

COUNTY COMMISSION - REGULAR SESSION

DECEMBER 15, 1997

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, DECEMBER 15, 1997, 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,

TO WIT:

The Commission was called to order by County Cexcutive, Gil Hodges. Sheriff Keith Carr opened the Commission. Commissioner Jim King gave the invocation anbd pledge to the flag was led by County Executive, Gil HODges.

Commissioners present and answering roll call are as follows:

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

23 present - 1 absent (Aubrey L. Kiser, Jr.)

Motion was made by Commissioner Ralph Harr and seconded by Commissioner Wayne McConnell to approve the minutes of the regular session of County Commission held on November 17, 1997. Motion was approved by voice vote of the Commission.

The following pages indicates the action taken by the Commission on rezoning request, approval of natary applications and personal surety notary bonds, resolutions and other related matters.

EXEXECUTIVE SESSION REGARDING DEPUTY SHERRIFF'S LAWSUIT
LAWSUIT. DAN STREET - COUNTY ATTORNEY
MARK DESSAUER - ATTORNEY

EXECUTIVE COMMITTEE'S

RECOMMENDATION PRESENTED TO FULL COMMISSION

Motion by: Comm. MARK VANCE

2nd by: Comm. WAYNE McCONNELL

TO APPROVE THE RECOMMENDATION OF THE EXECUTIVE COMMITTEE
AS FOLLOWS:

It is the recommendation of the Executive Committee
that the County take the following action with respect
to the lawsuit:

1. The 18 prevailing employees who remain employed
by the County be given the comp time awarded
them in the original District Court Judgment.
2. The 10 prevailing Employees who are no longer
employed in the County, or their Estate, be paid
the equivalent of the number of hours due them
at the hourly wage they were paid at the time of
the original judgment.

Motion was approved by roll call vote of the
Commission.

22 Aye, 1 Absent

SULLIVAN COUNTY CIRCUIT COURT CLERK'S

PERSONNEL PLAN

On this day of December 15, 1997, the Circuit Court Clerk's Personnel Plan was presented to the Commission and to be included in the minutes of the County Legislative Body and for filing in the office of the County Clerk.

This action is being taken pursuant to Public Chapter 361 of the Public Acts of 1997.

ATTACHED PERSONNEL PLAN TO BE RECORDED IN THE MINUTES OF THE LEGISLATIVE BODY.

**INTRODUCTION TO THE SULLIVAN COUNTY
CIRCUIT COURT CLERK'S
PERSONNEL PLAN**

The Tennessee Legislature in Public Chapter 361 of the Public Acts of 1997 required each county official to adopt base personnel policies and have them filed in the office of the county clerk prior to December 31, 1997.

The base personnel policies required by the act include basic policies with regard to vacation, sick leave, other various types of leave, over-time compensation pay and policies on non-discrimination, sexual harassment and ADA compliance.

The following document represents the combined efforts of the human resource personnel of the various elected officials in an effort to comply with the terms of Public Chapter 361.

IT IS TO BE NOTED THAT NOTHING IN THESE POLICIES IS INTENDED TO CREATE A CONTRACT OF EMPLOYMENT OR TO AFFECT THE EXISTING EMPLOYMENT AT WILL STATUS OF ANY COUNTY EMPLOYEE.

Pursuant to the act, any subsequent amendments to this policy on behalf of any elected official shall be filed with the office of the county clerk.

[Faint, illegible text, likely a signature or stamp area]

**SULLIVAN COUNTY
CIRCUIT COURT CLERK
Personnel Plan**

This Personnel Plan shall become effective on January 1, 1998.

BENEFITS

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

ETEÄ (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.

SECTION II

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.

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.

Inclement Weather Policy. 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 holidays.

On days not designated as "No Work Days" by the County Executive, employees of the Circuit Court Clerk shall exercise their own judgment as to whether they can safely get to their particular office. If employees choose not to travel to work, the time will be charged to their annual leave. If annual leave is not available, it will be considered leave without pay.

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.

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:

Length of Service	Length of Vacation with Pay
less than 1 year	.42 days per month
1 through 3 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.

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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 sixty (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 $\frac{1}{2}$ 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 provision shall not apply to court appearances which result from 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.

Americans with disabilities act. Sullivan County advises its employees all job applicants, and the public that it does not discriminate on the basis of disability in admission or access to its programs, services, activities, or employment. Sullivan County has designated an ADA administrator in its efforts to comply with the law. Inquiries and grievances should be directed to:

Steve Lawson

ADA Administrator

Sullivan County Government

Southesse

Blountville, Tennessee 37617

The County is sincerely interested in your person, your time and makes every effort to be fair and equitable to all employees. Government jobs are not to be treated differently if you are in contact with a service company party or partner. 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 management and administration. 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.

OPEN DOOR POLICY

Management of another employee will be subject to discipline up to and including discharge. Management will not tolerate any form of discrimination. Any employee found responsible for discrimination will be subject to discipline up to and including discharge. Management will not tolerate any form of discrimination. Any employee found responsible for discrimination will be subject to discipline up to and including discharge. Management will not tolerate any form of discrimination. Any employee found responsible for discrimination will be subject to discipline up to and including discharge.

DISCIPLINE

Discipline is a necessary part of the management process. It is used to correct behavior that is inconsistent with the County's policies and procedures. Discipline is not intended to be punitive, but rather to provide a fair and equitable opportunity for the employee to improve their performance. Discipline is a necessary part of the management process. It is used to correct behavior that is inconsistent with the County's policies and procedures. Discipline is not intended to be punitive, but rather to provide a fair and equitable opportunity for the employee to improve their performance.

GENERAL COUNTY POLICY

10/10/11

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.

(6)

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

ADDENDUM TO
SULLIVAN COUNTY EMPLOYEE HANDBOOK #370
(Revised May 1, 1996)

(1) ABSENTEEISM FOR VOTING [T.C.A. §2-1-106] -

(a) Any person entitled to vote in an election held in this state may be absent from any service or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where the person is a resident.

(b) A voter who is absent from work to vote in compliance with this section may not be subjected to any penalty or reduction in pay for such absence.

(c) If the tour of duty of an employee begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the county where the employee is a resident, the employee may not take time off under this section.

(d) The employer may specify the hours during which the employee may be absent. Application for such absence shall be made to the employer before twelve o'clock (12:00) noon of the day before the election.

