd. of Zoning Appeals, 656 S.W.2d 846 (Tenn. Ct. App. 1983).

2. Appellate Review.

Nowhere does the enabling legislation regarding zoning reflect that a county legislative body may retain unto itself the right of appellate review of an administrative act of the re-

gional planning commission of the region over which the legislative body has jurisdiction. State ex rel. Browning-Ferris Indus. of Tenn., Inc. v. Board of Comm'rs, 806 S.W.2d 181 (Tenn. Ct. App. 1990).

The board of commissioners has no appellate review authority under the Knox County zoning resolution over the actions of the metropolitan planning commission or any of its administrative staff in the issuance or denial of a building permit in accordance with the provisions of the zoning resolution. State ex rel. Browning-Ferris Indus. of Tenn., Inc. v. Board of Comm'rs, 806 S.W.2d 181 (Tenn. Ct. App. 1990).

Collateral References. Standing of zoning board of appeals or similar body to appeal reversal of its decision. 13 A.L.R.4th 1130.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING A One-time Appropriation of \$5,000 from FY 1995-96 Budget to First Night

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of March 1996

THAT WHEREAS, First Night's mission is to provide drug and alcohol free, family-oriented, New Year's Eve Celebration for the people of Sullivan County, and

WHEREAS, Up to 15,000 residents of Sullivan County participate, and

WHEREAS, Seventy percent of the entertainers and performers are from Tennessee with forty-two percent from Sullivan County, and

WHEREAS, 100% of the 500+ volunteers who produce the event are Sullivan County residents, and

WHEREAS, Sullivan County will be recognized as a Premier Sponsor, entitling the county to program credit, media advertising credit, a framed First Night poster, and sponsor admission buttons, and

WHEREAS, First Night is truly a community celebration, a coming together of the county's people to enjoy our Tennessee heritage and to celebrate the beginning of a new year in a non-alcoholic setting.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves a one-time appropriation from FY 1995-96 Budget [Account 39000 - Undesignated Fund Balance] to Account 58112.300 [First Night/Kingsport Celebration] in support of the First Night event to be held on Tuesday, December 31, 1996.

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

This resolution shall become effective on _____, 1996, the public welfare requiring it.

Duly passed and approved this ____ day of _____, 1996.

Attested: _____ Date: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER Hubbard ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative			✓	4-1-96
Budget				
Executive				

FIRST READING 3/18/96 Motion: Comm. Surgenor, 2nd: Comm. Hyatt
 To Amend: \$5,000 -Bloomingdale Block Party, Failed-Roll Call
 Motion by: Comm. Milhorn, 2nd by: Comm. Gonce TO TABLE. TABLED/Voice ^{4/15/96}

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 19 96.

RESOLUTION AUTHORIZING Ratification of the Sewer Agreement as Amended

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of March 19 96

THAT WHEREAS, The Sullivan County Board of Commissioners voted on Resolution No. 10 in a regular Commission meeting on January 15, 1996 to adopt the Sewer Agreement between Bluff City, Bristol, Kingsport, and Sullivan County that had been drawn up by the Sewer Task Force established by the Sullivan County Commission on September 19, 1994 by its adoption of Resolution No. 38, and

WHEREAS, On March 7, 1996 the Bluff City Board of Mayor and Aldermen voted not to participate in that Sewer Agreement.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners agrees to the amended Sewer Agreement, as attached, which has deleted all references to Bluff City and Bluff City projects; and if this amendment is also agreed to by the governing bodies of Bristol and Kingsport, empowers the County Executive to execute this agreement with Bristol and Kingsport on behalf of Sullivan County.

FURTHER BE IT RESOLVED, That the projects list be further amended to change the funding of the Carter's Valley (North Kingsport) trunk line to the year 1999 and the funding of the sewer trunk line projects presently projected in the years 1999, 2000, and 2001 to one year later.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19__.

Attested: _____ Date: _____ County Clerk
 _____ Date: _____ County Executive

INTRODUCED BY COMMISSIONER Reedy ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Boyd/Williams FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative			✓	4-1-96
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 3/18/96 WITHDRAWN 4/15/96

SEWER AGREEMENT

This agreement, made as of the ____ day of _____, 1996, by and between **Sullivan County, Tennessee**, a political subdivision of the State of Tennessee (hereinafter referred to as the "County") and the **City of Bristol, Tennessee**, and the **City of Kingsport, Tennessee** (hereinafter referred to collectively as the "City").

Witnesseth:

Whereas, the extension of sanitary sewer service to all areas of Sullivan County, incorporated or unincorporated, will enhance the health, safety, and welfare of all citizens; and

Whereas, sanitary sewer service is essential to the economic development of and the creation of employment opportunities in Sullivan County, incorporated or unincorporated; and

Whereas, the County and the City jointly desire to extend sanitary sewer service to residences, businesses, and industries located in all areas of the County, incorporated or unincorporated; and

Whereas, the County and the City desire to enter into an agreement covering sewer services, Sewer Collection Systems and Wastewater Treatment Plants currently existing, under construction, or funded, as well as upgrades and expansion of same; and

Whereas, Tennessee Code Annotated _5-1-113 authorizes Tennessee counties and their municipalities to enter into agreements to conduct, operate and maintain, either jointly or otherwise, desirable and necessary services or functions, under such terms as may be agreed upon by their respective legislative bodies; and

Whereas, the County and the City of Bristol previously entered into an agreement in December, 1988 entitled "Agreement for Sanitary Sewer Service Bristol 201 Planning Area"; and the County and City of Kingsport previously entered into an agreement in December, 1988 (untitled) with regard to providing sanitary sewer services to the western part of Sullivan County (hereinafter collectively referred to as "Prior Agreements"); and

Whereas, in order to implement their resolve to expand sanitary sewer service in Sullivan County, the County and the City desire to enter into a new, comprehensive agreement which will replace their Prior Agreements.

Now, therefore, for and in consideration of the mutual promises and the benefits to be derived therefrom, the County and the City agree as follows:

Section I: Previous Agreements

This agreement shall supersede in its entirety the Prior Agreements entered into by the City and the County and the provisions of those Prior Agreements shall be of no further force or effect.

Section II: Definitions

For the purpose of this agreement and all matters arising under it, the following definitions shall apply:

A. **Collector Line** - A pipeline, usually 8 inches or smaller in diameter, or force main systems and associated lift stations, which receives wastewater from individual residences, businesses and/or industries via lateral sewers and conveys that wastewater from a service area to a trunk line.

B. **Federal Regional 201 Planning Area** - The geographical area allocated to the cities in their respective "201 Facilities Plans" as amended from time to time.

C. **General Obligation Bonds**. Bonds which are issued and secured unconditionally by the full faith, credit and taxing powers of the issuing governmental entity.

D. **Trunk Line (sometimes called an Interceptor Line)** - A pipeline or force main system, and associated lift stations, that can handle residential, commercial and industrial waste, which system has been confirmed by a valid engineering study to require a line of 10 inches or greater in diameter. The Trunk Line conveys wastewater collected from a service area by means of two or more Collector Lines into an appropriately-permitted Wastewater Treatment Plant.

E. **Lateral Sewer (May be referred to as the service line or lateral.)** - The sewer pipeline which exclusively serves a single customer and to which no other customer is permitted to connect without the consent of the City. The Lateral Sewer may be connected to the collector line only after that connection is authorized by the City having control over the Collector Line.

F. **Sewer Collection System** - The entire network of pipelines, Trunk Lines, Collector Lines, Lateral Sewers, pumping stations and other facilities which gather wastewater discharges from Lateral Sewer connections and transports the flows to the Wastewater Treatment Plant for treatment and disposal.

G. **Sewer Connection Fee (commonly referred to as the sewer tap fee)** - The sum of money charged to make the connection to the Sewer Collection System inclusive of monies to partially reimburse the City for capital expenditures and a capacity commitment by the Wastewater Treatment Plant for disposal of all waste by-products permitted by law.

H. **Sewer Use Fee** - The charge assessed by the City for service provided which is intended to recover the expenses of the operation, the repair, maintenance and administration of the Wastewater Treatment Plant and Sewer Collection System, the repayment of interest and principal, and the maintenance of an adequate depreciation amount as required by Tennessee law.

I. **Sewer Use Ordinance** - The comprehensive ordinance enacted by the City and approved by the State of Tennessee setting forth uniform requirements for discharge into the City's Sewer Collection System and disposal to the Wastewater Treatment Plant.

J. **Wastewater Treatment Plant** - The required facility, owned and operated by the City, into which wastewater flows are discharged and objectionable constituents are removed or altered.

Section III: Responsibilities of the City

A. The City shall be solely responsible for the design, contracting, construction, and funding of all Collector Lines, up to but not beyond the property line of property owners, that will discharge into the City's Wastewater Treatment Plant and the Sewer Collection System.

B. The City shall be solely responsible for the design, contracting, and construction of all Trunk Lines

C. The City shall have sole responsibility for the administration, operation, upkeep, maintenance, repair, and upgrading of all Trunk Lines and Collector Lines in their respective Sewer Collection Systems.

D. Subject to the provisions of this agreement, the availability of a Trunk Line of adequate size, and sufficient capacity in the Wastewater Treatment Plant, the City shall fund the construction of all Collector Lines for existing subdivisions and other inhabited areas of unincorporated Sullivan County within the City's Federal Regional 201 Planning Area, provided:

1. A financial feasibility study to be conducted by the City (based on an engineering analysis) reflects that sewer service can be extended to the proposed area so that the average cost, including land acquisition, does not exceed Seven Thousand Five Hundred dollars (\$7,500.00) for each property owner required under the City's Sewer Use Ordinance to connect to the sewer system or each such customer agrees in writing to pay for all the costs exceeding Seven Thousand Five Hundred dollars (\$7,500.00), in addition to the Sewer Connection Fee and Sewer Use Fees, which agreement shall be in a form satisfactory to the City, and which is an enforceable obligation secured by the property in question, and

2. The owners of at least seventy percent (70%) of the properties located within the proposed service area and required under the City's sewer use ordinance to connect to the Sewer Collection System agree in writing to pay the Sewer Connection Fees and Sewer Use Fees.

E. The City shall be solely responsible for the collection of any delinquent Sewer Connection Fees and Sewer Use Fees.

F. Financial feasibility studies on petitions for Collector Lines submitted by the County will be completed within six (6) months of submission. Once conditions in Paragraph III(D) are met, construction on those lines will begin within eighteen (18) months.

G. Nothing in this agreement is to be construed to require the City to design, contract, or construct any Lateral Sewers; the property owners will be responsible for construction of Lateral Sewers on their property.

H. Nothing is to be construed in this agreement as prohibiting the City from providing sewer service at its own discretion without compliance with subparagraph D.

H. Nothing in this agreement shall be construed to require the city to design, contract, or construct any sewer lines in any new residential, commercial, or industrial developments not in existence as of the date of this agreement. The City may treat such development as it presently does for developments inside the corporate limits of the City.

Section IV: Rights of the City

A. The City shall have the right but not the obligation to extend sewerage service to property owners that are not served by water from an approved utility district.

B. The City reserves the right to authorize and make all sewer connections, continue or discontinue service, and raise or lower Sewer Use Fees.

C. The City will retain complete ownership of all easements and Sewer Collection System facilities and lines. Such ownership shall include responsibility for all maintenance, administration and other costs associated with normal operation of the entire Sewer Collection System.

Section V: Responsibilities of the County

A. When required for the public good, deemed a public necessity, or to serve areas with real or potential economic benefit to Sullivan County, the County will provide funding for all trunk lines constructed in Sullivan County without regard to any political jurisdiction. Funding for said Trunk Lines will come from General Obligation Bonds and/or general tax revenues and will be paid by the County to the City on a draw-down basis as set forth in the construction contract.

B. The County shall fund the installation of Trunk Lines in accordance with the attached Exhibit "A", including all subsequent amendments thereto.

C. The County shall notify all affected property owners outside the City limits of the request for sewer service and the status of that request.

D. The County shall be responsible for the acquisition of any right-of-ways or easements outside the city limits which may be necessary for trunk line projects, and the expenses thereof shall be considered a cost of the project. Prior to construction, the County shall promptly execute any instruments and/or documents necessary to transfer ownership of those right-of-ways and easements thus obtained to the City.

E. The County shall continue in force and effect the City's Sewer Use Ordinance, including all subsequent amendments thereto, and shall make the provisions thereof applicable to all users of the sewer system outside the corporation limits of the City.

Section VI: Joint Responsibility

In further recognition of the need for more detailed study of the existing Federal Regional 201 Planning Area, the City and the County agree to share equally in funding revision of the aforesaid report by a qualified engineering firm agreed to by the parties.

Section VII: Sewer Use and Connection Fees

A. Sewer Connection Fees for single-family residences in unincorporated areas of the County shall be \$2,250.00. This Sewer Connection Fee and the \$7,500 cost cap referred to in Section III(D.1) of this agreement will change over the life of this agreement dollar for dollar with any change made in the Sewer Connection Fee inside the corporation limits of the City. These items can change independently within each Sewer Collection System without affecting fees in the other systems.

B. Sewer Use Fees and minimum charges for residences in unincorporated areas of the County shall not exceed by more than fifty percent (50%) the Sewer Use Fees and minimum charges paid by residences in the City. The extra fee is for debt and expense incurred during the construction of the Collector Lines in unincorporated areas and for higher costs of maintenance and lift stations incurred in areas of less dense population.

C. No other fees shall apply to residences in unincorporated areas of Sullivan County unless applied universally to residences throughout the Sewer Collection System.

D. Sewer Connection Fees and Sewer Use Fees for governmental buildings owned and occupied by the County (including Sullivan County Schools) will be the same as those charged by the City to the same type of facility receiving service within the corporate limits of the City.

Section VIII: Annexation

A. Nothing in this Agreement shall be construed as encouraging or restricting the annexation of unincorporated areas of the County by the City.

B. Should the City annex an area after sewer service has been provided to the area under the terms of this Agreement, the provisions of the Agreement shall no longer be applicable to the annexed area, and the annexed sewer customers shall thereafter be charged Sewer Connection Fees and Sewer Use Fees at the same rate charged other customers within the corporate limits of the City.

Section IX: Effective Date, Term of Agreement, and Application

A. This Agreement shall become effective immediately upon its approval by the governing bodies of the City and County and its execution by their Chief Executive Officers.

B. This Agreement shall be in effect for a period of twenty-five (25) years from its effective date, but the Agreement may be extended for such additional time, and upon such terms and conditions, as may be agreed to by the City and the County and embodied in a written instrument of equal dignity.

- C. The terms of this agreement shall apply to:
- Trunk Lines existing on the date of this agreement (including Trunk Lines funded or under construction),
 - Trunk Lines listed on the project list attached to this Agreement as Exhibit "A", and
 - Trunk Lines agreed to by the parties in accordance with Section XI as additional projects.

