

Dear Commissioner:

Please find attached a copy of the minutes of the County Commission Meeting of December 20, 2010. If there are any corrections, please contact my office at 323-6434 or [coclerk@sullivancounty.org](mailto:coclerk@sullivancounty.org), at your earliest convenience.

Sincerely,

Jeanie Gammon  
County Clerk

# COUNTY COMMISSION- REGULAR SESSION

**DECEMBER 20, 2010**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, DECEMBER 20, 2010, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

**The Commission was called to order by Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and Rev. Mike Vicars gave the invocation. The pledge to the flag was led by Sheriff Wayne Anderson.**

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

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

**22 PRESENT 2 ABSENT (ABSENT-BOOMERSHINE, FERGUSON)**

**The following pages indicates the action taken by the Commission on re-zoning requests, approval of notary applications and personal surety bonds, motions, resolutions and other matters subject to the approval of the Board of Commissioners.**

**Motion was made by Comm. Morrell and seconded by Comm. Harkleroad to approve the minutes of the November 15, 2010 Regular Session of County Commission. Said motion was approved by voice vote.**

**PUBLIC COMMENTS: DECEMBER 20, 2010**

**THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:**

**1. BAXTER HOOD, SHARING HIS FIRST IMPRESSIONS, HIS DELIGHTS AND SURPRISES AS A NEW COMMISSIONER.**

**2. MIKE VICARS WITH INTRODUCTION OF THE "COMPASSIONATE HEARTS FOUNDATION "- A NON-PROFIT CHARITABLE ORGANIZATION**

**3. CHARLIE DOTSON, CONCERNING RESOLUTION #8 ON TODAY'S AGENDA**

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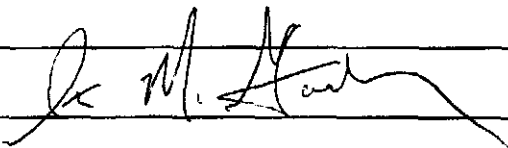
**INTERIM HIGHWAY COMMISSIONER TERRY SHAFFER GAVE THE COMMISSION AN UPDATE ON THE HIGHWAY DEPARTMENT**

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SULLIVAN COUNTY COMMISSION  
 Public Comment Session  
 Monday, December 20, 2010

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓ 1	MIKE VICARS	105 Old Castle Rd.	Kpt., TN. 37660	
✓ 2	Baxter Hood	646 Lebanon Rd	37663	
✓ 3	CHARLIE & BETY DOTSON	769 LEBANON RD.	37663	
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

12/20/10 Public Comments  
Hood

Thank you

I would like to share my first impressions, my delights and surprises as a new commissioner.

First—a brief commercial:

I accepted the sheriff's invitation to spend a day with the department and I certainly feel it was well worth my while. I want to encourage you to respond to the invitation if you **HAVE NOT** had a good look at this important operation.

At a time like this I wish I were as eloquent as Commissioner Emeritus James King. What a guy!

I am delighted for the opportunity to serve as commissioner and I have no regret for seeking this service role.

It's a pleasure to get acquainted with our elected officers and other distinctive leaders who frequent this place.

It's heartening to see our public servants in Sullivan County being so interested in serving purposefully and honorably.

I love this on the job training / this education in civics.

I was encouraged as I attend our Administrative Committee when Chairman, Commissioner John Crawford started the meeting with prayer and our Pledge of Allegiance to the Flag. This nation was founded as God's country and we need to work to keep it this way.

What a blessing and privilege to live in a nation with a foundation and history based on religious liberty, and yes, Christianity. I am convinced the birth of our nation is a miracle that came as a result of the great spiritual awakening in the 1700s.

I suppose my first surprises here was the plea from Commissioner Armstrong that this court gives greater attention to courtesy and parliamentary rules. It was a surprise—to eventually realize—such an admonition was merited.

I praise Almighty God for the politicians and statesmen who have been bold, and are bold; to stand and speak with strong voices in our representative government—with our major initiative to provide liberty and justice for all.

In this regard, I am especially encouraged with this board of commissioners who speak boldly for fairness and truth.

One in particular is Wayne McConnell for I appreciate his determination for this court to abide the law and represent

Flat broke

ECU

Small bills

All dressed up  
w/ no place to go

Barbara

Represent her  
at County Court

She said tell you

2 things

1. Be reasonable

2. Use common sense

Reasonable

Commonsense

the people—

although sometimes I wish Wayne would exhibit a little more courtroom etiquette and respect for parliamentary procedure.

Perhaps they wished that of Patrick Henry and other patriots who have been especially bold and brave and still speak out loudly.

Another surprise I've had is the obvious contempt some officials have for each other. I am disappointed by the contempt and lack of respect, by some, for our County Attorney—and I appreciate his ability to not be deterred.

A real surprise was in our last meeting when our distinctive honorable Chairman allowed his temper to flare and was unnecessarily threatening. Surely a lack of restraint was exhibited. It certainly made me uncomfortable—almost like intimidated.

Such outbursts cause a pall over meetings when they occur. Not good!

I was surprised about our appointment of a constable for the Blountville district. Somehow I feel you were stricken by a good old boy—one of our own—charisma—waxed eloquent—syndrome.

Not that the person you appointed is not a good and well qualified man. Indeed, he is a good man and well qualified.