(2) All employee leave records and overtime records shall be maintained by the Sullivan County Accounts and Budgets Department.

(3) The salary received by salaried non-exempt employees under the Fair Labor Standards Act is intended to cover all hours worked up to and including forty (40) in a work week.

[Resolution No. 10, 10/20/97]

40-35-96. Destruction of information pertaining with governmental records. ---

(a) It is unlawful for any person to:

(1) Knowingly make a false entry in, or false alteration of, a governmental record;

(2) Make, produce, or transmit any record, document or information with knowledge of its falsity and with intent that it will be taken as a genuine governmental record; or

(3) Intentionally and unlawfully destroy, conceal, remove or otherwise impair the verity, cogibility or availability of a governmental record.

(b) A violation of this section is a Class A Misdemeanor [Acts 1989, ch. 591, § 1].

Cross-References. Penalty for Class A misdemeanor, § 40-35-111.

Section to Section References. This section is referred to in 8-32-107.

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 December 19 97.

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 December 1997.

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 December, 1997

Gay B. Feacher
County Clerk

Date: 12/15/97 *Gil Hodges* Date: 4/24/98
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. Harr & 2nd by Comm. Ferguson

TO APPROVE APPROVED 12/15/97 VOICE VOTE

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS
December 15, 1997

Consider the following:

Failed

1st. vote (1)
12 Aye, 8 Nay
1 Pass, 3 absent

File # 10/97-4 A request by Charles and Millie Webb to rezone the property described below
Motion was made by Comm. Blalock and 2nd by Comm.
McConnell to Recall and reconsider this request.

"Being a tract of land located in the 3rd Civil District on the south side of Rock Hold Road REQUEST
approximately 600 feet west of its intersection with Possum Creek Road and further described as APPROVED
parcel 8.10 map 99 of the Sullivan County Tax Maps." on recall vote.

13 Aye, 6 Nay, 2 Pass and 3 Absent

The Planning Commission took the following action:

12/15/97

" File No. 10/97-4, Charles and Millie Webb Request

Charles and Millie Webb requested that a tract of land located in the 3rd Civil District on the south side of Rock Hold Road
approximately 600 feet west of its intersection with Possum Creek Road be rezoned from R-1 to R-2 to permit the location of a
single-wide mobile home.

The applicant was present and discussed the request noting that the mobile home had already been placed on the property. Rick
Webb spoke in opposition to the request on behalf of 11 neighbors, stating that the proposed zoning would negatively impact
residential property values. Staff stated that in order to allow the commission the greatest possible latitude in reaching a
decision no recommendation would be offered on this request.

Motion Barnes, second Kiser to deny the request based on opposition statements. Vote in favor of the motion: Barnes, Kiser,
Childress; opposed: Brown; abstain; Belcher. The motion to deny the request carried 3 to 1 with one abstention.

(2) File # 9/97-6 A request by Darryl Wilhoit to rezone the property described below from R-1 to
R-2:

REQUEST APPROVED 12/15/97 ROLL CALL Vote 21 Aye, 3 Absent

"Being a tract of land located in the 9th Civil District on the north side of Austin Springs Road
at its intersection with College St and further described as the southernmost portion of lot 2 of the
Darryl Wilhoit subdivision dated Nov. 14 1997 fronting 100 feet on College St. and being 214
feet in depth group C map 135F of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 9/97-6, Darryl Wilhoit Request

Darryl Wilhoit requested that a tract of land located in the 9th Civil District on the north side of Austin Springs Road at its
intersection with College St. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant and attorney Paul Frye were present and spoke in support of the request to rezone the southernmost portion of lot
2 of the Darryl Wilhoit Subdivision dated November 14, 1997 fronting 100 feet on College Street and being 214 in depth. No
opposition was presented. Staff stated the proposed zoning was incompatible with existing zoning and land use patterns and
recommended the request be denied.

Motion Barnes, second Belcher to approve the request as submitted. Vote in favor of the motion unanimous.

(3) File # 11/97-1 A request by Virgie Cross to rezone the property described below from R-1 to

R-2: REQUEST APPROVED 12/15/97 ROLL CALL VOTE 21 Aye, 3 Absent

"Being a tract of land located in the 8th Civil District on the south side of Buffalo Road
approximately 1200 feet east of its intersection with Big Hollow Road and further described as
that part of parcel 101.00 map 81 of the Sullivan County Tax Maps being 150 feet in width
adjacent to the westerly boundary beginning at a point 500 feet south of Buffalo Road and being
200 feet in depth."

The Planning Commission took the following action:

" File No. 11/97-1, Virgie Cross Request

Virgie Cross requested that a tract of land located in the 8th Civil District on the south side of Buffalo Road approximately 1200 feet east of its intersection with Big Hollow Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

Moody Cross was present representing the applicant and requesting that the area to be rezoned be reduced from the original 12.3 acres to a parcel being 150 feet in width adjacent to the westerly boundary of the property beginning at a point 500 feet south of Buffalo Road and being 200 feet in depth. No opposition was presented. Staff stated that the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Mullins, second Hickam to approve the amended request as recommended by staff. Vote in favor of the motion unanimous.

(4) **File # 11/97-2** A request by Earnest Hyder to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 12/15/97 ROLL CALL VOTE 21 Aye, 3 Absent
 "Being a tract of land located in the 9th Civil District on the north side of U.S. Hwy. 11-E approximately 800 feet south of its intersection with Bowman Ford Rd and further described as parcel 17.00 map 135 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 11/97-2, Earnest Hyder Request

Earnest Hyder requested that a tract of land located in the 9th Civil District on the north side of U.S. Hwy. 11-E approximately 800 feet south of its intersection with Bowman Ford Rd. 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 that the public notification sign had not been posted on the property as required, but noted that this was a land locked property located approximately 800 feet off US Highway 11-E behind other properties. Staff stated the zoning request was compatible with existing zoning and land use patterns and recommended approval.

Motion Hickam, second Bennett to approve the request as recommended by staff noting the unique location of the property, the fact that all adjoining property owners had been notified by letter of the request and stating that this action should not be construed as precedent setting in regard to the absence of the required sign in this particular case. Vote in favor of the motion to approve zoning as requested unanimous.