Section X: Existing Litigation

Promptly upon the execution of this Agreement by the respective officers of the County and the City, the parties will voluntarily dismiss the pending litigation between them regarding their 1988 Agreement with each party to bear its own court costs and attorney's fees.

Section XI: Modification or Amendment

A. This Agreement may be modified, amended or otherwise altered, in whole or in part, only by written instrument duly approved by the governing bodies of both the City and the County and executed by their respective Chief Executive Officers.

B. The projects list will be reviewed annually by a panel consisting of the Chief Executive Officers of the County and City to ascertain if modifications of the projects list is desirable. Any changes recommended by this panel will be submitted to the respective legislative bodies for approval as pursuant to Section XI(A).

Section XII: Settlement of Differences

A. Should a dispute arise between the County and the City pertaining to the scope, interpretation, application, or implementation of the provisions of this Agreement, or otherwise relating to any sewer facilities constructed, operated, or covered pursuant to this Agreement, the County and the City shall diligently negotiate in good faith and attempt to resolve the dispute.

B. Upon written notification from one party to the other that they wish to negotiate a dispute in good faith, the parties will complete steps 1 and 2 within ninety (90) days of such notification.:

1. Representatives of the Chief Executive Officers of the County and the City shall negotiate the dispute.
2. If these negotiations do not resolve the dispute, the County and the City shall jointly select a mutually acceptable consultant/mediator who will attempt to mediate a resolution of the issues.

C. Should the issues not be resolved in the manner set forth in Section XII(B) within ninety (90) days from the time of written notification, then within an additional ninety (90) days, the County and the City shall select a mutually-acceptable consultant to serve as an arbitrator, and the issues shall be settled as hereinafter provided. In the event the County and the City are not able to agree on a consultant, each shall appoint a separate consultant, and those two consultants shall, in turn, select a third consultant, and the three consultants shall serve as arbitrators. Neither the City nor the County may appoint one of their own officials or employees as an arbitrator, and the consultant who served as the mediator may not serve as an arbitrator in this dispute.

D. The issues shall be submitted to the arbitrators who shall conduct a hearing within ninety (90) days of their selection and render a written majority decision on the issues in dispute within forty-five (45) days of the hearing. An award so rendered shall be final and binding on both the County and the City, and judgment on such award may be entered by either party in the highest court, state or federal, having jurisdiction.

E. The proceedings shall be governed by the Rules of the American Arbitration Association, unless otherwise amended by mutual agreement of the parties.

F. Nothing in this Agreement shall be deemed to give the arbitrators any authority, power, or right to alter, change, amend or modify any provisions of this Agreement.

G. With respect to any dispute or controversy which is made subject to arbitration under this Agreement, no suit at law or in equity based on such dispute or controversy shall be instituted by either the County or the City against the other, except to enforce the arbitration award so rendered. This alternative dispute resolution provisions shall be a complete defense to any suit, action or proceeding, instituted in any federal, state or local court, or before any administrative tribunal, with respect to any issues which are arbitrable under the terms of this Agreement.

EXHIBIT "A"

Proposed Trunk Lines

Name	Est. Cost	Year To Fund
<u>Kingsport</u>		
E. Stone Drive	\$2,000,000	1997-98
N. Beason Well, Bloomingdale	1,000,000	1996-97
Cedar Grove, Rosetree	500,000	1996-97
Carter's Valley (N. Kingsport)	2,000,000	1999
W. Shipley Ferry Road	1,000,000	1996
Steadman Farm Industrial Park	1,000,000	1998
Miscellaneous Short Lines	<u>500,000</u>	As needed
Total	\$8,000,000	
<u>Bristol</u>		
Whitetop Creek, Phase 1	\$2,110,000	2000
Whitetop Creek, Phase 2	2,390,000	2001-02
Evans Creek Pump Station Upgrade	850,000	2002
Hwy. 11-W, Reedy Creek, Phase 1	2,040,000	2003
Hwy. 11-W, Reedy Creek, Phase 2	2,285,000	2004-05
Miscellaneous Short Lines	<u>825,000</u>	As needed
Total	\$10,500,000	
Total For All Projects		\$18,500,000

Trunk Lines Now Funded or Under Construction:

Kingsport - Horse Creek, Indian Springs
 Bristol - Back Creek, Walnut Hills, Maple Hills (Hwy. 126)

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING Appropriation of \$528,809.00 for Sewer Trunk Line Project in the U.S. Highway 19-E Area of Sullivan County

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of March 1996.

THAT WHEREAS, The area of the County lying between U.S. Highway 19-E and U.S. Highway 11-E is in need of sewer service for both commercial and residential development and said area can adequately be serviced by the Town of Bluff City pursuant to its agreement with Sullivan County, and

WHEREAS, Funding for a trunk line project was approved by the Sullivan County Board of Commissioners on April 17, 1995, Resolution No. 7, (copy attached), and

WHEREAS, Sullivan County has already purchased capacity for sewage treatment in Bluff City's Municipal Treatment Plant;

NOW THEREFORE BE IT RESOLVED, By the Sullivan County Board of Commissioners:

1). That Sullivan County arrange for the funding of sewer trunk lines along the 19-E Corridor and the southwestern side of the U.S. Highway 11-E corridor, said trunk lines to be connected to the waste water treatment plant owned and operated by the Town of Bluff City in order to take advantage of the sewage treatment agreement between the county and the Town of Bluff City and to provide much needed sewer service for that portion of the county in the vicinity of the two highway corridors.

2). That Sullivan County approves the appropriation of \$528,809.00 for the Highway 19-E area sewer project as follows:

FROM: Acct. 35140 - Designated Sewers/County -- \$528,809.00

TO: SULLIVAN COUNTY SEWER PROJECTS FUND:
Acct. 91196 - Highway 19-E/Bluff City -- \$528,809.00

FURTHER BE IT RESOLVED, That ownership and maintenance of said trunk lines be the same as those arrangements made between the county and the separate municipalities of Bristol, Kingsport and Johnson City, Tennessee.

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

This resolution shall become effective on _____, 1996, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 1996.

Attested: _____ Date: _____ County Executive
County Clerk

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: _____
SECONDED BY COMMISSIONER MASON FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative <i>No Action</i>				4-1-96
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: Motion by Comm. King, 2nd by Comm. Gonce - TO DEFER
Motion Failed, Roll Call, Vote on Resolution Failed, Roll Call.
Motion by Comm. Kroll and 2nd By Comm. Mayes- To defer back to
TASK FORCE Failed, Roll Call, PUT BACK ON FIRST READING 3/18/96

WITHDRAWN 4/15/96

RESOLUTION NO. 258

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF MARCH, 1996.

RESOLUTION AUTHORIZING the adoption of the revised Sullivan County Employee Handbook

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 18th day of March, 1996,

THAT, WHEREAS, the Sullivan County Employee Handbook currently being utilized was adopted in 1986 and is in need of being updated to bring the handbook into compliance with various state and federal laws;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby adopt the revised Sullivan County Employee Handbook attached hereto;

BE IT FURTHER RESOLVED that costs associated with the printing and distribution of the revised Sullivan County Employee Handbook on behalf of Sullivan County employees [excluding non-professional employees of the Sullivan County Department of Education] be paid from Account No. 51100.300 [County Commission - Contracted Services];

BE IT FURTHER RESOLVED that the Sullivan County Board of Commissioners commit to reviewing the Employee Handbook on a regular basis or as may be required to bring the same in compliance with state and federal law.

AMEND: On page 25 under section entitled testifying in Court: At end of item number 3, add: "; however, this shall not apply to Court appearances as a result of off-duty employment."

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996.

Gay B. Feathers Date: 4-15-96 *W. McConnell* Date: 4-15-96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER W. McConnell ESTIMATED COST: _____
 SECONDED BY COMMISSIONER J. Blalock FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative			✓	4-1-96
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	1	1	2	
Voice Vote					

RESOLUTION NO. 258

COMMENTS: FIRST READING 3/18/96 APPROVED AS AMENDED 4/15/96
ROLL CALL



**SULLIVAN COUNTY
EMPLOYEE HANDBOOK**

Revised May 1, 1996

SULLIVAN COUNTY BOARD
OF COMMISSIONERS
1994-1998

Commission District 1:	Aubrey L. Kiser
Commission District 2:	Bryan K. Boyd
	Tom Daniel
	Mark Vance
Commission District 3:	Ralph Harr
Commission District 4:	Carol Belcher
	Edley Hicks
	Paul Milhorn
Commission District 5:	Marvin Hyatt
	Dwight Mason
Commission District 6:	Jim Blalock
	Mike Gouce
	Jack Jones
Commission District 7:	June Carter
	Carl Krell
Commission District 8:	Raymond Conkin, Jr.
	Eddie Williams
Commission District 9:	O. W. Ferguson
	Wayne McConnell
Commission District 10:	Pat Hubbard
	Michael Surgeoner
Commission District 11:	James L. King, Jr.
	Gary Mayes
	Ronald Reedy

SULLIVAN COUNTY ELECTED OFFICIALS
(Elected by Popular Vote)

GIL HODGES

County Executive

DANIEL P. STREET

County Attorney

KEITH CARR

Sheriff

MARY LOU DUNCAN

Register of Deeds

GAY FEATHERS

County Court Clerk

FRANCES HARRELL

Trustee

RAYMOND WINTERS

Circuit Court Clerk

BOBBY ICENHOUR

Property Assessor

JOHN R. LESUEUR

Highway Commissioner

HON. KLYNE LAUDERBACK

Judge of the General Sessions

Court, Part I

GREELY WELLS

District Attorney General

HON. DUANE SNODGRASS

Judge of the General Sessions

Court, Part III

HON. STEVE JONES

Judge of the General Sessions

Court, Part II

SULLIVAN COUNTY BOARD OF EDUCATION

DR. JOHN O'DELL
Superintendent of Education

DANA CARRIER
Chairman

ALVIE BRIGHT
Vice-Chairman

JACK BALES

CHARLES BRIDWELL

JERRY GREENE

LARRY HARRIS

JIM KISS

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SUMMARY AND A CLOSING WORD
RECEIPT OF HANDBOOK

INTRODUCTION

Attached is the Sullivan County Employee Handbook, which has been designed to outline and summarize the many good benefits, procedures and rules enjoyed by employees of the County. This handbook has been adopted by the County governing body, elected and appointed County officers. We all want the County to be the best possible place to work. We are striving to make that happen, which requires continually improving communications. If you have any questions about anything in this handbook, please ask your supervisor for clarification.

This handbook is only a starting point—we will continue to add to it and improve it as we go forward together. We will find needs for changes as new challenges and opportunities add value to our working relationship. A brief summary of employee benefits, employee rights and employee responsibilities are included.

This handbook revokes and supersedes all prior handbooks, policies, practices and communications, whether written or verbal. Each department may adopt additional policies tailored to its specific needs. School Department professional employees are not covered under this handbook.

HISTORICAL SKETCH OF SULLIVAN COUNTY

SULLIVAN COUNTY WAS FORMED in 1779 by division from Washington County and named for General John Sullivan, an officer in the Continental Army. On February 7, 1780, the county court was organized at the home of Moses Looney. Hawkins County, which broke off from Sullivan County in 1796, was included within Sullivan County's first boundaries. Until 1795, the County courts met in residences (in the county) including Looney's and Yancey's (near Kingsport) and Cox's at Thomas' Bridge.

STATE OF FRANKLIN: North Carolina, finding the protection of its western lands difficult, offered them to the United States in 1783, then withdrew the offer. Washington, Sullivan, and Greene counties organized the State of Franklin in 1784. During this period, residents of the newly formed state had divided loyalties and operated with two sets of government officials—one North Carolina's—one Franklin's. The State of Franklin collapsed in 1788.

SOUTHWEST TERRITORY TO STATE: North Carolina again offered its western lands to the United States and in 1790 Congress passed an act for governing the "Southwest Territory" with William Blount as first Territorial Governor. Blount operated the government, for a short period, at Rocky Mount. Sullivan County was on the main overland routes west as well as at the "head of navigation" of the Tennessee River system and grew rapidly—1790 census showed 4,447 persons in the county and Governor Blount's 1795 report showed 8,457. Tennessee was admitted to the Union June 1, 1796 as the 16th state.

BLOUNTVILLE, THE COUNTY SEAT, was laid off as a town in 1795 and the first courthouse was built of massive logs with a jail in the rear. It was replaced in 1825 by a brick courthouse and jail. The present courthouse was built in 1853, burned with nearly all its archives in 1863 by Federal forces during the Civil War, rebuilt within the walls in 1866, remodeled in 1920, and additions made in 1958. A new jail was built in 1956. The Justice Center was built in Blountville in 1987.

OTHER TOWNS IN SULLIVAN COUNTY: Bluff City, (also called Shoate's Ford, Zollicoffer, or Union), a planned town, was established by 1798. Kingsport settlement was first attempted in 1761, and permanently settled in the 1770's. Boating migration from the Netherland Inn made it known as "The Boat Yard". Paperville, named for a paper mill built by Burkhart who settled here in 1794, was a town in about 1810. These two towns incorporated as Kingsport in 1822. Bristol was settled in the 1770's, and was first known as "Sapling Grove". This area, along with a section nearby, known as "King's Meadows", became a town in 1853.

THE WAR BETWEEN THE STATES found Sullivan County with bitterly divided loyalties. It was the site of much activity with two battles, one in Blountville and one in Kingsport. The railroad, completed in 1859, was the target of many raids and much destruction.

SULLIVAN COUNTY TODAY: Among the 95 counties in Tennessee, Sullivan is the 5th in population though 55th in land area with 428 square miles. The Federal Census of 1990 showed 143,596 persons in Sullivan County. It has become one of the most prosperous counties in the south.

Mrs. Hal T. Spoden

COUNTY POLICIES

PROBATIONARY/TRAINING PERIOD

Every effort will be made to help you adjust to your new job. Once you have been hired by the County, it is in the best interest of all concerned that you become thoroughly familiar with your duties and responsibilities and that you be properly trained in your job. A training period of at least six (6) months will begin your employment. Your probationary period may be longer than six (6) months in certain departments. Employees who are transferred from one department to another may be required to serve new probationary periods in the new departments.

During your probationary period, your supervisor will provide training, assistance and close supervision to aid you in becoming thoroughly familiar with your duties and responsibilities. Your attitude toward your work and co-workers, the quality of your work and your willingness to assume responsibility will be carefully observed. During your probationary period, your supervisor will observe and evaluate your ability. This period of time also gives you the opportunity to decide whether you wish to continue your service for the county government. Additionally, your receipt of the various benefits offered by the County will not begin until after satisfactory completion of your probationary period.

EMPLOYMENT AT-WILL

As an at-will employee, you may resign or the County may release you and employment may be terminated at any time during your employment.