(5) **File # 11/97-5** A request by Floyd and Bonnie Short to rezone the property described below from R-1 to R-2:

REQUEST DISAPPROVED 12/15/97 ROLL CALL - 3Aye, 16 Nay, 2 Pass
 "Being a tract of land located in the 10th Civil District on the east side of Hedge Dr. 3 Absent
 approximately 3300 feet north of its intersection with Bloomingdale Rd and further described as parcel 78.00 map 14 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 11/97-5, Floyd and Bonnie Short Request

Floyd and Bonnie Short requested that a tract of land located in the 10th Civil District on the east side of Hedge Dr. approximately 3300 feet north of its intersection with Bloomingdale Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present and spoke in support of the request. No opposition was presented. Staff stated that the requested zoning would be intrusive and incompatible with the character of the predominately single family home neighborhood on Hedge Drive and recommended the request be denied.

Motion Brown, second Barnes to deny the request as recommended by staff. Vote in favor of the motion: Brown, Barnes, Bennett, Belcher; vote opposed: Hickam, Mullins. The motion carried 4 to 2, the request was denied.

- (6) File # 11/97-9 A request by J. Allan Andrews to rezone the property described below from R-1 to PBD: REQUEST APPROVED 12/15/97 ROLL CALL - 21 Aye, 3 Absent

"Being a tract of land located in the 7th Civil District on the north side of Memorial Blvd. at its intersection with Wembeck Dr and further described as parcel 17.00 group A map 48F of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File No. 11/97-9, J. Allan Andrews Request

J. Allan Andrews requested that a tract of land located in the 7th Civil District on the north side of Memorial Blvd. at its intersection with Wembeck Dr. be rezoned from R-1 to PBD to permit the location of a veterinary office.

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

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

- (7) File # 11/97-10 A request by Dorothy Smawley to rezone the property described below from R-1 to PRD: REQUEST APPROVED 12/15/97 ROLL CALL - 21 Aye, 3 Absent

"Being a tract of land located in the 10th Civil District on the north side of Rock City Rd. at its intersection with Old Stage Rd and further described as parcel 79.00 map 32 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File No. 11/97-10, Dorothy Smawley Request

Dorothy Smawley requested that a tract of land located in the 10th Civil District on the north side of Rock City Rd. at its intersection with Old Stage Rd. be rezoned from R-1 to R-3A to permit the location of apartments.

Robert Smawley was present representing the applicant and spoke in support of the request. Marie Ketron spoke in opposition noting concerns with aesthetics, surface water drainage and the like in relation to adjoining properties. Staff recommended the property be approved for a PRD to address Ms. Ketron's concerns and to allow the commission site plan review. Mr. Smawley accepted staff's recommendation.

Motion Brown, second Hickam to approve staff recommendation for PRD zoning. Vote in favor of the motion unanimous.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARIES
NOVEMBER 17, 1997

Patricia Ann Anderson	Kimberly M. Lawson
Michael A. Arrants	Leslie A. Lawson
Herbert A. Barker	Sue Lee
L. D. Barrett	Diana L. Lewis
Cynthia Bledsoe	Cara Light
Donna Christine Boyd	Kathy H. McCloud
Patricia D. Buckles	John C. Miller
Sharon Annette Cooper	Ann Taylor Moore
Elaine Cox	Janet D. Morelock
Brenda G. Cunningham	George W. Moss, Jr.
Diane H. Damian	Rebecca Goodman Owen
Markalene F. Earles	Jean Perry
Susan Early	O. Taylor M. Pickard, Jr.
Neil H. Easterly	Hazel A. Pierce
connie Eidson	Vivian H. Rector
Donald Edward Ellis, Sr.	Kathleen M. Shcott
Linda Gilder	Robyn L. Sproles
Jan M. Goebel	Joni E. Stanley
Sandra Goodman	Elizabeth R. Steadman
Sandra D. Greenway	Christine L. Tart
Martin H. Hale	Philmenia Todd
Diann M. Hartgrove	David James Tuggle
Gene A. Hensley	Diane G. Walls
Shelia J. Hill	William C. Wilks
Jennifer C. Hilton	Mark L. Wolfe
Susan Hilton	
James W. Holmes	
Lisa M. Huffman	
Donald K. Hurst	
Sherry L. Iusi	
Patricia H. Jones	

STATE OF TENNESSEE

COUNTY OF SULLIVAN

APPROVAL OF NOTARY PUBLIC
SURETY BONDS

DECEMBER 15, 1997

Romzie Assid

Margaret M. Bussey

Blanche M. Churchwell

Worley L. Crusenberry, jr.

David S. Haynes

Lois R. Johnson

Freida Peterson

Diane A. Sluder

Aldin Morrell

Eddie Williams

RESOLUTION NUMBER 75 3/2

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF October 19 97.

RESOLUTION AUTHORIZING Encouraging Passage of the Anti-Corridor Annexation Legislation

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 20th day of October 1997.

THAT WHEREAS, Sullivan County and other counties in the State of Tennessee have suffered from excessive "corridor" or "finger" annexation, wherein municipalities have annexed thin strips of land or roadways far into the County in order to take by annexation discreet sales tax revenue producing properties; and

WHEREAS, Such "corridor" or "finger" annexations clearly do not meet any rational definition of "orderly and planned growth" for any municipality; and

WHEREAS, Such "corridor" or "finger" annexations cause tremendous dislocation and confusion in the provision of various governmental services throughout the cities and counties wherein they occur; and

WHEREAS, Such "corridor" or "finger" annexations are transparently a device used by municipalities to increase their revenues without having to provide any meaningful services to the area annexed; and

WHEREAS, Such annexations deprive counties of revenue they must have in order to provide basic services such as education, public safety and libraries, inevitably forcing counties to raise taxes which affect all residents of the county, whether they live inside or outside the cities; and

WHEREAS, Such annexations tend to increase taxes for all the citizens inside and outside of cities, and lessen the efficiency of the provision of government services for all citizens, inside and outside of cities, "corridor" or "finger" annexations have a real and substantial negative effect wherever they are commonly practiced;

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners thanks and congratulates the Tennessee Senate for the passage of SB 1841, which substantially limits or prohibits the ability of municipalities to engage in "corridor" or finger annexation, and

FURTHER BE IT RESOLVED, That the Sullivan County Board of Commissioners urges and encourages the Tennessee House of Representatives to pass HB 1873, the companion House Bill which also would prohibit or greatly restrict "corridor" or "finger" annexations, and

FURTHER BE IT RESOLVED, That the Sullivan County Board of Commissioners further encourages Governor Don Sundquist immediately to sign and implement SB 1841 and HB 1873 upon final passage by the Tennessee Legislature, and

FURTHER BE IT RESOLVED, That the County Clerk is directed to forward a copy of this Resolution to all members of the Sullivan County Legislative Delegation and to the Office of Governor Don Sundquist.