EMPLOYEE CLASSIFICATIONS

Regular Full-Time Employee—an hourly employee working thirty-five (35) or more regularly scheduled hours in a work week who was appointed under County regulations, who has satisfactorily completed his or her probationary period. This classification includes all salary-paid positions.

Part-Time Employee—an employee who, on a regular basis, works less than thirty-five (35) hours in a work week or who is classified as extra help. Part-Time Employees are not eligible for the full range of benefits enjoyed by full-time employees.

Seasonal Employee—an employee whose employment is limited to six (6) calendar months or less in any twelve (12) month period. Seasonal employees are not eligible for benefits.

EQUAL EMPLOYMENT OPPORTUNITY

Sullivan County is an equal employment opportunity employer, fully committed to ensuring equal employment opportunity to all employees and applicants regardless of race, creed, gender, age, color, religion, national origin, handicap or veteran status. The County's commitment to equal opportunity is reflected in our advertising, recruiting, hiring, compensation, promotions, transfers, training, benefits and all other terms and conditions of employment.

County management firmly believes that adhering to the concepts of equal employment opportunity is simply good business practice. The County is dedicated to these concepts and our approach is based on our belief in them, not just because this is the law, but because it is the right thing to do.

PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS/BACKGROUND CHECKS

Some departments, at their expense, may require a prospective employee to pass a physical and in some cases a psychological examination prior to being employed by Sullivan County. Such examinations will be reviewed to assure job-relatedness, and consistency with business necessity. Likewise, some employees may be required to submit to a background check to determine suitability for a particular position with the County.

SEXUAL HARASSMENT

Sexual harassment is a violation of law. The County will not tolerate such activity. Sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when such is made, either explicitly or implicitly, a term or condition of an individual's employment, or is used as a basis for employment decisions, and/or is such as to interfere with an individual's work performance, or to create an intimidating, hostile or offensive working environment are strictly prohibited.

An employee who feels he or she has suffered sexual harassment, or who has knowledge of any incident that may involve sexual harassment, should immediately report the incident to his or her supervisor or Department Head. If you are uncomfortable discussing this matter with your supervisor and/or department head, you should report the incident to your Constitutional Officer/Elected Official. If you are uncomfortable reporting to your Constitutional Officer/Elected Official, you should report the incident to the County Executive. If you are uncomfortable with reporting to the County Executive, you should report the incident to any of the other Constitutional Officers. Sexual harassment charges will not be taken lightly, and all reports of sexual harassment will be thoroughly investigated. Any employee found responsible for harassment of another employee will be subject to discipline up to and including discharge.

OPEN DOOR POLICY

The County is sincerely interested in your personal welfare and makes every effort to be fair and considerate and consistent at all times. However, if you believe you have been treated unfairly, or if you are in disagreement with a specific company policy or practice, you should discuss the problem with the appropriate management personnel.

You should feel free at any time to discuss problems of any nature which affect your ability to perform your job or your working relationship. The County's open door policy includes access to supervisors, management and administrators. If you need help or have questions, you should first discuss the problem with your supervisor. If the problem cannot be resolved at this level, you should refer the problem to the appropriate Department Head or Constitutional Officer.

DRESS CODE AND UNIFORMS

All employees are required to maintain as neat and safe an appearance as possible. Employees should recognize that their appearance is a reflection on the County and should groom themselves accordingly. Employees are expected to maintain themselves in a manner that will favorably impress members of the general public. All employees are required to wear shirts at all times. Shirts with slogans, sayings, advertisements, etc. are likewise not permitted. Undercover agents of the Sheriff's Department are specifically exempted from this policy. Those employees who are required to wear uniforms during their employment, are expected to maintain their uniforms in a neat, freshly-laundered manner.

TELEPHONE USAGE

When you are talking to people over the telephone, you represent Sullivan County and your department. What you say, as well as how you say it, can affect the image of the County and your department.

Use these telephone tips:

1. Answer promptly
2. Identify yourself
3. Transfer calls properly
4. Speak distinctly
5. Hang up gently

Use of the telephone during regular work hours for calls of a personal nature, except in emergency cases, is discouraged. You will not be called to the telephone except in necessary or unusual circumstances. Please ask friends and family members not to call you during working hours except in cases of emergency. For your protection and personal privacy, your home telephone number will not be released to callers.

ATTENDANCE AND TARDINESS

The County makes every effort to maintain an adequate and reliable work force. Regardless of your employment status, you are responsible for notifying your supervisor when and if you must be away from your job. Always do this as far in advance as possible. In cases of unexpected absence or tardiness, notice should be given no later than the starting time of your scheduled shift.

When you have notified your supervisor in advance and have obtained the supervisor's permission to be absent, the absence is excused. When your supervisor has not been notified, or has not given permission, the absence is unexcused. Excessive unexcused absence and excessive unexcused tardiness will result in disciplinary action. Three consecutive shifts of unexcused absence will result in a determination that you have voluntarily quit your employment, unless compelling reasons are shown for your failure to provide notice of your absence. Where absence is the result of personal illness, the County may require a proper written release from a physician before excusing the absence and before permitting you to return to work. Law enforcement and corrections personnel will be deemed to have voluntarily quit their employment upon one shift of unexcused absence.

PERFORMANCE EVALUATIONS

The County recognizes that you like to know how you are doing on the job. Therefore, in addition to the day to day comments from supervisors, a need exists to occasionally review all phases of your work performance. The performance evaluation procedure requires each supervisor to evaluate your performance periodically. You are encouraged to participate in your performance evaluation by expressing your opinion, asking questions, and making suggestions concerning your job.

The purpose of these performance evaluations is to provide both you and the County with a periodic evaluation of your performance on the job, to identify any areas where you can improve your performance, and to highlight the areas of exceptional job performance. The performance evaluation allows you to discuss your goals and express your comments and any concerns regarding your job. Your review will cover areas such as:

1. The amount of work which you accomplish.
2. The accuracy and thoroughness of your work.
3. Your dependability and attendance on the job.
4. Your attitude toward your job, co-workers and supervisors.
5. Your ability to organize and plan your work.
6. Your knowledge of your job duties.
7. The enthusiasm, attitude and initiative you demonstrate in your work.
8. Your comments, questions and concerns.

The performance evaluation also gives you a formal opportunity to have a personal, two-way discussion with your supervisor, and to learn how you can improve your job performance, and what your department can do to help you. You will be given the opportunity to include your comments on the performance evaluation form, and will be requested to sign the form. The County uses the performance evaluation program to assist its employees in attaining maximum development of their individual talents and abilities.

INABILITY OR UNWILLINGNESS TO PERFORM

If, after being placed in a position, an employee demonstrates, in the opinion of the departmental supervisor, the inability or unwillingness to perform his or her assigned tasks, the departmental supervisor will have the option to reduce the employee's classification, pay, and job responsibility, and/or impose appropriate discipline. The County may reassign the employee to a more suitable position, if available, or otherwise discharge the employee. Each County employee is employed at will, and employment may be terminated by either the employee or the County at any time.

DISCIPLINARY ACTION

The County expects you to follow County policies and conduct yourself in a mature, safe, responsible manner while at work. The County believes that all disciplinary measures should be commensurate with the severity of the offense. The decision to issue a warning or take more serious action will depend on the nature of the offense and the circumstances involved. These decisions are made at the County's discretion.

The following infractions are meant to be illustrative, not exhaustive, and may result in immediate termination or other disciplinary action:

1. Abusive, threatening or inconsiderate treatment of the public or co-workers.
2. Arrest for or conviction of a criminal charge.
3. Theft or destruction of County property, whether the result of carelessness, misuse or willful behavior.
4. Violation of rules and regulations of his or her department or any other failure of good behavior which reflects discredit upon the employee, the department, and the County Government.
5. Stealing, deceit or other dishonesty.
6. Conduct during working hours below the standard of his or her department head.
7. Reporting to work under the influence of alcohol or drugs, or use or possession of the same during work time.
8. Provoking a fight, personal harassment or unprovoked attack while at work or in County buildings.
9. Falsification of your own or another employee's time card.
10. Disloyalty to the aims and ideals of the department and County.
11. Tardiness, absences or abuses of leave of absence.
12. Inefficiency.
13. Insubordination, which includes failure or refusal to carry out instructions and job assignments from a supervisor and the use of abusive language toward supervision.
14. Horse-play in County buildings or while on the job.
15. Possession of loaded firearms or other dangerous weapons while at work, where such is not an express requirement of your job.
16. Unauthorized use of County tools, equipment or vehicles.
17. Conducting personal business on County time.
18. Excessive receipt or making of non-emergency personal telephone calls.
19. Failure to observe safety in all work practices.
20. Failure to obey all County policies and procedures.
21. Removing or making inoperative the safety devices on a piece of County equipment or County vehicle, whether or not injury results from such violation.

Acts other than those listed may result in disciplinary action as well. If you have any questions about acts which may cause an employee to be disciplined, please see your supervisor.

The following are types of disciplinary action the County may utilize:

- (a) Oral Warning - your supervisor will make a written report of this warning to indicate that the warning has been fully explained to you.
- (b) Written Reprimands - this step is appropriate for more serious rule violations or continued problems of performance or conduct.
- (c) Written Warning with Suspension - serious or continued performance problems or conduct or problems for which prior disciplinary steps have been taken may result in a written warning and a suspension from active employment, with or without pay. An employee may be suspended for up to thirty (30) days during a twelve (12) month period for each incident.
- (d) Dismissal - serious or continued performance problems or conduct or problems which continue despite prior disciplinary steps may result in discharge from employment. However, you may be terminated without prior warning for failure in performance or an instance of major misconduct.

Although these procedures suggest an order of consequences due to severity and frequency of incidents, the County reserves the right to skip any or all of these steps when disciplinary action becomes necessary because of misconduct.

COMPLAINT PROCEDURE

It is the intent of the County to provide fair, consistent and constructive problem solving for use by all employees. The County recognizes that problems may arise with regard to interpretation or application of the County's policies and that occasional disagreements with fellow workers or supervisors may arise. If you find yourself in this situation, or if you feel that you have been unfairly treated in resolution of a problem, you are encouraged to bring that concern forward for further discussion and resolution.

Action under this complaint procedure may be taken without fear of recrimination and will be met with sincerity and a desire to achieve a mutual understanding of the situation. The County assures all employees access to additional management personnel. However, every effort should be made to deal with the concerns at your closest management level.

1. Issues should first be discussed with your immediate supervisor. After a thorough discussion of the issue, which includes an opportunity for you to present your concerns, your supervisor will investigate and respond to you. If your supervisor fails to respond to your complaint in a timely manner, or if you find that you and the supervisor have failed to reach an understanding, you may consider the next step.

2. If you are not satisfied with the first step of the complaint procedure, you may then refer your concerns to the appropriate department head. You should prepare a written summary of the situation or concern so that your position will be fully understood. The department head will review all information relevant to your concern and will review the relevant County policies and procedures with you. After a consideration of all the facts, the department head will render a decision in writing to you and your supervisor.

HOUSEKEEPING

Typewriters, adding machines and other equipment should be covered before leaving for the day. Care in handling equipment will help avoid unnecessary losses.

Whether you work in an office, laboratory, or in the field, the way you handle and maintain the equipment assigned to you reflects the quality of your work in general, and it certainly has a bearing on the opinions formed by the general public.

PERSONNEL INFORMATION

An employment and personnel record is maintained for each employee of the County. To assure that you receive all the benefits to which you are entitled under all conditions of employment, it is important that you keep your personnel records up-to-date at all times. If you have a change in marital status, number of dependents, address, telephone number, insurance beneficiary, legal name, etc., you should promptly furnish a written notice of such change to the designated individual in your department for receipt of such information or your department head. If necessary, you will then be contacted to sign the required change forms. Personnel records are maintained by your department head, and the information contained in these records is confidential to the greatest degree possible, but may be subject to review under State and Federal Public Access Legislation.

RETURN TO COUNTY EMPLOYMENT

Consistent with our policy of obtaining and keeping the most qualified employees possible, the County does not prohibit reemployment. If your employment with the County has been terminated by either you or the County on good terms, you may be considered for reemployment at a later date. Employees who leave without adequate notice or who were dismissed for cause will not be considered for reemployment, except under unusual circumstances.

Employees who voluntarily leave the employment of the County, and later return, must work three (3) full years before their previous period of service is reinstated and shall be subject to the same probationary period as that of a new employee. Employees who are laid off because of a reduction in work force can have their previous time reinstated immediately upon reemployment with the County.

SAFETY

SAFETY POLICY

The County realizes that accidents can not only cause personal injury, pain and hardship, but are also expensive. The County makes every effort to provide safe working conditions, equipment and work procedures. All employees are expected and required to practice safety at all times.

If you observe any unsafe conditions or work practices, you should report them to your supervisor **IMMEDIATELY**. Do not take any risks on the assumption that "it probably won't cause harm this time." The one exception taken could result in personal tragedy or harm to you or a fellow employee.

Most accidents are preventable through proper care, use and maintenance of equipment and facilities, alertness on the job and thorough, good housekeeping practices. Most accidents are the result of unsafe work practices. At any time during your employment, if you find that you are physically unable to perform the functions of your job, your concerns should be brought to the attention of your supervisor so that reasonable accommodation may be considered if appropriate in your situation.

ACCIDENTS

All accidents, no matter how slight, must be immediately reported by employees to their supervisors or managers. Even if no permanent physical injury or property damage occurs, problems can often arise later if accidents are not reported immediately and the appropriate accident forms are not promptly and accurately completed. If you are not employed by the County in the capacity that requires emergency response training, and you are involved in, or witness, an accident and/or injury, you should give whatever assistance you can to the injured person, including notifying emergency medical personnel by calling 9-1-1. If the person appears seriously injured, **DO NOT MOVE** him or her unless directed to do so by emergency personnel.

An investigation of every accident will be conducted to determine the cause of the accident and to prevent other accidents of the same nature. The purpose of the investigation is to help prevent future accidents, not to place blame on anyone.

WORKERS COMPENSATION

If you are injured on the job, you will be paid by the County for the remainder of the workday in which the injury takes place. If you are hospitalized on the day of the injury, or if you are required to miss work to recover from the injury, you will receive no further wages, but may receive benefits through worker's compensation. If your injury requires an absence of less than fourteen (14) working days, you may be permitted to use accrued sick leave, vacation or personal days to receive compensation for the first seven (7) days. If your injury requires you to be absent from work for fourteen (14) days or more, worker's compensation benefits may be paid retroactively to the first day missed. For this reason, you will not receive compensation for the first seven (7) days until after it is determined whether worker's compensation benefits will be available. You are not permitted to receive vacation, sick or personal leave while receiving worker's compensation benefits. If you are injured on the job and require non-emergency medical treatment, please see your supervisor for the proper course of action to pursue.

The County will not be responsible for payment of worker's compensation benefits for any injury which arises out of an employee's voluntary participation in any off-duty recreational, social or athletic activity which is not part of the employee's work-related duties with the County. Attempting to collect workers compensation benefits for injuries which do not occur on the job and/or artificially inflating the value of a legitimate claim is considered fraud and is a violation of the law. Employees who fraudulently attempt to obtain benefits will be subject to immediate discipline, up to and including termination, and may be subject to criminal prosecution.

SUBSTANCE USE POLICY

The County is concerned about the effects of the use of illegal drugs and the use and abuse of alcohol upon the health and safety of its employees. The County recognizes that alcohol impairment, alcoholism and the use of illegal drugs lead to increased accidents and medical problems, and can lead to the destruction of an employee's health, ability to perform well at work, and quality of life. Employees who abuse drugs or alcohol are not only a danger to themselves, but to their fellow employees as well. In addition, employees who abuse drugs and/or alcohol incur increased medical costs for both the County and for the employee. These costs are generally much higher than those of other employees, and a decrease in productivity of these individuals results from absenteeism and turnover that can adversely affect the employment of every County department.

In light of these concerns, and in keeping with the provisions of the Drug-Free Workplace Act, the County intends to maintain a work environment free of the problems associated with the use of alcohol and the use of illegal drugs. Therefore, the County has adopted the following policy, the purpose of which is the maintenance of a drug and alcohol free workplace.

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is hereby prohibited.
2. Any employee found to be engaged in the unlawful manufacture, distribution, dispensing, possession or use of any controlled substance in the workplace or on County property shall be immediately disciplined, up to and including discharge from employment upon discovery.
3. Possession and/or use of alcoholic beverages during work time on work premises is prohibited. Likewise, reporting for work with the presence of non-prescribed controlled substances or alcohol in the system is prohibited. Violators will be subject to discipline up to and including discharge from employment upon discovery. Law enforcement officers who have lawful custody of evidence and are transporting same are not subject to discipline under this policy so long as such evidence is legally maintained.
4. Employees who must maintain a commercial driver's license as a condition of their employment are further subject to the rules and regulations of the United States Department of Transportation and the Tennessee Department of Transportation.
5. Certain departments of the County may require drug and alcohol testing in conjunction with employment in that department. Your supervisor will notify you if your department is among those that require testing. In the event that your department requires testing for safety-sensitive positions, your agreement to submit to testing is an express condition of your continued employment with the County.

6. As an express condition of employment, employees of the County must agree as follows:

a. To abide by this policy; and

b. In the event any employee is arrested and/or convicted under any criminal drug statute for a violation occurring in the workplace, or during working time, must notify his or her supervisor or department head of the criminal drug statute arrest and/or conviction immediately. Convictions shall include pleas of guilty or nolo contendere (no contest).

c. Within thirty (30) days of receipt of the notice of conviction by the supervisor or department head, the employee in question shall be disciplined, up to and including discharge.

Any employee who has accrued compensatory time off must request use of such compensatory time and shall be permitted to use such time off within a reasonable period provided the use of such compensatory time does not unduly disrupt the operations of the department. A "reasonable period" will be determined by the normal schedule of work within the department, the anticipated workloads based on past experience and the availability of qualified substitute staff.

BREAK PERIODS

At the discretion of your supervisor, you may be allowed break periods of ten (10) minutes in the first half of your shift and again during the second half of your shift. Abuse of "breaks" by habitually taking more time than stated herein could result in curtailment of the privilege and/or disciplinary action. The "break periods" must be arranged in such a way that a qualified employee is available to perform your departmental duties at all times.

WAGES AND HOURS

SALARY

If you have questions about your wage, please ask your supervisor or department head.

PAYDAY

The departments of the county have different pay-days. You will be informed by your departmental supervisor of your specific payday.

PAYROLL DEDUCTIONS

The following deductions will be made from your paycheck:

- a. Federal Withholding Tax
- b. Social Security
- c. Volunteer Deduction (authorized by you)
- d. Absences from work not covered by appropriate leave credits.
- e. Medicare Contribution

WORK WEEK

The weekly work schedule shall be determined by your departmental supervisor with special provisions made in departments that require additional hours to meet existing conditions or emergency situations.

OVERTIME/COMPENSATORY TIME OFF

Working overtime is sometimes necessary. You are expected to cooperate with your supervisor when asked to work overtime. No overtime work will be authorized except at the request of your supervisor. In accordance with the Fair Labor Standards Act, the County has a policy of granting employees compensatory time off in lieu of overtime. Compensatory time off will be granted at the rate of one and one-half hours for every hour of overtime worked.

The point at which compensatory time off begins to accrue is determined by the nature of the work in which you are engaged. Employees engaged in law enforcement begin to accrue overtime after 171 hours in a twenty eight (28) day work period, and firefighters begin to accrue overtime after 212 hours in a twenty eight (28) day work period. All other County employees in non-exempt positions begin to accrue compensatory time off after forty (40) hours in a week. Public safety, emergency response and seasonal employees may accrue up to 480 hours of compensatory time, while all other non-exempt County employees may accrue up to 240 hours of compensatory time. If you are unsure of your classification with regard to this policy, please ask your supervisor for guidance.

Employees called out to work on a holiday will be paid regular time for the holiday plus time and one half. Employees called out to work on a non-holiday will be paid a minimum of three (3) hours regular time. Employees who have worked a sufficient number to place them on overtime accrual status will begin to accrue compensatory time for every hour worked, and are guaranteed at least three (3) hours credit.

BENEFITS

Sullivan County provides all regular employees with a number of excellent benefits that are designed to provide flexibility and financial advantage to its employees.

CREDIT UNION

All full time employees are eligible to become members of the Sullivan County Employee Credit Union. The credit union offers full banking resources (checking and savings accounts, loans, Christmas clubs, etc.) often with lower service charges and better interest rates than regularly available through a commercial bank.

LEGAL HOLIDAYS

The County observes ten (10) paid holidays per year. Because of the variety of County services, all employees may not be able to observe holidays on the same day. If your work schedule requires a deviation from the holiday schedule, your supervisor will tell you about it.

Due to the school schedule, Education Department employees have some holidays which do not coincide with those observed by other County employees. However, all County employees will receive ten (10) paid holidays per year.

When a holiday falls on Saturday, the Friday preceding the holiday is observed. When it falls on Sunday, the Monday following the holiday is observed.

The County observes the following holidays:

New Year's Day

Good Friday

Memorial Day (all employees other than Education Department)

July 4th

Labor Day

ETEA (Education Department only)

Veterans' Day (all employees other than Education Department)

Floating Holiday (Education Department only)

Thanksgiving--2 days

Christmas--2 days

(If Christmas falls on Tuesday, Wednesday or Friday that day plus the work day preceding it will be observed. If Christmas falls on Monday or Thursday, that day plus the following work day will be observed. If Christmas falls on Saturday or Sunday, the preceding Friday and following Monday will be observed.)

In years of state and federal elections, certain election days may also be treated as paid holidays.

Employees who choose not to work some part of the week in which the holiday falls, or who are on a planned vacation during that week, will not be paid for the holiday, unless they have received five (5) days prior approval for the non-holiday absence. Likewise, if an employee is not on a pay status during the week in which the holiday falls, he or she will not be paid for the holiday absence.

The County Executive may designate a "No Work Day" on any day when employees are unable to work due to unforeseen circumstances such as inclement weather conditions. Such days are paid and treated in the same manner as a holiday.

VACATIONS

It is the policy of Sullivan County to promote employee efficiency, health, and morale through periodic vacation from duty. Each regular employee will accrue vacation as follows:

<u>Length of Service</u>	<u>Length of Vacation with Pay</u>
less than 1 year	.42 days per month
1 through 5 years	.83 days per month
6 through 14 years	1.25 days per month
15 through 25 years	1.67 days per month
26 or more years	2.08 days per month

No vacation may be taken during the initial probationary period. If an employee is separated from County employment prior to the completion of the probationary period, no vacation accrual will be paid.

The County wants you to take your vacation, but it must be scheduled at the convenience of your department and no less than one day at a time. Vacation requests must be made to the department supervisor at least five (5) days prior to the beginning of the vacation. Approval of a vacation request will be based on the wishes of the employee, the efficient operation of the department and the length of service of the employee relative to others in his or her work group. At the beginning of a calendar year, employees may carry over any unused vacation from the previous year at the same rate as their monthly accrual rate in December would be multiplied by twelve (12).

No vacation may be accumulated while on leave without pay.

Upon separation from employment or death, you or your estate will be compensated for any unused vacation.

SICK LEAVE

All regular employees employed after July 1, 1965 will receive paid sick leave in the amount of one (1) day per month. Sick leave may be granted for a variety of situations, and may be used in conjunction with the Extended Leave Policy. Examples of situations for which sick leave may be approved include:

- a. Your absence from duty because of personal illness.
- b. Your disability due to accident.
- c. Your exposure to contagious disease.
- d. Medical appointments which have been submitted to the supervisor three (3) days in advance of the appointment.
- e. Your absence from duty necessitated by illness or death in your immediate family, not to exceed three (3) days unless approved by your Department Head. (Immediate family is defined to include your spouse, parent, grandparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, legal guardian, brother, sister, brother-in-law, sister-in-law, any other person of kin who served as a parent for a period of at least one year, and children).

If you are unable to report to work at the designated time due to illness, either your own or that of someone for whom you are responsible, you must notify your supervisor in advance of the beginning of your shift. Separate notice must be given for every day for which sick leave is used. Use of three (3) or more days sick leave on any one occasion will result in the absence becoming subject to the requirements of the Extended Leave Policy. An employee is not eligible for sick leave during periods when he or she is receiving workers compensation benefits.

Sick leave will not continue to accrue during an employee's absence for leave without pay. Sick leave is not transferable from one employee to another employee except in exigent circumstances approved by the Constitutional Officer/Elected Official. Unused sick leave cannot be "cashed out". Time off from work on authorized sick leave will be paid at the employee's regular rate as of the first day of the sick leave.

New employees shall be eligible for sick leave as it accrues. There is no limit to the number of sick days you may accumulate. Any accumulated unused sick leave will be credited toward service time for retirement.

Each time (not each day) an employee takes sick leave will be considered an "occasion". An occasion is defined as a period of time missed from work, beginning when an employee misses the first scheduled work, and concluding upon an employee's return to work. If an employee receives five (5) occasions in a consecutive ten (10) month period which are not approved by his or her supervisor or department head, the employee will have a meeting with his or her supervisor concerning excessive absenteeism and will be placed on a sixty (60) day probationary period. If an employee receives two (2) occasions while on probation, he or she will be suspended for two (2) weeks without pay. Further abuses may result in termination.

Each occasion will be removed from consideration under this policy twelve (12) months after the employee's return to work.

EXTENDED LEAVE POLICY

In recognition that situations may arise which require employees to be absent from work for an extended period of time, the County gives eligible employees the opportunity to take leave for family and medical reasons as necessary.

Employees who have been employed with the County at least twelve (12) months and who worked at least 1,250 hours during the last twelve (12) months preceding the requested leave are eligible to request leave under this policy. In order to assure each employee equal opportunity, the period for calculating eligibility for and availability of the leave will be calculated based on the twelve (12) month period immediately preceding the first day of the requested leave.

The request forms for leave should be obtained from your department head. When possible, employees must give a thirty (30) day advance notice of the need to take a leave. When it is not possible to give an advance notice (emergencies, etc.), an employee should inform his or her supervisor and department head as soon as possible and reasonable.

Leave is available for birth or adoption of a child, placement of a child in your home for foster care, the serious health condition of a spouse, son, daughter, or parent, or a serious personal health condition which prevents you from being able to perform your job. You may choose to take the full twelve (12) weeks of available leave at once, on an intermittent basis, or work a reduced work schedule up to the maximum of twelve (12) weeks. The County may choose to transfer you to an area in which the work is better suited to recurring periods of leave. Female employees will be granted an additional four (4) weeks of leave (for a total of four (4) months available leave) for absence related to pregnancy and birth of a child.

Employees who take extended leave are required to exhaust their available sick leave. If more than twelve (12) weeks of sick leave are available to the employee, the leave may be extended until the supply of sick leave is exhausted. If fewer than twelve (12) weeks of paid sick leave are available, the remainder of the leave will be unpaid. You may choose to use accrued vacation during this period. Your insurance will be maintained during the leave by the County so long as you continue to pay your part of the cost of the plan.

Due to the nature of services offered by the County, it is not always possible to hold a position open for twelve weeks. However, all employees who return from an extended leave under this policy will be given a position with similar duties, responsibilities and authority, with the same pay and benefits. You will be assigned to the same shift when possible, but this is not guaranteed. If a temporary or permanent reduction in the workforce occurs that would affect your position, you will be eligible to return to work when you are recalled from the layoff if that is after your leave would have ended. Employees who use leave granted under this policy to pursue alternative employment will be deemed to have voluntarily quit employment with the County.

All employees are required to show written certification that documents the reason for the leave. Forms for completion by a physician or other health care provider will be provided by your department head. If you take leave for personal health reasons, you must show medical certification that you are able to return to work.

This policy is intended to be consistent with the Family and Medical Leave Act of 1993 and the Tennessee Maternity Leave Act, and is intended to confer no lesser rights than those provided by statute.

MILITARY LEAVE

Pursuant to Tennessee Code Annotated Sections 8-33-101 through 109, military leave will be granted under the following conditions.

ACTIVE DUTY

An employee whose employment is interrupted by service in the United States Armed Services will be expected to show his or her orders to his or her supervisor as soon as they are received. Regular employees are eligible for reemployment after completing military service provided:

1. You provide proof of an honorable discharge,
2. Your military service was not in excess of four (4) years, unless involuntarily retained in the Armed Services, and
3. You apply for reinstatement within ninety (90) days from release from active duty or within thirty-one (31) days after release from initial duty of training of not less than three (3) months or on the next regularly scheduled work period following other types of training duty, an absence for induction or examination, or after rejection.

An honorably discharged veteran will be reinstated in a position which will be the same or equal in relation to the one which he or she left and full seniority credit will be given for the time spent in the Armed Services, provided the above requirements are met.

RESERVE OR NATIONAL GUARD TRAINING LEAVE

Any employee who is a member of the Reserve Corps of the Armed Forces of the United States of America will be granted a military pay allowance for training each year as required, a maximum of fifteen (15) working days of which may be paid in a calendar year, pursuant to Tennessee Code Annotated Section 8-33-109. It is not necessary to use your vacation time for military leave. Sullivan County will recognize the following as an official organized reserve unit:

- a. Air National Guard
- b. Army National Guard
- c. Air Force Reserve
- d. Army Reserve
- e. Coast Guard Reserve
- f. Marine Corps Reserve
- g. Naval Reserve

In order to be eligible for a pay allowance, you must meet each of the following qualifications:

- a. Must be employed on a regular basis.
- b. Must return to regular full time employment immediately following temporary military duty unless illness, disability or an approved absence (to be determined by the department head consistent with the other leave policies contained herein) prevents or delays your return to work.