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 Krell ESTIMATED COST: _____
SECONDED BY COMMISSIONER Belcher FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 10/20/97 DEFERRED 11/17/97
TABLED 12/15/97 ROLL CALL VOTE 13 Aye, 10 Nay, 1 Absent

RESOLUTION NUMBER

64

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF November 19 97.

RESOLUTION AUTHORIZING Design of Class IV [Demolition] Landfill

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 17th day of November 1997.

THAT WHEREAS, A demolition landfill could be needed by the end of 1998, and

WHEREAS, Sullivan County has purchased the Barger farm in Blountville for a Class IV [demolition] landfill to serve the cities and the county, and

WHEREAS, S & ME of Blountville [Engineers/Geologists] are conducting a ground-water study of the adjacent area for a Class I landfill, and

WHEREAS, S & ME has proposed to extend the current study to include the Class IV area, and provide the engineering design and construction inspection for the demolition landfill for a not-to-exceed cost of \$88,500,

NOW, THEREFORE BE IT RESOLVED, That the contract with S & ME of Blountville, be amended to include engineering design and construction inspection for the Class IV [demolition] landfill to be funded from Account No. 91140.724, and

FURTHER BE IT RESOLVED, That the landfill be available for use by all residents of Sullivan County with the annual cost of operating the landfill to be recovered through user charges.

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 December, 19 97

[Signature]
County Clerk

Date: 12/15/97

[Signature]
County Executive Date: 12/24/97

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17	5		2	
Voice Vote					

COMMENTS: FIRST READING 11/17/97 APPROVED 12/15/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF November 19 97.

RESOLUTION AUTHORIZING Term Limits

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 17th day of November 1997.

THAT BE IT RESOLVED, That in order to "give government back to the people" rather than have it controlled by "professional/career politicians" and "Political Action Committees/machines" it is hereby requested that a Private Act be established for Sullivan County by Tennessee State Government that:

Limits the terms of office for County Commissioners to two (2) terms (the same as for the President of the United States) in order to promote new ideas and continual improvement.

Let this Resolution serve as "leadership by example" from a local government and send a message to all levels of local, state and federal government.

Let us be above reproach and be motivated by "civic duty" rather than by "self-interests".

Let us realize that the "buck starts and stops here" and know that if we cannot change things here in Blountville, then we surely cannot change things in Nashville or Washington.

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: County Clerk Date: County Executive Date:

INTRODUCED BY COMMISSIONER Krell ESTIMATED COST: SECONDED BY COMMISSIONER Carter 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 11/17/97 FAILED 12/15/97 ROLL CALL

2800

0537

RESOLUTION NUMBER 187

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF November 19 97.

RESOLUTION AUTHORIZING PAC Money AND SPECIAL INTEREST CONTRIBUTIONS

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 17th day of November 1997.

THAT BE IT RESOLVED. That in order to "give government back to the people" rather than have it controlled by "professional/career politicians" and "Political Action Committees/machines" it is hereby requested that a Private Act be established for Sullivan County by Tennessee State Government that:

Outlaws "Political Action Committee" campaign contributions to County Commissioners in order to eliminate "big money" campaign financing and "level the playing field" for all candidates.

Let this Resolution serve as "leadership by example" from a local government and send a message to all levels of local, state and federal government.

Let us be above reproach and be motivated by "civic duty" rather than by "self-interests".

Let us realize that the "buck starts and stops here" and know that if we cannot change things here in Blountville, then we surely cannot change things in Nashville or Washington.

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

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 11/17/97 TABLED 12/15/97 VOICE VOTE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF November, 1997.

RESOLUTION AUTHORIZING Increase Appropriation to Fund Site Development For the Jail

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 17th day of November, 1997;

THAT, WHEREAS, the Sullivan County Commission has previously appropriated \$800,000 for the site development for Jail Improvements; and

WHEREAS, the bids received show that additional funds are needed to complete the site development; and

NOW, THEREFORE, BE IT RESOLVED, an additional \$350,000 is appropriated from the General Fund's Balance to cover the cost of the site development.

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 5th day of December, 1997.
Attested: Gay B. Feathers Date: 12/15/97 Gil Hodges Date: 12/15/97
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	20	2		2	
Voice Vote					

COMMENTS: FIRST READING 11/17/97 APPROVED 12/15/97 ROLL CALL

SUBSTITUTE 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 DECEMBER, 1997.

RESOLUTION AUTHORIZING Election of Brenda Merritt and Kelly Graham to Board of Directors of Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee

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 December, 1997;

WHEREAS, Application has been filed by the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee (the "Board"), a copy of which is attached hereto, seeking election of two (2) members to the Board of Directors pursuant to Tennessee Code Annotated §48-101-307;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The County Commission of the County of Sullivan, Tennessee has examined and considered the attached Application seeking election of members to the Board of Directors of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee and hereby approves and elects Brenda Merritt to fill the vacancy created by the resignation of Foster Park, and Kelly Graham to fill the vacancy created by the resignation of Michael Danchy. Brenda Merritt and Kelly Graham are residents of Sullivan County, Tennessee and live within the limits thereof.

2. Brenda Merritt and Kelly Graham are hereby elected to fill a term of six (6) years which commenced on August 1, 1995 and shall expire on August 31, 2001.

3. These Directors of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee are hereby authorized to perform all duties set out in the corporate Charter and Bylaws of said corporation.

4. This Resolution reflects a finding by the County Commission that the election of the aforesaid members of the Board of Directors is necessary and advisable, and this Resolution is a true and correct record of the action taken and authorized by the County Commission of the County of Sullivan, Tennessee at its duly called meeting on December 15, 1997.

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: B. Teague County Clerk Date: 12/15/97
Gil Hodges County Executive Date: 12/20/97

[Handwritten signature]

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF November, 1997.