After you have received your orders for temporary duty, you will show your departmental supervisor a copy of the orders. The department head will grant permission for you to be absent. If individual orders are not issued, a statement from the commanding officer will be acceptable.

Any deviation from these procedures shall require the approval of the Sullivan County Board of County Commissioners, or Sullivan County Board of Education, depending on the department in which the employee works.

PERSONAL LEAVE

Upon satisfactory completion of the probationary period, each employee will be granted three (3) personal days with pay each calendar year. These days may be used by the employee as the employee sees fit in increments of no less than ½ day at a time. You should advise your immediate supervisor as soon as possible prior to taking a personal day so that plans to cover your job during your absence may be made. If you do not provide reasonable advance notice for a non-emergency use of a personal day, and/or your absence will cause a hardship on others, your supervisor has the discretion to deny authorization for the personal day. Personal days are separate from vacation and sick leave. In the event your employment is terminated during the year, or if you are hired during the year, granting of personal days will be pro-rated at the rate of one (1) day for every four months worked or to be worked during the year.

LEAVE OF ABSENCE

Subject to approval by your department head, leave without pay, for not less than two (2) weeks, but in any case not to exceed 12 months, may be granted. If it is necessary for you to be absent from work and you do not have enough accrued leave to cover your absence, you will be charged with a leave of absence. The following conditions must be met before extended leave without pay will be granted.

- a. You must use all of your accumulated annual leave of whatever type.
- b. In cases of sickness, you must use all of your sick leave.

If you are required to miss work due to unforeseen circumstances and you do not have any vacation, sick leave, or personal leave available, you may be granted emergency leave WITHOUT pay. This leave must be approved by the supervisor or department head and should be used only in cases of extreme emergency.

JURY DUTY PAY

The County encourages its employees to serve on jury duty if they are called. If you are summoned for jury duty, please notify your supervisor as soon as possible so that plans can be made to cover your job during your absence. In order to avoid any severe financial loss to you from serving on jury duty, the County will pay the difference between your jury duty pay and the amount you would have earned at your regular, straight-time rate. Overtime pay will not be paid for jury duty.

To be eligible for jury duty pay, you must get a statement from the Court Clerk indicating the time and days you served on the jury and the amount you received as jury pay. You will not be paid for time that you did not actually spend serving on jury duty or traveling to and from the courthouse. If you serve in excess of three (3) hours, you will be compensated for the full day. You are expected to call in to your supervisor every day upon completion of your service **REGARDLESS OF THE TIME YOU COMPLETE YOUR SERVICE** so that a decision can be reached about whether you are to return to work that day or not. The time you call will be checked against the statement from the Court Clerk to verify the actual time you spent on jury duty.

Temporary employees who have been employed less than six (6) months are not eligible for jury duty make-up pay. Such employees will be excused from working during the term of their jury service.

This policy is in keeping with Tennessee Code Annotated, Section 22-4-108 and is intended to confer no greater or lesser rights than those granted under said statute.

TESTIFYING IN COURT

The County encourages all employees to fulfill their duties to testify when called in both Federal and State courts. Therefore, the following procedures shall apply when an employee is subpoenaed to appear in court:

1. Upon receiving a subpoena to appear in court or similar proceedings (i.e. deposition), the employee shall, on the next day he or she is working, but in no event later than two (2) days prior to the appearance date identified in the summons, show the summons to his or her supervisor.
2. The employee will be granted a leave of absence when the employee is subpoenaed by proper authority to appear in Federal or State court as a witness. The employee will be required to provide verification that the trial for which he or she is subpoenaed to give testimony actually took place on the date and time for which the subpoena was issued and that the employee appeared to give testimony at trial. Such verification must include the dates on which the employee was required to be available.
3. The employee will receive his or her regular compensation when subpoenaed as a witness.
"; however, this shall not apply to Court appearances as a result of off-duty employment."
4. The employee may retain all compensation or fees received for serving as a witness.
5. If the employee is relieved from being a witness during working hours, the employee is to report back to work at the County.
6. The above provisions concerning compensation for time in court do not apply if the employee is involved as a plaintiff or defendant in private litigation. On these occasions, the employee must take vacation, use time accrued under the "Compensatory Time Off" policy or leave without pay.

MEDICAL INSURANCE

The County recognizes that financial protection against medical costs is a very important and valuable benefit to you. For this reason, the County provides medical insurance to its employees at the lowest possible cost to you. Individual and family options are available to help you protect your family as well as yourself. Employees must enroll in the medical plan within thirty (30) days of employment or of the date upon which the employee or a dependent becomes eligible for coverage.

The County pays the bill for all eligible claims under this coverage, and has retained a third party administrator to administer the day to day aspects of the plan. Insurance benefits are available to all regular, full-time employees who work at least thirty-five (35) hours per week. To enroll in the insurance plan, you must fill out the enrollment form and return it to Payroll.

LIFE INSURANCE

The County has procured a group life insurance policy for each regular full-time employee of the County after six (6) months of employment with the County. You may choose to increase this coverage amount and add your dependents at your own expense.

RETIREMENT

All regular full-time employees of Sullivan County become members of the Tennessee State Retirement System immediately upon employment. Sullivan County pays 100% of all contributions made on the employee's behalf. Benefits to the employee as a member of this retirement program compare most favorably with any other retirement plan and include a five (5) year vesting schedule. You will be furnished a booklet explaining this program at the time you are enrolled in this retirement plan.

Upon separation from employment with the County, your portion of the retirement fund remains undisturbed until such time as you meet the eligibility requirements and apply for your retirement benefits. This may be a number of years after your separation from employment. Those employees who made contributions under the plan which terminated on June 30, 1987 will be eligible to receive a portion of their benefits upon termination from employment with the County.

SUMMARY AND A CLOSING WORD

The material presented in this handbook in regard to policies, benefits and relationships is, of course, in a condensed form. For further clarification of any policy outlined in this handbook, please ask your supervisor or department head.

While the County intends to continue the foregoing policies, benefits and rules, it reserves the right to make any changes from time to time as, in its judgment, may be advisable. At times and in some cases, the application of these principles, rules and policies may be affected by government regulations. We will, of course, fully comply with all laws and government regulations. You may be assured that no changes will be made except after due consideration of the mutual advantages, benefits and responsibilities of the County and its employees.

The information provided in this handbook, its updates and supplements, contains guidelines which reflect general policies and procedures, as well as summaries of County benefit plans, and in no way creates a contract or agreement of employment. Nothing contained in this handbook, its updates or supplements, alters or prevents the County or the employee from terminating employment at any time for any reason, subject to applicable federal and state laws.

Your eligibility for any particular benefit plan is not established merely by your receiving this handbook. Participation depends upon having qualified under specific plan provisions or, in some cases, upon your voluntary participation. Please refer to each plan to determine your eligibility.

We look forward to a profitable and mutually rewarding relationship. Thank you.

RECEIPT OF HANDBOOK

I have received my copy of the Sullivan County Employee Handbook which outlines certain policies, practices and employee benefit guidelines relating to my employment with the County. I acknowledge my responsibility to read and understand the information contained in the handbook and further understand that this receipt will be placed in my personnel file.

I hereby consent to compensatory time off as the method of compensation for all overtime hours worked as described in the handbook.

I understand that the policies, practices and employee benefits described in the handbook are general guidelines which are subject to change and revision at the discretion of the County. Therefore, it is understood that changes in policies may supersede, revise or eliminate the policies, practices and benefits in the handbook.

I further understand that the handbook does not constitute a contract of employment, or a contract of employment for any specific duration, and that my employment relationship is terminable at will and may be ended by either me or the County at any time for any reason. Any change to this handbook, or to my at-will status, must be in writing, signed by the appropriate Constitutional Officer.

This is a newly revised handbook which supersedes and replaces all previous handbooks, policies, practices and communications, whether written or verbal. Each department may adopt additional policies tailored to its specific needs. Such policies are to be read consistently with those included in this handbook. In the event information contained in a departmental policy statement is inconsistent with the provisions of this manual, the departmental statement governs unless contrary to law.

Employee Signature

Date

RESOLUTION NO. 279

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF MARCH, 1996.

RESOLUTION AUTHORIZING the Employment of Hunter, Smith & Davis to Conduct Supervisor Training

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 18th day of March, 1996,

THAT, WHEREAS, the Sullivan County Employee Handbook is currently being updated to bring the same into compliance with various state and federal laws; and

WHEREAS, in order for the elected officials, department heads and supervisors to be better prepared to enforce the provisions of the revised Employee Handbook and to address various situations dealing with employment-related issues such as equal treatment of all employees, discipline and discharge of employees, the Americans with Disabilities Act, sexual harassment in the workplace and worker's compensation claims, it is necessary that a training session be conducted;

NOW, THEREFORE, BE IT RESOLVED that the firm of Hunter, Smith & Davis be employed to conduct a supervisor training session which will address various employment-related issues at a cost not to exceed the sum of Two thousand seven hundred (\$2,700.00) Dollars, with said training session to be conducted upon adoption of the revised Employee Handbook;

BE IT FURTHER RESOLVED that the sum of up to Two thousand seven hundred (\$2,700.00) Dollars be utilized from Account No. 51100.300 [County Commission - Contracted Services] to pay for said supervisor training.

(AMENDMENTS ATTACHED)

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15trday of April 19 96.

Attested: Gay B. Feathers Date: 4-15-96 Gil Hodges Date: 4-15-96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER W. McConnell ESTIMATED COST: _____
 SECONDED BY COMMISSIONER J. Blalock FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative			✓	4-1-96
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	1	1	2	
Voice Vote					

AMENDMENTS TO RESOLUTION NO. 9

April 15, 1996

Commissioner Gonce - AMEND: Elected Officials and Department Heads conduct a training session on the new Employee Handbook with employees.

Commissioner Mayes - AMEND: Require all Department Heads and Supervisors to attend.

RESOLUTION NO. 279

COMMENTS: FIRST READING 3/18/96

APPROVED AS AMENDED 4/15/96 - ROLL CALL

RESOLUTION NO. 10

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF APRIL, 1996.

RESOLUTION AUTHORIZING Reallocation of Funds to Self-Insurance Fund - Expenditure Account

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 15th day of April, 1996;

THAT, WHEREAS, reimbursement of funds from insurance covering the fire damage to East High School were placed in Revenue Account No. 44520 (Self-Insurance Fund - Insurance Recovery; and

WHEREAS, these funds must be reallocated to the Self-Insurance Expenditure Account No. 51900.500 to replenish the fiscal year 1995-1996 operating budget;

NOW, THEREFORE, BE IT RESOLVED that the sum of Five hundred thousand (\$500,000.00) Dollars be appropriated from Revenue Account No. 44520 [Self Insurance Fund - Insurance Recovery] to Expenditure Account No. 51900.500 [Self-Insurance Fund].

(WAIVER OF RULES REQUESTED)

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April 1996.

Attested: Gay B. Feathers Date: 4-15-96
 County Clerk Gil Hodges Date: 4-15-96
 County Executive

INTRODUCED BY COMMISSIONER E. Williams ESTIMATED COST: _____
 SECONDED BY COMMISSIONER R. Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			4-1-96
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 1996.

RESOLUTION AUTHORIZING Appropriation of Funds from Undesignated Fund Balance to Employee Benefit Fund/Workmen's Comp

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 1996

THAT WHEREAS, Sullivan County has experienced several serious, costly and unforeseen accidents which required expenditures from the Workmen's Comp fund for FY 1995-96, and

WHEREAS, Additional funding of approximately \$100,000 will be necessary to complete the current fiscal year.

NOW, THEREFORE BE IT RESOLVED, That the sum of \$100,000 be appropriated from Account 39000 - Undesignated Fund Balance to Account 51901.500 - Employee Benefit Fund/Workmen's Comp.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 1996, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

Gay B. Teachers
County Clerk

Date: 4-15-96 *Gil Hodges*
County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: _____
SECONDED BY COMMISSIONER Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			4/10/96
Budget				
Executive	✓			4/15/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April, 1996.

RESOLUTION AUTHORIZING Establishment of the Sullivan County Public Records Commission

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 1996

THAT WHEREAS, Tennessee Code Annotated §10-7-401 was amended in 1994 to require that counties appoint a County Public Records Commission, and

WHEREAS, The County Public Records Commission is to be composed of six (6) members, three (3) of whom are to be appointed by the County Executive and confirmed by the county legislative body. Of the three (3) appointees, one (1) must be county commissioner, one (1) must be a judge of the courts held within the county, and one must be a genealogist. The other three members are to be the county clerk, county register and county historian serving as ex officio members., and

WHEREAS, T.C.A. §10-7-402 provides that members of this commission shall serve without compensation except that any member of the commission not receiving a fixed annual salary from the state or the county may be paid a per diem of \$25.00 for each day of actual meeting; further, that members may be reimbursed for actual necessary expenses and that the commission meet not less than twice each year.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners confirms the appointees listed below as members of the County Public Records Commission:

APPOINTEES:

The Honorable John S. McLellan, III
Judge, Circuit Court, Part I

The Honorable Raymond C. Conkin, Jr.
County Commissioner, 8th District

Sheila Steele Hunt, A.P.G.
Professional Genealogist

EX OFFICIO MEMBERS:

Gay B. Feathers Nancy Hamblen Acuff, Ph.D.
County Clerk Co-historian, Sullivan County

Mary Lou Duncan Mrs. Muriel C. Spoden
Register of Deeds Co-historian, Sullivan County

FURTHER BE IT RESOLVED, That members of the Public Records Commission receive compensation for their services pursuant to T.C.A. §10-7-402.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exist.
This resolution shall become effective on _____, 1996, the public welfare requiring it.
Duly passed and approved this 15th day of April, 1996

Gay B. Ferguson
 Proposed: County Clerk

Date: 4-15-96

Will Hyatt
 County Executive

Date: 4-15-96

INTRODUCED BY COMMISSIONER Ferguson ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Hyatt/McConnell/Williams FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			4/01/96
Budget				
Executive	✓			4/03/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Determining a Means to Correct and Prevent Illegal Dump Sites in the County Pursuant to Tennessee State Law

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, Residents of Timber Tree Branch Road are experiencing problems with illegal dumping along the roadway overflowing onto their private properties.

NOW, THEREFORE BE IT RESOLVED, That the County Executive and the County Attorney are requested to review existing state laws to determine how this problem can be corrected and similar situations prevented in the future.

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Adopted: B. Feathers Date: 4/15/96 [Signature] Date: 4-15-96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Jones/Gonce FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			4/01/96
Budget				
Executive	✓			4/3/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 VOICE VOTE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Additional Funds from the State to Health Department Budget for Computer System

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, The Sullivan County Regional Health Department has received \$100,000.00 from the State for a new computer system.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the addition of \$100,000.00 to the Health Department budget to be allocated as follows:

FROM:	REVENUE ACCOUNT 43181.000 - Health Fund	\$100,000.00
TO:	ACCOUNT 55110.700 - Local Health Dept.	\$100,000.00

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Attested: Ray B. Feathers Date: 4-15-96 Gil Hodges Date: 4-15-96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Ferguson ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Hicks FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			4/01/96
Budget				
Executive	✓			4/3/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Amendments to the 1995-96 General Purpose School Budget

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, The 1995-96 General Purpose School Budget requires amendments be made prior to June 30, 1996, and

WHEREAS, The Sullivan County School Board has approved the attached amendments,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the attached amendments to the 1995-96 School Budget.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19__.

Attested: _____ Date: _____ County Clerk County Executive Date: _____

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER Mayes FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive	✓			4/3/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: WITHDRAWN 4/15/96

Sullivan County Schools
 Amendments to the 1995 - 1996 Budget

*Attachment
 Res # 15*

0340

Account Number	Account Description	1995-1996 Budgeted Amount	1995-1996 Amended Budget	1995-1996 Increase (Decrease)
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REVENUES

40110.000	Property Tax	19,077,455.00	18,200,000.00	(877,455.00)
40120.000	Pick Up Taxes	28,000.00	83,008.55	55,008.55
43521.000	Lunch Payment - Children	1,264,200.00	1,198,000.00	(66,200.00)
43522.000	Lunch Payment - Adults	91,000.00	92,750.00	1,750.00
43523.000	Income from Breakfast	58,750.00	60,000.00	1,250.00
43525.000	A la Carte	287,000.00	291,000.00	4,000.00
44110.000	Interest Earned	3,700.00	477,700.00	474,000.00
46511.000	Basic Education Program	27,022,800.00	27,374,800.00	352,000.00
46565.000	Teachers Group Insurance	0.00	69,600.00	69,600.00
46590.000	Other State Education Funds	266,560.00	168,000.00	(100,560.00)
47111.000	Section 4 Lunch	235,000.00	230,000.00	(5,000.00)
47112.000	Section 11 Lunch	850,000.00	845,000.00	(5,000.00)
47113.000	Breakfast	208,000.00	206,000.00	(2,000.00)
47630.000	Public Law 874	0.00	10,072.00	10,072.00
47680.000	Forest Service	0.00	17,419.00	17,419.00
39000.000	Fund Balance	0	1,040,160.45	1,040,160.45
	Total	49,392,465.00	60,361,510.00	969,045.00

Expenditures

Regular Instruction (Direct)

71100.116	Teachers	22,028,850.00	22,568,850.00	540,000.00
71100.128	Homebound	100,000.00	85,000.00	(15,000.00)
71100.139	Retirement Incentive	196,745.00	183,568.00	(13,177.00)
71100.140	Salary Supplements	335,000.00	338,000.00	3,000.00
71100.163	Educational Assistants	955,525.00	983,525.00	28,000.00
71100.189	Other Salaries	124,000.00	130,000.00	6,000.00
71100.195	Substitute Teachers	350,000.00	400,000.00	50,000.00
71100.201	Social Security	1,563,850.00	1,601,794.00	37,944.00
71100.204	Retirement	2,064,850.00	2,112,262.00	47,412.00
71100.212	Medicare	365,725.00	374,725.00	9,000.00
	Total	28,084,545.00	28,777,724.00	693,179.00

Special Education (Direct)

71200.116	Teachers	2,635,050.00	2,656,050.00	21,000.00
71200.128	Homebound	83,500.00	73,500.00	(10,000.00)
71200.163	Educational Assistants	140,745.00	136,745.00	(4,000.00)
	Total	2,859,295.00	2,866,295.00	7,000.00

Account Number	Account Description	1995-1996 Budgeted Amount	1995-1996 Amended Budget	1995-1996 Increase (Decrease)
Vocational (Direct)				
71300.116	Teachers	1,801,550.00	1,762,750.00	(38,800.00)
71300.201	Social Security	120,100.00	117,600.00	(2,500.00)
71300.204	State Retirement	161,860.00	158,460.00	(3,400.00)
71300.212	Medicare	28,100.00	27,500.00	(600.00)
	Total	2,111,610.00	2,066,310.00	(45,300.00)
Attendance				
72110.105	Directors	42,965.00	3,612.00	(39,353.00)
72110.117	Career Ladder	1,000.00	0.00	(1,000.00)
72110.201	Social Security	4,200.00	1,700.00	(2,500.00)
72110.204	State Retirement	5,420.00	2,020.00	(3,400.00)
72110.212	Medicare	990.00	405.00	(585.00)
72110.307	Communication	300.00	0.00	(300.00)
72110.355	Travel	500.00	0.00	(500.00)
72110.435	Office Supplies	500.00	100.00	(400.00)
72110.704	Equipment	700.00	0.00	(700.00)
	Total	56,575.00	7,837.00	(48,738.00)
Other Student (Support)				
72130.123	Guidance Personnel	922,930.00	928,930.00	6,000.00
72130.161	Secretary(s)	49,355.00	50,555.00	1,200.00
72130.201	Social Security	62,920.00	63,370.00	450.00
72130.204	State Retirement	84,820.00	85,420.00	600.00
72130.212	Medicare	14,720.00	14,825.00	105.00
	Total	1,134,745.00	1,143,100.00	8,355.00
Regular Instructional (Indirect)				
72210.105	Directors	184,985.00	194,985.00	10,000.00
72210.132	Materials Supervisors	112,990.00	113,740.00	750.00
72210.136	Audio Visual Personnel	23,880.00	24,430.00	550.00
72210.147	Truck Drivers	40,725.00	42,000.00	1,275.00
72210.161	Secretary(s)	92,140.00	94,040.00	1,900.00
72210.163	Educational Assistants	16,280.00	16,980.00	700.00
72210.201	Social Security	105,440.00	106,390.00	950.00
72210.204	State Retirement	138,090.00	139,340.00	1,250.00
72210.212	Medicare	24,670.00	24,895.00	225.00
	Total	739,200.00	766,800.00	17,600.00
Special Education (Indirect)				
72220.105	Directors	58,015.00	61,615.00	3,600.00
72220.161	Secretary(s)	22,755.00	23,355.00	600.00
72220.201	Social Security	5,070.00	5,325.00	255.00
72220.204	State Retirement	6,630.00	6,980.00	350.00
72220.212	Medicare	1,190.00	1,250.00	60.00
	Total	93,660.00	98,525.00	4,865.00

Account Number	Account Description	1995-1996 Budgeted Amount	1995-1996 Amended Budget	1995-1996 Increase (Decrease)
Vocational Education (Indirect)				
72230.105	Directors	23,715.00	23,903.00	188.00
	Total	23,715.00	23,903.00	188.00
Board of Education				
72310.613	Workman's Compensation	150,000.00	200,000.00	50,000.00
72310.699	Other Charges	90,000.00	168,000.00	78,000.00
	Total	240,000.00	368,000.00	128,000.00
Office of Superintendent				
72320.101	County Official	75,530.00	75,930.00	400.00
72320.103	Assistant(s)	121,370.00	106,370.00	(15,000.00)
72320.161	Secretary(s)	71,480.00	72,980.00	1,500.00
	Total	268,380.00	255,280.00	(13,100.00)
Office of Principal				
72410.103	Assistant(s)	927,065.00	950,065.00	23,000.00
72410.104	Principal	1,552,010.00	1,609,010.00	57,000.00
72410.139	Incentive Retirement	62,560.00	69,360.00	6,800.00
72410.161	Secretary(s)	589,290.00	579,290.00	(10,000.00)
72410.201	Social Security	216,020.00	220,790.00	4,770.00
72410.204	State Retirement	278,850.00	284,955.00	6,105.00
72410.212	Medicare	50,530.00	51,645.00	1,115.00
72410.317	Data Processing	-0.00	24,426.00	24,426.00
	Total	3,676,325.00	3,789,541.00	113,216.00
Operation of Plant				
72610.166	Custodial	1,832,575.00	1,891,075.00	58,500.00
72610.201	Social Security	113,980.00	117,607.00	3,627.00
72610.204	State Retirement	128,830.00	132,943.00	4,113.00
72610.212	Medicare	26,660.00	27,510.00	850.00
	Total	2,102,045.00	2,169,135.00	67,090.00

Account Number	Account Description	1995-1996 Budgeted Amount	1995-1996 Amended Budget	1995-1996 Increase (Decrease)
Maintenance of Plant				
72620.105	Directors	44,305.00	45,005.00	700.00
72620.141	Foreman	82,745.00	88,065.00	5,320.00
72620.148	Dispatchers	26,920.00	28,620.00	1,700.00
72620.161	Secretary(s)	25,110.00	25,630.00	520.00
72620.167	Maintenance Personnel	1,368,350.00	1,386,350.00	18,000.00
72620.201	Social Security	96,570.00	98,200.00	1,630.00
72620.204	State Retirement	108,790.00	110,640.00	1,850.00
72620.212	Medicare	22,590.00	22,980.00	390.00
	Total	1,776,380.00	1,805,490.00	30,110.00
Transportation				
72710.315	Contracts with Vehicle Owners	2,524,675.00	2,486,675.00	(38,000.00)
	Total	2,524,675.00	2,486,675.00	(38,000.00)
Central and Other				
72810.105	Directors	59,015.00	59,515.00	500.00
72810.161	Secretary(s)	23,130.00	23,602.00	472.00
72810.189	Other Salaries	67,465.00	68,881.00	1,416.00
72810.201	Social Security	9,280.00	9,430.00	150.00
72810.204	State Retirement	11,400.00	11,575.00	175.00
72810.212	Medicare	2,180.00	2,215.00	35.00
	Total	172,470.00	175,218.00	2,748.00
Food Service				
73100.105	Directors	45,315.00	45,816.00	501.00
73100.119	Accountants/Bookkeepers	23,130.00	19,130.00	(4,000.00)
73100.147	Truck Drivers	10,920.00	11,295.00	375.00
73100.161	Secretary(s)	23,130.00	35,130.00	12,000.00
73100.165	Cafeteria Personnel	1,763,650.00	1,790,650.00	27,000.00
73100.201	Social Security	121,440.00	123,665.00	2,225.00
73100.204	State Retirement	131,870.00	134,460.00	2,590.00
73100.212	Medicare	28,410.00	28,935.00	525.00
	Total	2,147,865.00	2,189,081.00	41,216.00
Community Services				
73300.163	Educational Assistants	13,600.00	14,170.00	570.00
73300.201	Social Security	3,950.00	3,986.00	36.00
73300.212	Medicare	930.00	940.00	10.00
	Total	18,480.00	19,096.00	616.00
Total Increase in Expenditures				969,045.00

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Amendments to the 1995-96 General Purpose School Budget - Adult Education Program

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96.

THAT WHEREAS, The 1995-96 General Purpose School Budget requires amendments be made to the Adult Education Program Budget prior to June 30, 1996, and _____

WHEREAS, The Sullivan County School Board has approved the attached amendments.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the attached amendments to the 1995-96 School Budget relative to the Adult Education Program.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19__.

Attested: _____ Date: _____ County Executive
County Clerk

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Mayer FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive	✓			4/15/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: WITHDRAWN 4/15/96

Sullivan County Schools
 Adult Education, JTPA, JOBS Grants
 1995-1996-Budget

*Attachment
 Page 16*

0345

Account Number	Account Description	1995-1996 Budgeted Amount	1995-1996 Actual Budget	1995-1996 Increase (Decrease)
Revenues				
40110-000-94-000-4001-480	Current Property Tax	2,273.00	2,273.00	0.00
46590-000	Other State Education Funds:			0.00
46590-000-94-000-4001-480	Adult Education	0.00	2,159.00	2,159.00
46590-000-94-000-4001-481	JTPA	0.00	20,764.00	20,764.00
46590-000-94-000-4001-482	Jobs	0.00	6,123.00	6,123.00
47120-000-94-000-4001-480	Adult Basic Education	49,400.00	43,624.00	(5,776.00)
47210-000-94-000-4001-481	Job Training Partnership Act	16,000.00	5,191.00	(10,809.00)
47590-000-94-000-4001-482	Other Federal Through State	45,000.00	11,678.00	(33,122.00)
	Total	112,673.00	92,012.00	(20,661.00)
Expenditures				
Adult Education Program (Direct)				
71600.116	Teachers	47,455.00	50,541.00	3,086.00
71600.189	Other Salaries & Wages	25,000.00	13,797.00	(11,203.00)
71600.196	In-Service Training	440.00	880.00	440.00
71600.201	Social Security	4,500.00	3,989.00	(511.00)
71600.204	State Retirement	5,800.00	5,476.00	(324.00)
71600.206	Life Insurance	80.00	77.00	(3.00)
71600.207	Medical Insurance	5,410.00	4,166.00	(1,244.00)
71600.208	Dental Insurance	200.00	190.00	(10.00)
71600.210	Unemployment Compensation	120.00	167.00	47.00
71600.212	Employer Medicare	1,060.00	933.00	(127.00)
71600.429	Instructional Supplies & Materials	7,000.00	6,933.00	(67.00)
71600.506	Liability Insurance	1,000.00	172.00	(828.00)
71600.790	Other Equipment	1,000.00	1,000.00	0.00
	Total	99,065.00	88,321.00	(10,744.00)
Adult Programs (Indirect)				
72260.355	Travel	3,100.00	3,691.00	591.00
	Total	102,165.00	92,012.00	(10,153.00)

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Amendments to the 1995-96 Sullivan County General Purpose School Budget - Vocational Education Program

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, The 1995-96 General Purpose School Budget requires amendments be made to the Vocational Education Program Budget prior to June 30, 1996, and _____

WHEREAS, The Sullivan County School Board has approved the attached amendments, _____

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the attached amendments to the 1995-96 School Budget relative to the Vocational Education Program. _____

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Attested: [Signature] County Clerk Date: 4/15/96 [Signature] County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER Mayer FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive	✓			4/3/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	1	1	3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

*Attachment
Res # 17*

0347

Sullivan County Department of Education
Resolution - Vocational Education
April 15, 1996

Account Number	ACCOUNT DESCRIPTION	1995-1996 Budgeted Amount	1995-1996 Amendments Budget	1995-1996 Amended Budget	1995-1996 To Be Amended Budget	1995-1996 Increase (Decrease)
71300.429	Instructional Supplies & Materials	87,750.00	4,254.70	92,004.70	86,504.70	(5,500.00)
72239.355	Travel	12,000.00	1,950.00	13,950.00	19,450.00	5,500.00

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 1996.

RESOLUTION AUTHORIZING Removal of Two STOP Signs on Grandview Drive - 10th Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 1996

THAT BE IT RESOLVED. That two (2) STOP Signs on Grandview Drive at Brownlow Road be removed as requested by residents signing the attached petition and further recommended in correspondence from the Highway Department. [This will leave a TWO-WAY STOP instead of the current FOUR-WAY STOP.]