RESOLUTION AUTHORIZING Appropriate Funds for Building Design

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 17th day of November, 1997;

THAT, WHEREAS, the Sullivan County Commission has appropriated funds for the site development for Jail Improvements; and

WHEREAS, the actual design for Building Construction will follow the site development; and

WHEREAS, to implement the bidding process followed with construction in a timely fashion, it is necessary to develop detailed plans for bidding; and

NOW, THEREFORE, BE IT RESOLVED \$150,000 is appropriated for the design development to be funded from the General Fund's Fund Balance Account.

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 5th day of December, 19 97

Gay B. Teague County Clerk Date: 12/15/97 *Gil Hodges* County Executive Date: 12/24/97

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: _____

SECONDED BY COMMISSIONER Hart FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: FIRST READING 11/17/97 APPROVED 12/15/97 ROLL CALL

8820

SUBSTITUTE RESOLUTION NO. 10
Page Two

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	1	2	2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 ROLL CALL

APPLICATION FOR ELECTION OF REPLACEMENT
TO BOARD OF DIRECTORS
OF
THE HEALTH, EDUCATIONAL AND HOUSING FACILITIES BOARD
OF
THE COUNTY OF SULLIVAN, TENNESSEE

We, the undersigned, being duly qualified electors of and taxpayers in Sullivan County, Tennessee, and representatives of the Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee, hereby make application to the Sullivan County Board of Commissioners of Sullivan County, Tennessee, pursuant to Chapter 333 of the 1989 Public Acts of Tennessee for the election of members of the Board of Directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee.

The election of such members is necessary due to the resignation of Foster Park who no longer wishes to serve on the Board and Michael Danahy who has moved from the area. We submit Brenda Merritt and Kelly Graham who are qualified electors and taxpayers in Sullivan County, Tennessee, to fill such positions on the Board of Directors for six (6) year terms which commenced on August 1, 1995 and shall expire on August 31, 2001.

Said term shall begin January 1, 1998.

WITNESS our signatures this the 11th day of December, 1997.

HEALTH, EDUCATIONAL AND HOUSING
FACILITIES BOARD OF THE COUNTY
OF SULLIVAN, TENNESSEE

Mark S. Dessauer
Counsel to the Board

SUBSTITUTE
AMENDMENT TO RESOLUTION NO. 10

Resume
Brenda J. Merritt

Education:

Masters in City Management, East Tennessee State University, 1982
Bachelor of Science in Political Science, East Tennessee State University, 1977
Graduate of Science Hill High School, 1974

Employment History:

Assistant City Manager, Kingsport, Tennessee, 1986-1992
This position involved responsibility for municipal operations including public works, property maintenance, leisure services, and development services. I was also very actively involved in economic development projects and was the City staff person assigned to aid the Industrial Board. I resigned this position in order to stay at home with our son, Sam.

Leisure Services Director, Kingsport, Tennessee 1983-1986

As Leisure Services Director, I was responsible for the overall management of five City divisions. These divisions were parks and recreation, the public library, Bays Mountain Park, senior citizens program, and Allandale.

Community Development Director, Kingsport, Tennessee 1981-1983

The Community Development program was a federally funded department of the City. Responsibilities included supervising the rehabilitation of homes and infrastructure in designated neighborhoods.

Administrative Coordinator of Utilities, Kingsport, Tennessee 1979-1981

As Administrative Coordinator, I monitored utility expansion projects, budgeting, and staffing. One of the responsibilities of the position was the development and implementation of a zero-based budget process for all the City's operations.

ATTACHMENT TO RESOLUTION NO. 10

Volunteer Activities:

Sunday School Teacher, First Christian Church

Vice Chairman, Kingsport Economic Development Board

Vice Chairman, Ridgefields Country Club Board of Directors

Personal Information:

Husband, Randall is a limited investment partner of J.C. Bradford Co.

Son, Sam is a student at Lincoln Elementary School

ATTACHMENT TO RESOLUTION NO. 10

CITY OF BRISTOL TENNESSEE

APPOINTMENT TO BOARDS & COMMISSIONS
Nomination Form

DATE OF NOMINATION: _____

NAME: KELLY GRAHAM

ADDRESS: 101 EVERGREEN PLACE

HOME PHONE: 652-1989

OCCUPATION: COMMERCIAL REAL ESTATE

BUSINESS ADDRESS: 126 EDGEMONT AVE., BRISTOL, TN 37620

BUSINESS PHONE: 968-2276

BOARD/COMMISSION: PLANNING COMMISSION

NOMINATED BY: _____

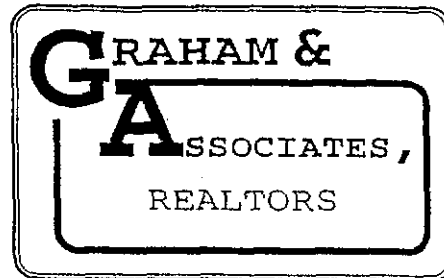
TERM: _____

COMMUNITY SERVICE/CIVIC ACTIVITIES: COMMISSIONER, BRISTOL, TN HOUSING
AUTHORITY 1991 TO PRESENT, CHAIRMAN - 1995 & 1996; BRISTOL, TN BOARD OF
ZONING APPEALS 1991 TO PRESENT. PAST PRESIDENT, BRISTOL HOST LIONS CLUB;
PAST PRESIDENT - BRISTOL TN/VA ASSOCIATION OF REALTORS;

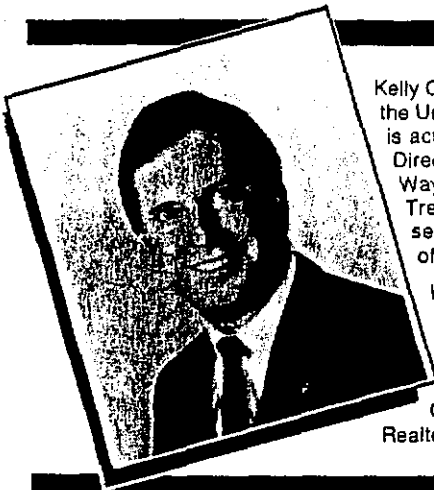
OTHER: 1989 REALTOR OF THE YEAR - BRISTOL TN/VA ASSOCIATION OF REALTORS
PAST TREASURER, THEATER BRISTOL

ATTACHMENT TO RESOLUTION NO. 10

- SITE SELECTION
- BUYER REPRESENTATION
- LISTING PRESENTATION
- BUY/LEASE COMPARISON
- TENANT REPRESENTATION
- CASH FLOW ANALYSIS
- PROPERTY VALUATION



KELLY GRAHAM GRI, CRS, CCIM
 P.O. Box 2044
 Bristol, TN 37621
 (615) 968-2276
 (615) 968-4260 (Fax)



Kelly Graham, a native Bristolian, graduated from Bristol Tennessee High School and the University of Tennessee. He is a member of the Chamber of Commerce where he is active on the Tennessee Legislative Task Force, a past member of the Board of Directors of the Bristol Jaycees and a former Division Chairman of the Bristol United Way. In 1987 Kelly was named to Outstanding Young Men of America. He is past Treasurer of Theatre Bristol and Past President of Bristol Host Lions Club. He serves on the Bristol Tennessee Board of Zoning Appeals and is a Commissioner of the Bristol Tennessee Housing Authority.