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

B. Feathers
County Clerk

Date: 4-15-96 *Gil Hodges*
County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER Gonce/Jones FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

0349

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

March 19, 1996

*Attachment
Rev # 18*

COMMISSIONERS: Jim Blalock
Mike Gonce
Jack Jones

Dear Commissioners:

I would like to request that you consider passing the following resolution:


Remove the two (2) STOP signs on Grandview Drive at Brownlow Road.

This will leave a TWO-WAY STOP instead of the current FOUR-WAY STOP.

This is in the 10th Civil District.

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

Sincerely,



Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus
1 Attachment (Petition)

WE THE UNDERSIGNED RESIDENTS OF KINGSLEY HILLS
SUBDIVISION IN THE BLOOMINGDALE COMMUNITY OF
KINGSPORT, REQUEST THAT THE STOP SIGNS BE RE-
MOVED ON GRANDVIEW DRIVE AT THE INTERSECTION
OF BROWNLOW ROAD AND GRANDVIEW DRIVE.

WE BELIEVE THAT A 4-WAY STOP IS NO LONGER NEEDED,
THAT SIGNS ON BROWNLOW ROAD ARE SUFFICIENT.
STOPPING AT THIS STOP SIGN (GRANDVIEW DR.) WHEN
THERE IS SNOW OR ICE MAKE IT VERY DIFFICULT TO
START MOVING YOUR VEHICLE AGAIN.

	<u>NAME</u>	<u>ADDRESS</u>
1.	Harib Mullins	3328 GRANDVIEW DR KPT
2.	Robert B. Buresh	216 RUDGWOOD
3.	Samuel Smith	3357 GRANDVIEW DR. KPT TN
4.	Celia M. Dew	3336 GRANDVIEW DR. KPT. TN
5.	Bertel Jasper	3348 WOODCREST DR. KPT TN
6.	Kevin Johnson	3201 GRANDVIEW DR. KPT TN
7.	Thomas Blakely	3345 GRANDVIEW DR. KPT TN
8.	Donald & Anita	3327 GRANDVIEW DR. KPT. TN.
9.	Sam Quaker	3220 GRANDVIEW DR. TN
10.	Vicky Harmon	3332 GRANDVIEW DR. TN
11.	Cindy Blynn	3325 GRANDVIEW DR. TN.
12.	Dorothy Blynn	3325 GRANDVIEW DR. TN.
13.	Cora Skinn	3333 GRANDVIEW DR. TN.
14.	Rick Williams	3352 GRANDVIEW DR. TN
15.	Clarence Simpson	3356 GRANDVIEW DR. TN
16.	Louis Depton	3349 GRANDVIEW DR. TN.
17.	Mike Cradick	3344 GRANDVIEW DR. TN.
18.	Don Paul	3337 GRANDVIEW DR. TN.
19.	Joe King	3305 GRANDVIEW DR. TN.
20.	Gary Hawkins	3312 GRANDVIEW DR. TN.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<i>Ruby J. Pitt</i>	3308 Grandview Dr.
2.	<i>W. J. Pitt</i>	3317 Grandview Dr.
3.	<i>John W. Robbins</i>	220 Ridgwood Rd.
4.	<i>Jim Smallwood</i>	316 Ridgwood Rd.
5.	<i>W. D. Haynes</i>	3341 Grandview Dr.
6.	<i>Kara Turner</i>	3321 Grandview Dr.
7.	<i>Jessi Hurd</i>	3304 Grandview Dr.
8.	<i>Patsy Turnell</i>	3353 Grandview Dr.
9.	<i>Gary Turnell</i>	3353 Grandview Dr.
10.	<i>Willie Meade</i>	3364 "
11.	<i>John Hutchins</i>	3316 "
12.	<i>George E. Thompson</i>	3300 "
13.	<i>Linda Cox</i>	3313 Grandview Dr.
14.	<i>Joseph Taylor</i>	3320 GRANDVIEW DR.
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING STOP Sign on Ranier Drive at McTeer Drive - 14th Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT BE IT RESOLVED. That a STOP sign be placed on Ranier Drive at McTeer Drive as recommended in correspondence from the Sullivan County Highway Department.

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

This resolution shall become effective on _____, 19__ the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Gay B. Feathers
Attested: _____
County Clerk

Date: 4-15-96 *Gil Hodges*
County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER Carter ESTIMATED COST: _____
SECONDED BY COMMISSIONER Krell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: Waiver of Rules- Approved 4/15/96 ROLL CALL

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

0353

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

*Attachment
Res # 19*

279-2820

March 29, 1996

COMMISSIONERS: June Carter
Carl Krell

Dear Commissioners:

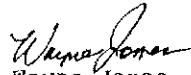
I would like to request that you consider passing the following resolution:

A STOP sign be placed on Ranier Drive at McTeer Drive.

This is in the 14th Civil District.

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

Sincerely,



Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING STOP Sign on Massengill Road at Seneker Lane - 5th Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT BE IT RESOLVED, That a STOP sign be placed on Massengill Road at Seneker Lane as recommended in correspondence from the Sullivan County Highway Department.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15 day of April, 1996

Attest: B. Feathers Date: 4-15-96 Gil Hodges Date: 4-15-96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Hicks/Milhorn FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

0355

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LaSueur, Jr.
Commissioner of Roads

279-2820

March 29, 1996

*Attachment
R# # 20*

COMMISSIONERS: Carol Belcher
Edley Hicks
Paul Milhorn

Dear Commissioners:

I would like to request that you consider passing the following resolution:

A STOP sign be placed on Massengill Road at Seneker Lane.

This is in the 5th Civil District.

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

Sincerely,

Wayne Jones

Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 1996.

RESOLUTION AUTHORIZING 25 MPH Speed Limit on Kendricks Hollow Road - 5th Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 1996.

THAT BE IT RESOLVED, That a 25 mph speed limit be placed on Kendricks Hollow Road as recommended in correspondence from the Sullivan County Highway Department.

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

This resolution shall become effective on _____, 19__ the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

Attested: B. Feathers Date: 4/15/96 Gil Hodges Date: 4/15/96
County Clerk County Executive

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: _____
SECONDED BY COMMISSIONER Hicks/Milhorn FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617*John R. LeSueur, Jr.*
Commissioner of Roads

279-2820

April 4, 1996

*Attachment
Res # 21*COMMISSIONERS: Carol Belcher
Edley Hicks
Paul Milhorn

Dear Commissioners:

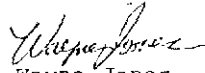
I would like to request that you consider passing the following resolution.

A 25 MPH SPEED LIMIT be placed on Kendricks Hollow Road.

This is in the 5th Civil District.

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

Sincerely,

Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 1996.

RESOLUTION AUTHORIZING Posting 25 MPH Speed Limit on Springdale Drive and STOP Sign at V. I. Ranch Road - 22nd Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 1996

THAT BE IT RESOLVED, That a 25 mph speed limit sign be placed on Springdale Drive and a STOP sign at V. I. Ranch Road as recommended in correspondence from the Sullivan County Highway Department.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

Gay B. Feathers
Attested: _____
County Clerk

Date: 4/15/96 *Gil Hodges*
County Executive Date: 4/15/96

INTRODUCED BY COMMISSIONER Kiser ESTIMATED COST: _____
SECONDED BY COMMISSIONER McConnell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617*John R. LeSueur, Jr.*
Commissioner of Roads*Attachment
Res# 22*

279-2820

March 29, 1996

COMMISSIONER: Aubrey L. Kiser

Dear Commissioner:

I would like to request that you consider passing the following resolution:

A 25 MPH SPEED be placed on Springdale Drive and a STOP sign at V. I. Ranch Road.

These are in the 22nd Civil District.

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

Sincerely,

Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING STOP Sign on Offield Hollow Road - 1st Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT BE IT RESOLVED. That a STOP sign be placed on Offield Hollow Road at Beidleman Creek Road as recommended in the attached correspondence from the Sullivan County Highway Department.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Attested: [Signature] County Clerk Date: 4-15-96 [Signature] County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER KISER ESTIMATED COST: _____
SECONDED BY COMMISSIONER McCONNELL FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

April 4, 1996

*Attachment
Res# 23*

COMMISSIONER: Aubrey L. Kiser, Jr.

Dear Commissioner:

I would like to request that you consider passing the following resolution:

A STOP sign be placed on Offield Hollow Road at Beidleman Creek Road.

This is in the 1st Civil District.

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

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

RESOLUTION NO. 25

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF APRIL, 1996.

RESOLUTION AUTHORIZING Reapportionment of Constable Districts

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 15th day of April, 1996;

THAT, WHEREAS, the election of constables by civil districts is no longer proper and it is, therefore, necessary for the Board of Commissioners to reapportion the constable districts in Sullivan County;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby adopt the same plan for constable districts in Sullivan County as that which is currently being utilized for the election of county commissioners and which is further shown on the chart attached hereto showing the districts and precincts included in each district and the number of constables to be elected in each district.

* SEE ATTACHMENTS FOR AMENDMENTS.

(WAIVER OF RULES REQUESTED)

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April 1996.

Attested: Gay B. Feathers Date: 4-15-96 Gil Hodges Date: 4-15-96
County Clerk County Executive

INTRODUCED BY COMMISSIONER FERGUSON ESTIMATED COST: _____
 SECONDED BY COMMISSIONER HYATT FUND: _____

McCONNELL/WILLIAMS

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	18	1	1	3	
Voice Vote					

COMMENTS WAIVER OF RULES FIRST VOTE ON RESOLUTION FAILED
ROLL CALL VOTE 11 Aye 7 Nay, 1 Pass, 1 absent

COMMISSIONER MILHORN VOTING 'NO' ON FIRST ROLL CALL, MADE A MOTION TO PUT THE RESOLUTION BACK ON THE FLOOR FOR CONSIDERATION WITH AMENDMENTS & CALLED FOR ANOTHER VOTE. RESOLUTION APPROVED ROLL CALL AS ABOVE WITH COMM. CARTER AND COMM. SURGENOR'S AMENDMENTS.
 4/15/96

DISTRICT (Number of Constables)	PRECINCTS	PRECINCT POPULATION	POLLING PLACE
VII (2)	18 14-MP 14-CH	2374 3888 6178	Holston Middle School Miller Perry School Colonial Heights Middle School
VIII (2)	15 13-C 13-P 11-AJ	3755 2670 3765 1908	Sullivan West Middle School County Road Building South High School Andrew Johnson School
IX (2)	12-OK 12-BR 12-WV 12-LG 12-CB	3076 2198 1911 2429 2319	Firehall No. 4 North Kingsport Firehall West View School Lynn View Middle School Bank of Tennessee
X (2)	11-G 11-CG 11-J 11-D	2097 3869 3653 2642	Gravelly School Cedar Grove School Jackson School Dickson Center
XI (3)	11-R 11-S 11-E 11-C 11-W	4668 4125 2250 3090 3266	Ross Robinson Middle School Civic Auditorium Renaissance Center Old Washington School Kingsport Public Library

AMEND: Motion by: Comm. Carter
2nd by: Comm. Krell

Seperation of District VII

1 Constable for 14 CH

1 Constable for 14 MP & 18 H

MOTION FAILED - ROLL CALL VOTE
9 Aye, 6 Nay
6 Pass, 1 Absent

AMEND: Motion by: Comm. Surgenor
2nd by: Comm. Krell

Seperation of District X

1 Constable for 11 G and 11 CG

1 Constable for 11 J and 11 D

MOTION FAILED - ROLL CALL VOTE
9 Aye, 5 Nay
7 Pass, 3 Absent

THE ABOVE AMENDMENTS WERE APPROVED WITH THE RESOLUTION
ON COMMISSIONER MILHORN'S MOTION FOR A SECOND ROLL CALL
ON THE RESOLUTION AND AMENDMENTS.

18 Aye, 1 Nay, 1 Pass, 3 Absent

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Appropriation of \$3,500 from Undesignated Fund Balance [Acct. 39000] to Rabies & Animal Control [Acct. 55120]

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the appropriation of \$3,500.00 from Undesignated Fund Balance [Acct. 39000] to Account 55120 - Rabies and Animal Control to be allocated as follows:

FROM: Account 39000.000 - [Undesignated Fund Balance]	\$3,500.00
TO: Account 55120.300 - [Contracted Services]	1,750.00
Account 55120.400 - [Supplies & Materials]	1,750.00

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Attested: Ray B. Feathers
County Clerk

Date: 4-15-96 Gil Hodges
County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Williams FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	2		3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Highway Department to Perform Work for the School Department and Observation Knob Park

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, TCA 54-7-202 states the county governing body has the authority to authorize the county road department to perform work for other governmental entities; provided, that the cost of the projects so authorized is to be reimbursed to the county road department, and

WHEREAS, The Sullivan County Board of Education and Observation Knob Park have approved funds for each of the projects listed below,

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the Sullivan County Highway Department to perform work for:

SCHOOL DEPARTMENT:

- Bluff City Elementary - Pave Parking Area
- Bluff City Middle - Pave Parking Area
- Ketron Middle - Pave Parking Area
- Mary Hughes - Pave Parking Area

OBSERVATION KNOB PARK - Pave Parking Area and Roads

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Attested: Ray B. Teague Date: 4-15-96 Gil Hodges Date: 4-15-96
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Vance ESTIMATED COST: _____

SECONDED BY COMMISSIONER Daniel FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Three (3) Easements to Bristol Tennessee Electric System to Allow Relocation of Existing Power Lines

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, The Tri-Cities Airport Commission is currently involved in several projects pertaining to the aviation and safety area, and _____

WHEREAS, It has been determined that authorization by Sullivan County as one of the Owners of the Tri-Cities Regional Airport is required for three (3) easements, for the use and benefit of Bristol Tennessee Electric System, [the Airport being responsible for the upkeep and maintenance of the easements], _____

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes Easement Agreements for the use and benefit of Bristol Tennessee Electric System for Tract No.47 and Parcels No. 85 and No. 87 as shown on the attached land parcel descriptions. _____

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

Attested: [Signature] Date: 4-15-96 [Signature] Date: 4-15-96
County Clerk County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: _____
SECONDED BY COMMISSIONER Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