Kelly holds three real estate designations including the prestigious CCIM (Certified Commercial Investment Member). He has served the Bristol Association of Realtors in several capacities including Tennessee and Virginia State Director, Treasurer, Vice President and 1993 President. He has served on the Governmental Affairs Committee for the Tennessee Association of Realtors. He is a Charter Member of the Bristol Million Dollar Sales Club. In 1989 Kelly was named Realtor of the Year by the Bristol Association of Realtors.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th OF December 1997.

RESOLUTION AUTHORIZING Sullivan County School Department amending 1997-98 Budget to provide additional services to Special Education Programs.

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 December 1997.

THAT WHEREAS, Sullivan County Schools has been reimbursed for additional cost of providing services to special education children, and

WHEREAS, the Director of Special Education has the need to provide additional services this fiscal year, and

WHEREAS, the Sullivan County School Board has approved amending the 1997-98 School Budget for the purpose of providing services to special education children, now

THEREFORE BE IT RESOLVED, that the Sullivan County Board of Commissioners approve amending the 1997-98 School Budget as follows:

47143.000	Education of the Handicapped	+\$140,522.00
71200.100	Personnel	+\$80,522.00
71200.200	Employee Benefits	\$25,000.00
72220.400	Supplies and Materials	+\$35,000.00

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 December, 1997.

Attested: Gayle R. Lecher Date: 12/15/97 County Clerk

Gil Hodges Date: 12/24/97 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	19	1	2	2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 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 December, 1997.

RESOLUTION AUTHORIZING Increase Appropriation to Highway Acct: 68100 [New Building Project] from Acct: 39000 [Undesignated Fund Balance]

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 December, 1997 ;

THAT, WHEREAS, That \$8,072.65 be appropriated out of the Highway Undesignated Fund Balance Acct: 39000 to the following accounts:

Acct: 68100.300 Highway New Building Project [Contracted Services] \$3,638.00

Acct: 68100.700 Highway New Building Project [Capital Outlay] \$4,434.65

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Board of Commissioners Increase the Appropriation from Acct: 39000 [Undesignated Fund Balance] to Acct: 68100 [New Building Project] as allocated.

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 December, 19 97.

Attested: Gary B. Feathers Date: 12/15/97 Gil Hodges Date: 12/15/97
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 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 OF December 1997.

RESOLUTION AUTHORIZING Sullivan County School Department amending 1997-98 Budget to complete the purchase of 21st Century Classroom Computers

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 December 1997.

THAT WHEREAS, Matching Funds are required to purchase computers under the 21st Century Classroom Program, and

WHEREAS, the State of Tennessee Department of Education is holding funds for the forementioned purchase, and

WHEREAS, the Sullivan County School Board has approved amending the 1997-98 School Budget for the purpose of purchasing classroom computers, now

THEREFORE BE IT RESOLVED, that the Sullivan County Board of Commissioners approve amending the 1997-98 School Budget as follows:

39000.000	Undesignated Fund Balance	+\$75,000.00
46590.000	Other State Education Funds	+\$135,248.00
71100.722	Regular Instruction Equipment	+\$210,248.00

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 December, 1997.

Gay B. Feathers
Attested: _____
County Clerk

Date: 12/15/97

Gil Hodges
County Executive Date: 12/15/97

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	19	1	2	2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 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 OF December 1997.

RESOLUTION AUTHORIZING Grant Between State of Tennessee Department of Education and Sullivan County School Board. (Sex Bias/Stereo typing grant)

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 December 1997.

THAT WHEREAS, the State Department of Education has awarded Sullivan County Schools a grant of \$18,000.00 for career awareness of nontraditional occupations in regards to women, and _____

WHEREAS, the Sullivan County School Board has approved amending the 1997-98 School Budget for the purpose of purchasing classroom computers, now _____

THEREFORE BE IT RESOLVED, that the Sullivan County Board of Commissioners, approve the Sex Bias/Stereotyping Program Grant amending the 1997 - 1998 School Budget as presented below. This grant is fully funded by the State _____

46790.000	State of Tennessee - Other Vocational Revenues	+\$18,00.00
71300.100	Personnel	+\$1,800.00
71300.200	Employee Benefits	+\$ 300.00
71300.300	Contracted Services	+\$6,900.00
72230.400	Supplies and Materials	+\$9,000.00

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 December, 1997.

Attested: Gay B. Feathers
County Clerk

Date: 12/15/97

Gil Hodges
County Executive Date: 12/15/97

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	19	1	2	2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 ROLL CALL

RESOLUTION NO. 17

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 December, 1997.

RESOLUTION AUTHORIZING Speed Limit Sign and Stop Sign on Streets in the 18th 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 December, 1997.

THAT, BE IT RESOLVED, That a speed limit and a STOP sign be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

- 25 MPH Speed Limit - on Wildwood Road
- STOP Sign - on Holston Industrial Drive at Highway 75

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 December, 1997.

Attested: Gay B. Feathers Date: 12/15/97 Gil Hodges Date: 4/24/98
County Clerk County Executive

INTRODUCED BY COMMISSIONER J. Carter ESTIMATED COST: _____
SECONDED BY COMMISSIONER C. 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 12/15/97 ROLL CALL

0552

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

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

December 4, 1997

ATTACHMENT
RES. # 17

COMMISSIONERS: June Carter
Carl Kreli

Dear Commissioners:

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

- (1) A 25 MPH SPEED LIMIT be placed on Wildwood Road.
- (2) A STOP sign be placed on Holston Industrial Drive at Highway 75.

These are in the 18th Civil District.

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

Sincerely,


Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

1220

RESOLUTION NO. 18

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 December, 199 7.

RESOLUTION AUTHORIZING 25 MPH Speed Limit on Fain Road in the 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 December, 199 7.

THAT, BE IT RESOLVED, That a 25 mph speed limit be placed on Fain 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 December, 19 97.

Witnessed by Gay B. Teague County Clerk Date: 12/15/97 Gil Hodges County Executive Date: 4/24/98

INTRODUCED BY COMMISSIONER C. Belcher ESTIMATED COST: _____
SECONDED BY COMMISSIONER E. Hicks FUND: _____
P. Milhorn

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 12/15/97 ROLL CALL

0554

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

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

December 4, 1997

ATTACHMENT
RES. # 18

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 Fain Road 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

RESOLUTION NO. 19

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 December, 199 7

RESOLUTION AUTHORIZING 20 MPH Speed Limit on Marietta Street in the 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 December, 199 7

THAT, BE IT RESOLVED, That a 20 mph speed limit be placed on Marietta Street 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 December, 19 97.

Gay B. Feathers
County Clerk

Date: 12/15/97
Gil Hodges
County Executive

Date: 4/24/98

INTRODUCED BY COMMISSIONER J. Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Gonce FUND: _____
J. Jones

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 12/15/97 ROLL CALL

0556

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

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

December 4, 1997

ATTACHMENT
RES. # 19

COMMISSIONERS: Jim Blalock
Mike Gonce
Jack Jones

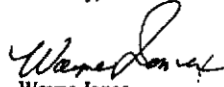
Dear Commissioners:

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

A 20 MPH SPEED LIMIT be placed on Marietta Street 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

RESOLUTION NO. 21

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 DECEMBER, 1997.

RESOLUTION AUTHORIZING The Action of the Health and Educational Facilities Board of the County of Sullivan, Tennessee, as to Issuance of Bonds to Refinance Costs of Acquiring, Constructing, Renovating, and Equipping 172 Bed Nursing Home Known as "Wessex House of Kingsport"

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 December, 1997;

THAT, WHEREAS, The Health and Education Facilities Board of the County of Sullivan (the "Issuer") met on November 11, 1997 and approved the issuance of revenue bonds (the "Bonds") having a face amount of not to exceed \$6,250,000 to refinance the costs of acquiring, constructing, renovating and equipping a 172-bed skilled and intermediate care nursing home known as "Wessex House of Kingsport" at 2421 John B. Dennis Highway, Kingsport, Sullivan County, Tennessee pursuant to T.C.A. §48-101-301 et seq., and the request of RHA/Sullivan, Inc., a Tennessee nonprofit corporation and the initial operator of which will be HealthPrime, Inc., a Georgia corporation; and

WHEREAS, a public hearing was held pursuant to Notice and Publication giving the citizens of Sullivan County a right to appear and comment as to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Legislative Body of the County of Sullivan, that said Body hereby approves the issuance of the Bonds by the Health and Educational Facilities Board of the County of Sullivan.

BE IT FURTHER RESOLVED that neither the County of Sullivan, its Board, the State of Tennessee, nor the Issuer will be liable for the payment of the principal of, or interest on the Bonds, nor shall any agreement or obligation thereunder be construed to constitute an indebtedness of the County of Sullivan, its Board, the State of Tennessee, or the Issuer within the meaning of any constitutional or statutory provision whatsoever, pursuant to T.C.A. §48-101-313, relative to the aforementioned Project.

BE IT FURTHER RESOLVED that the Sullivan County Executive is hereby authorized to execute such documents as may be necessary to verify approval of this project .

(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 15 day of Dec 1997.

Gay B. Feathers
Attested: _____ Date: 12/15/97
County Clerk
E. Williams
County Executive Date: 12/15/97

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 ROLL CALL

1380

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 December, 1997.

RESOLUTION AUTHORIZING Amendment Bristol City County Justice Center for \$175,000

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 December, 1997 ;

THAT, WHEREAS, The construction of the Justice Center in Bristol is proceeding; and

WHEREAS, The Court System needs all space finished while the project is under construction; and

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Board of Commissioners Amend an Additional \$175,000. Funds to be provided as follows:

Acct: 39000 [Undesignated Fund Balance]	\$130,000
Acct: 48140 [City of Bristol Justice Center]	\$ 45,000

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 December, 1997.

Attested: Gay B. Feathers Date: 12/15/97
 County Clerk Gil Hodges Date: 12/24/98
 County Executive

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	17		2	4	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 12/15/97 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 December, 1997.

RESOLUTION AUTHORIZING Amendments to Private Acts of 1947 Relative to Office of the County Purchasing Agent

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 December, 1997 ;

NOW, THEREFORE, BE IT RESOLVED that Chapter No. 261 of the Private Acts of 1947, as amended, relative to the Office of the Sullivan County Purchasing Agent shall be further amended as follows subject to approval by the state legislative body and subsequent ratification by the Sullivan County Board of Commissioners:

(1) By deleting Section 3(a) thereof in its entirety and substituting in lieu thereof the following:

SECTION 3. (a) Purchases or contracts, including annual contracts, for purchases, as described in Section 2, for the use of any official, employee, department, or agency of the County Government, the estimated value of which exceeds Five thousand dollars (\$5,000.00) except in emergencies, shall be executed by the County Purchasing Agent only after he/she shall have advertised in a newspaper published or circulated in Sullivan County that sealed bids will be received by the County Purchasing Agent at the time fixed in the advertisement for such materials, supplies, or equipment. The sealed bids received shall be opened publicly at the time and place fixed in the advertisement, not less than five (5) days after the publication of the advertisement. No purchase or contract to purchase shall be made or executed until the Director of Accounts and Budgets certifies that funds are available to the credit of the department or agency of the County Government to pay for such materials, supplies, or equipment when delivered to the County and found to meet the specifications of the department or agency of the County Government. The County Purchasing Agent shall have the authority to determine if items meet required specifications and shall have the authority to approve payment for same if a County department or agency disagrees. The right shall be reserved at all times to reject any and all bids received.

(2) By deleting Section 4 in its entirety and substituting in lieu thereof the following:

SECTION 4.