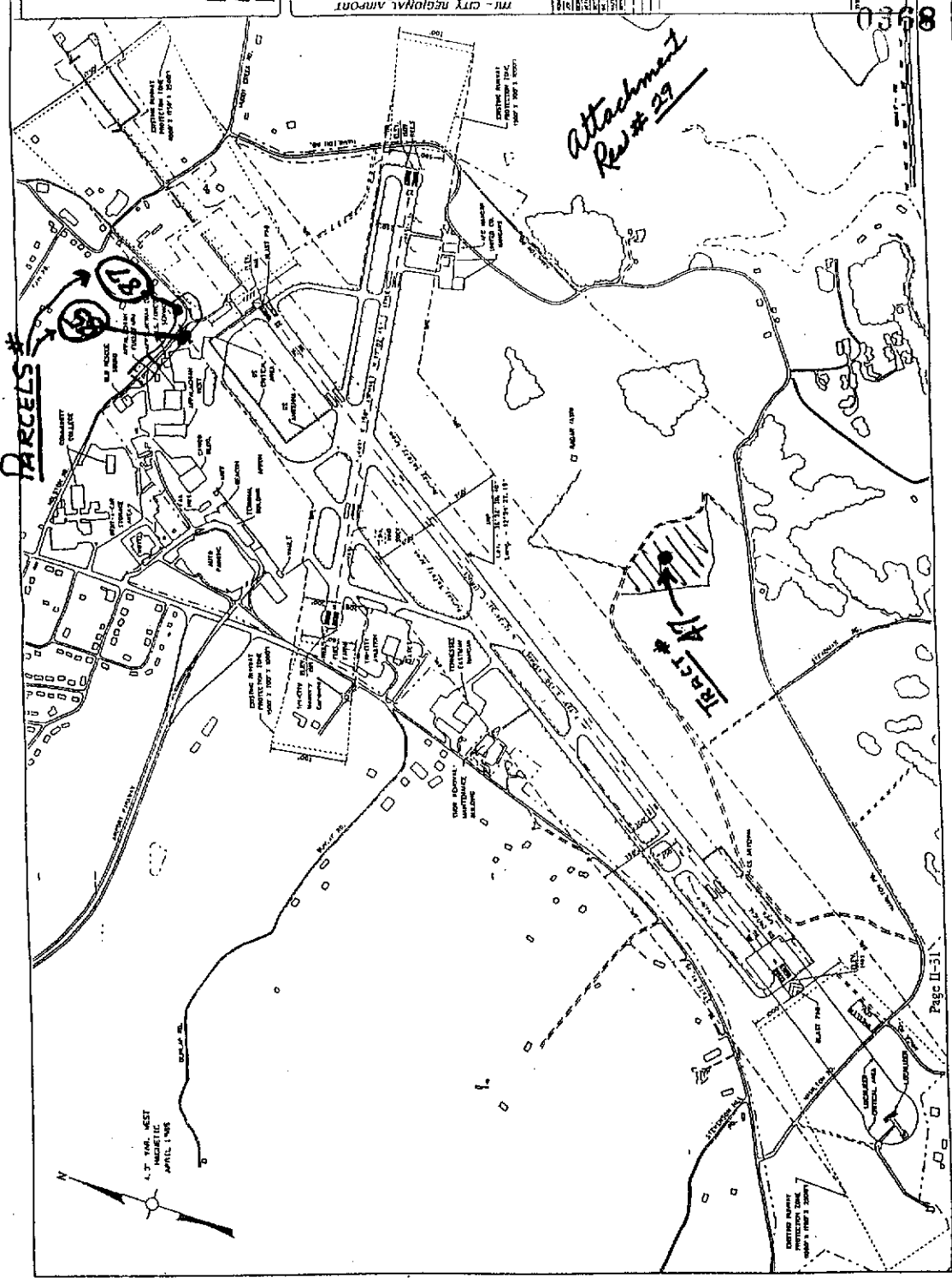
Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

*Attachment
Rev # 29*

PARCELS

TRACT #



This Instrument Was Prepared By:

E96- 2369 KDT

Grid # 116A

Bristol Tennessee Electric System
Bristol, Tennessee

W. O. # 56-1443

Acct. #

THIS EASEMENT AGREEMENT, made and entered into this 21st day of February, 1996, by and between Sullivan County, Tennessee; Washington County, Tennessee; City of Bristol, Tennessee; City of Bristol, Virginia; City of Kingsport, Tennessee; City of Johnson City, Tennessee, hereinafter called "Grantor" (whether one or more), and the City of Bristol Tennessee, for the use and benefit of **BRISTOL TENNESSEE ELECTRIC SYSTEM**, its successors and assigns, hereinafter called "Grantee";

WITNESSETH:

In consideration of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns an easement 20 feet in width, over, under, and across those certain lands of the Grantor, hereinafter described, for the construction, maintenance, operation, enlargement, rebuilding, and repairing of facilities for the transmission and distribution of electrical energy, telephone lines, telegraph or other cable lines, including poles, crossarms, guys, anchors, wires, conduits, cables, and other necessary apparatus and appliances; and the right of ingress over and across said lands for the purpose of exercising the rights and privileges herein granted, but that in exercising such rights of ingress and egress, whenever practicable, regularly established highways, roads, and streets will be used.

The lands of the Grantor referred to herein are located on Map 94, Tract 47, Parcel 39, in the 18th Civil District of Sullivan County, Tennessee, and are the same property conveyed to Grantor by deed/will recorded in the Register's office at Blountville, Tennessee, in Deed Book No. 125C, page 208, to which reference is here made for a full description of same.

Beginning at the southernmost property corner of Tract 47 shared with the property corner of Tract 42 and the northerly right-of-way of Hamilton Road, the line begins and travels northeast 820 feet along Hamilton Road then travels southeast 100 feet along Hamilton Road to a property corner shared with Parcel 62.

Said easement herein granted lies in its entirety on the northern side of the above described line.

Grantor, his heirs, successors or assigns, do hereby agree to keep trees on said land trimmed so they will not grow any closer than twenty (20) feet of the facilities or grow such that they could fall within twenty (20) feet of the facilities which the Grantee shall construct, reconstruct, replace, and maintain upon said easement. In the event that the Grantor, his heirs, successors or assigns attempt to cut or trim trees that are within twenty (20) feet of the facilities, the Grantee is released from all liability, except for that liability which is the direct result of the Grantee's negligence in maintaining said facilities. If the Grantor, his heirs, successors or assigns fails to comply with the foregoing, the Grantee shall have the right to trim or cut such trees in violation hereof and, the Grantor, his heirs, successors or assigns agree to reimburse the Grantee for any and all costs incurred in this action.

This Instrument Was Prepared By:

E96- 2380 KDT

Grid # _____

Bristol Tennessee Electric System
Bristol, Tennessee

W. O. #56-1462

Acct. # _____

THIS EASEMENT AGREEMENT, made and entered into this 15th day of March, 1996, by and between Sullivan County, Tennessee; Washington County, Tennessee; City of Bristol, Tennessee; City of Bristol, Virginia; City of Kingsport, Tennessee; City of Johnson City, Tennessee, hereinafter called "Grantor" (whether one or more), Tennessee, for the use and benefit of **BRISTOL TENNESSEE ELECTRIC SYSTEM**, its successors and assigns, hereinafter called "Grantee";

WITNESSETH:

In consideration of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns an easement, 15 feet in width, over, under, and across those certain lands of the Grantor, hereinafter described, for the construction, maintenance, operation, enlargement, rebuilding, and repairing of facilities for the transmission and distribution of electrical energy, telephone lines, telegraph or other cable lines, including poles, crossarms, guys, anchors, wires, conduits, cables, and other necessary apparatus and appliances; and the right of ingress over and across said lands for the purpose of exercising the rights and privileges herein granted, but that in exercising such rights of ingress and egress, whenever practicable, regularly established highways, roads, and streets will be used.

The lands of the Grantor referred to herein are located on Map 94, Parcel 39, in the 18th Civil District of Sullivan County, Tennessee, and are the same property conveyed to Grantor by deed/will recorded in the Register's office at Blountville, Tennessee, in Deed Book No. 23A, page 175, to which reference is here made for a full description of same.

Beginning at the property corner shared with Parcel 87 and the southwesterly right-of-way of Holston Drive, the line begins and travels southeast 1231 feet, plus or minus, along the southwesterly right-of-way line of Holston Drive to a point.

Said easement herein granted lies in its entirety on the southeastern side of the above described line.

This Instrument Was Prepared By:

E96- 2362 KDT

Grid #

W. O. #

Acct. #

Bristol Tennessee Electric System
Bristol, Tennessee.

THIS EASEMENT AGREEMENT, made and entered into this 21st day of February, 1996, by and between Sullivan County, Tennessee; Washington County, Tennessee; City of Bristol, Tennessee; City of Bristol, Virginia; City of Kingsport, Tennessee; City of Johnson City, Tennessee, hereinafter called "Grantor" (whether one or more); and the City of Bristol Tennessee, for the use and benefit of **BRISTOL TENNESSEE ELECTRIC SYSTEM**, its successors and assigns, hereinafter called "Grantee";

WITNESSETH:

In consideration of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns an easement 20 feet in width over, under, and across those certain lands of the Grantor, hereinafter described, for the construction, maintenance, operation, enlargement, rebuilding, and repairing of facilities for the transmission and distribution of electrical energy; telephone lines, telegraph or other cable lines, including poles, crossarms, guys, anchors, wires, conduits, cables, and other necessary apparatus and appliances; and the right of ingress over and across said lands for the purpose of exercising the rights and privileges herein granted, but that in exercising such rights of ingress and egress, whenever practicable, regularly established highways, roads, and streets will be used.

The lands of the Grantor referred to herein are located on Map 94, Parcel 39, in the 18th Civil District of Sullivan County, Tennessee, and are the same property conveyed to Grantor by deed/will recorded in the Register's office at Blountville, Tennessee, in Deed Book No. 923C, page 349, to which reference is here made for a full description of same.

The centerline of the said easement herein granted is as follows:

Beginning at the southernmost property corner of Parcel 85, and the northwesterly right-of-way line of Holston Drive, the line begins and travels southwest 425 feet, plus or minus, to a point on the northeasterly right-of-way line of Holston Drive.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Sale of Woodrow School Property at Public Auction

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, The Woodrow School property has been unused since about 1961 and as a result has become a liability to Sullivan County, and

WHEREAS, The property has no road frontage or right-of-way, and is located on two lots containing about 1.54 acres owned by Sullivan County, with a portion of the brick structure extending onto an adjoining lot which is owned by Mr. Earl Jones, and

WHEREAS, The Sullivan County Board of Education has authorized disposal of the Woodrow School property.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the Sullivan County Purchasing Agent to conduct a public auction for the purpose of selling the Woodrow School property [building and two (2) lots] to the highest bidder, date of the sale being Thursday, May 9, 1996 at 1:00 p.m.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Attest: B. Feathers Date: 4/15/96 Gil Hodges Date: 4-15-96
County Clerk County Executive

INTRODUCED BY COMMISSIONER Gonce ESTIMATED COST: _____
SECONDED BY COMMISSIONER Blalock/Jones FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	18	1	2	3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

RESOLUTION NO. 31

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF APRIL, 1996.

RESOLUTION AUTHORIZING Terms and Dates of Election for the Sullivan County Board of Education

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 15th day of April, 1996;

THAT, WHEREAS, Tennessee Code Annotated §49-2-201 provides for the terms and method of election of members of boards of education in the State of Tennessee; and

WHEREAS, said statute authorizes the local legislative body by resolution to adopt a plan to accomplish a transition from the method of selecting school board members authorized under prior law to an elected school board which is in compliances with the terms of Tennessee Code Annotated §49-2-201; and

WHEREAS, certain seats upon the current board of education are scheduled for re-election during the year 1996; and

WHEREAS, the terms of the school board seats currently scheduled for election should be set prior to the 1996 election; and

WHEREAS, the transition plan provided for in Tennessee Code Annotated §49-2-201 must be enacted before September 1, 1996;

NOW, THEREFORE, BE IT RESOLVED that:

1. Sullivan County Board of Education seats for District 3 and District 5, which seats were last elected in 1990 and are currently held by board member Kiss (District 3) and board member Bridwell (District 5), shall be scheduled for re-election in this year 1996, and said seats shall be for a four (4) year term of office;

2. The Sullivan County Board of Commissioners shall finalize a transition plan in accordance with Tennessee Code Annotated §49-2-201 in order to bring the elections and terms of members of the Sullivan County Board of Education into compliance with the requirements of said act; and

3. Said transition plan shall be completed before September 1, 1996.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April 1996.

Attested: _____

County Clerk

Date: 4-15-96

County Executive

Date: 4-15-96

RESOLUTION NO. 31INTRODUCED BY COMMISSIONER FERGUSON ESTIMATED COST:
SECONDED BY COMMISSIONER McConnell FUND: Williams/Hyatt

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	18	1	2	3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 1996

RESOLUTION AUTHORIZING Appropriate \$425,000 from Acct. 39000 (Undesignated Fund Balance) to Acct. 68100.700 (Highway/Building Projects) for Renovation or Replacement of Highway Dept. Buildings & Garage

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners approve the appropriation of \$425,000 from Acct. 39000 (Undesignated Fund Balance) to Acct. 68100.700 (Highway/Building Projects) for the purpose of renovation or replacement of Highway Department buildings and garage.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 1996

Janet Peacher Date: *4-15-96* *Gil Hodges* Date: *4-15-96*
 County Clerk County Executive

INTRODUCED BY COMMISSIONER *McConnell* ESTIMATED COST: _____
 SECONDED BY COMMISSIONER *Belcher* FUND: _____
Williams

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	16	3	2	3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING County Attorney to Draft a Contract with Sullivan County Communication District for Merging/Consolidating Dispatch Services

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96

THAT WHEREAS, sullivan County Citizens approved a referendum to establish a Communications District, and

WHEREAS, The Communication District implemented an Enhanced 911 System, and

WHEREAS, The funds for the District are not sufficient to support current levels of service, and

WHEREAS, A referendum to increase the surcharge for the District failed, and

WHEREAS, Lowering current levels of service could jeopardize the public's safety,

NOW, THEREFORE BE IT RESOLVED, That the County Attorney (or his hired representative) draft a contract that will merge/consolidate the 911 service with Sullivan County Sheriff's Department, and

FURTHER BE IT RESOLVED, That a similar Resolution be approved by the 911 Board before work can proceed on the draft contract, and

FURTHER BE IT RESOLVED, That no full-time Communications District or Sheriff's Department employees be eliminated and part-time employees be given due consideration, and

FURTHER BE IT RESOLVED, That the contract be approved by the E-911 Board and the Sullivan County Board of Commissioners before being implemented.

AMEND: Comm. Boyd - Paragraph 8 Full-time and part-time employees be considered.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

Barbara Teague
Attested: _____
County Clerk

Date: 4-15-96 *Gil Hodges*
County Executive Date: 4-15-96

INTRODUCED BY COMMISSIONER Maves ESTIMATED COST: _____
SECONDED BY COMMISSIONER Williams FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

RESOLUTION No. 33
Page Two

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	1		3	
Voice Vote					

COMMENTS: WAIVER OF RULES - APPROVED 4/15/96 ROLL CALL

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET
AGAIN IN REGULAR SESSION MAY 20, 1996.

GIL HODGES. COUNTY EXECUTIVE