(a) The purchasing agent is hereby authorized to make purchases without securing any bids where estimates value is Five hundred dollars (\$500.00) or less.

(b) When the estimated value of any materials, supplies, or equipment is Five thousand dollars (\$5,000.00) or less, the County Purchasing Agent shall be authorized to purchase the same without advertising for bids, but must keep a record of the names of the persons, firms or corporations contacted and the name of the person, firms or corporation from whom the purchase is made and the amount paid for such materials, supplies, or equipment.

(c) In the event of an emergency and if the estimated value of any materials, supplies, or equipment exceeds Five thousand dollars (5,000.00), the County Purchasing Agent is authorized to purchase the same without the necessity of advertisement or sealed bids but, in making such purchases, the County agency or official must certify to the County Purchasing Agent: (1) That there is an emergency and that there is an immediate need for said requisition; (2) That the public will suffer if the purchase is delayed to permit advertisement; (3) That funds are available to pay for the materials, supplies, or equipment to be purchased. In such cases, The County Purchasing Agent will obtain the lowest bid for such item and will keep a record of the names of the persons, firms, or corporations contacted and the name of the person, firm, or corporation from whom the purchase is made and the price paid for such materials, supplies, or equipment.

RESOLUTION NO. 23
Page Two

(3) By Deleting Section 7 in its entirety and substituting in lieu thereof the following:

SECTION 7 That the County Purchasing may, by regulations or written order, (1) require security to accompany bids, and fix the amount thereof guaranteeing the performance of the contract is awarded; (2) govern the method and procedure whereby the departments, agencies, or officials of the County shall inform him/her of the need or necessity for the purchase of supplies, equipment, and materials; (3) prescribe forms for estimates, requisitions, purchase orders, and contracts; (4) establish definite or regular periods for submitting estimates or requisitions and, (5) authorize the issuance of monthly requisitions for purchase as requested by County department heads or officials and as approved by the County Purchasing Agent for items to be purchased at the same place of business during a month, not to exceed Two hundred dollars (\$200.00) per item or One thousand dollars (\$1,000.00) total per month.

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 December, 1997

Gay B. Trachue Date: 12-15-97 *John Hodges* Date: 4/24/98
County Clerk County Executive

INTRODUCED BY COMMISSIONER Reedy 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 12/15/97 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 December, 1997.

RESOLUTION AUTHORIZING State TIIP Funds be Expended on Water and Sewer Projects at Steadman Farm Industrial Project in reference to Resolution 20 passed on August 18, 1997.

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 15h day of December, 1997;

THAT, WHEREAS, the Sullivan County Commission has previously provided funding for the Steadman Farm Utility Project in the 1997-98 budget.

WHEREAS, the Sullivan County Commission on behalf of the City of Kingsport applied for TIIP Grant Funds for the state of Tennessee to fund the utilities at the Steadman Farm Industrial Site.

Whereas, the City of Kingsport has provided assurance of responsibility for any liability in excess of the County's funding of the Sewer Project.

WHEREAS, the COFAP company has projected employment of more than 150 with an investment of over \$30,000,000.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is authorized to sign the Memorandum of Understanding to expend the \$710,320.83 on the Steadman Farm Utilities to be funded from the TIIP Grant, the City of Kingsport for any amount on waterline that might exceed the TIIP Grant, and Sullivan County the Balance of the Sewer Project. Sullivan County's funding is limited to the amount of the Sewer project.

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 December, 1997.

Attested: Gay B. Feathers County Clerk Date: 12/15/97 Gil Hodges County Executive Date: 12/24/97

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	17		2	5	
Voice Vote					

COMMENTS: WAIVER OF THE RULES
APPROVED 12/15/97 ROLL CALL

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding by and between the City of Kingsport, Tennessee and Sullivan County, Tennessee is effective this the 15th day of December, 1997.

WITNESSETH:

WHEREAS, the Parties have agreed to cooperate in the provision of infrastructure services to provide for an industrial development by COFAP, Inc. in Kingsport, Sullivan County, Tennessee; and

WHEREAS, the Parties recognize that such cooperation and participation is beneficial to all citizens of Sullivan County; and

WHEREAS, Sullivan County is considered by the State of Tennessee to be acting as the owner of this project by virtue of acquiring grant monies to assist the City of Kingsport in this effort; and

WHEREAS, Sullivan County's involvement in this project is limited solely to the disbursement of funds and applicable paper transactions; and

WHEREAS, the design and construction will be directly supervised by the City of Kingsport to the exclusion of Sullivan County; and

WHEREAS, the Parties desire to outline their general understanding of the responsibilities of the respective parties in the provision of such infrastructure services;

NOW, THEREFORE, the Parties state as follows:


1. That a bid for the construction of water lines and sewer lines to the COFAP, Inc. site in the amount of \$710,320.83 has been received and accepted by Sullivan County, Tennessee.
2. That the payment for this construction will come from the cooperative efforts of the State of Tennessee, Sullivan County, Tennessee and the City of Kingsport, Tennessee.
3. That to the extent permitted by state law, the City of Kingsport will indemnify Sullivan County against all liability and loss, including expenses and attorney fees, and hold Sullivan County harmless from any and all claims for damages and/or injuries arising from or in any way related to this project; however, the City of Kingsport will bear no liability for any loss, expense or claim for damages or injury arising out of any act or omission by Sullivan County in the performance of this agreement.

4. The City of Kingsport will be responsible for cost for water lines over the bid amount for water lines.


5. That the project will be completed in a timely manner, and in accordance with the contract documents.

WHEREFORE, the Parties have executed this Memorandum of Understanding for the purposes set out herein effective the date first above written.

SULLIVAN COUNTY, TENNESSEE


Gil Hodges

ATTEST:


Gay B. Feathers
County Clerk

APPROVED AS TO FORM:


Daniel P. Street
County Attorney

CITY OF KINGSPORT, TENNESSEE

Ruth C. Montgomery

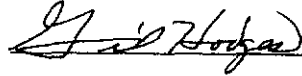
ATTEST:

Keith E. Smith
City Recorder

APPROVED AS TO FORM:

J. Michael Billingsley
City Attorney

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET
AGAIN IN REGULAR SESSION JANUARY 19, 1998.

A handwritten signature in cursive script, appearing to read "Gil Hodges", is written above a horizontal line.

GIL HODGES, COUNTY EXECUTIVE