**Well**, I feel like—in my limited experience— I failed George—Large, a very good man—by not speaking out boldly for his appointment.

After all—like you—when his district elected their constable, he went through due process and garnered over 25 names of his voting peers to nominate him.

The record shows he was runner up and came within 59 votes of being duly elected. I believe most of you knew that. So, I ask, who are we to rise above the electorate?

My fellow commissioner's, perhaps we need to review the Golden Rule—You should do unto others as you would have them do unto you.

MY LAST ITEM: I am surprised that such a weighty matter as a \$500 Christmas Bonus for Sullivan County employees was introduced in such an untimely, and in my view,

Chairman's admonition  
Keep the Spirit

unethical fashion. More accurately the bonus could be defined a wage supplement.

**THE RIGHT THING MAY HAVE BEEN DONE IN REGARDS TO A WAGE SUPPLEMENT—BUT THE RIGHT THING WAS NOT DONE IN REGARDS TO GAINING RESPECT OF THIS COMMISSION.**

Dear friends, this item should have been deliberated in a timely and ethical fashion.

I feel a bad strategy was employed to accomplish a good thing. And if it had been done in due process, it could have been **a better thing—and For Sure it would have been a better tasting thing.**

I guess it's not a rule—but—the memo from the chairman's office—clearly states that—we should provide this office with any additional business that needs to be added to the agenda—no later than Thursday prior to the Commission meeting.

The least of respect—or courtesy—should be that an agenda item be introduced no later than the start of the meeting.

I feel the height of discourtesy—and disrespect for the system—was employed by this item being brought as a floor motion at the end of the meeting—and I'm sure the proponents didn't intend for it to be at the end of a long an arduous meeting.

I don't know what rules we can institute in this court but I am in favor of a rule for no agenda item to be deliberated outside our INSTITUTED STANDARD OF ETHICS—COURTESY—AND RESPECT.

Again, it is a joy and privilege to serve here with you and I look forward to all the good times.

Thank you, Merry Christmas / Happy New Year—and that is all!

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

Notaries to be elected December 20, 2010

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APRIL DAWN BARRETT	DEBRA JENE MANIS
BRIAN C. BEARDEN	GAYVERN M. MOORE
SHARON BERNTSEN	REBECCA ANN MORIN
MARY BETH BISHOP	M. MICHAEL MORRISON II
THOMAS M. BOX III	NIKKI LEE NASH
SORCHA JOLENE BUSH	DEBBIE J. PARKS
CINDY I. CARTER	DREAMA REESE PARSONS
LEE L. CHASE	JEANIE PENLEY
TRAVIS CHATMAN	VELMA F. PETERS
ELIZABETH A. CHICCO	SUSAN M. RATLIFF
DEBORAH L. CORNS	BERTHA G. REDMAN
HOLLY CORUM	E. A. RICHARDS
JENNIFER L. FRENCH	TIMOTHY E. SCOTT
KRISTI GRADY	DONNA SEXTON
JERRY D. GREENE	R. KAYE SHIPLEY
WALLACE GENE GRILLS	CONNIE S. STUFFLESTREET
DAVID O. HAMMONDS	ANGELA TAYLOR
BRENDA J. HARRISON	JEREMIAH A. TOMLINSON
MICHELLE S. HATLEY	JOHNNY GLENN TRAVIS
DIANE M. K. HILLS	BRITTANY NICOLE TUNNELL
JANICE L. HUMBLE	DARLENE WINEGAR
WILLIAM G. ISON	EMILY WOOD
LORETTA ANN LARGENT	SHARON S. WYATT
PAMELA JUNE LASHLEY	

PERSONAL SURETY  
NATHAN D. WILLIS  
FRANK M. GEISENHAVER

UPON MOTION MADE BY COMM. MCCONNELL AND SECONDED BY  
COMM. WHITE TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID  
MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION.  
22 AYE, 2 ABSENT



STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
SURETY BONDS

DECEMBER 20, 2010

<u>NAME OF NOTARY</u>	<u>PERSONAL SURETY</u>	<u>PERSONAL SURETY</u>
SANDRA GENTRY	HAZEL L. DENTON	W. EARL NELSON
JACK W. HYDER, JR.	SHELTON B. HILLMAN, JR.	CRAIG H. CALDWELL, JR.
ASHLEY JOANNA LOVELACE	JOSEPH S. HERRON	JERRY A. VICARS
DIANA RUTH SNYDER	WESLEY HARRIS	DAVID RUSSELL
TERESA LYN LIGHT	LARRY W. DAVIS	ROBERT K. DAVIS

UPON MOTION MADE BY COMM. MCCONNELL AND SECONDED BY COMM. WHITE TO  
APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS  
APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 22 AYE, 2 ABSENT

QUESTIONS BEFORE THE COMM.	No.		No.		No.		No.		No.		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	✓				✓											
Boomershine	A				A											
Bowery	✓				✓											
Boyd	✓				✓											
Brittenham	✓				✓											
Brotherton	✓				✓											
Calton	✓				✓											
Crauford	✓				✓											
Ferguson	A				A											
Gardner	✓				✓											
Harkleroad	✓				✓											
Henson	✓				✓											
Hood	✓				✓											
Houser	✓				✓											
Johnson	✓				✓											
Kilgore	✓				✓											
King	✓				✓											
Marsh	✓				✓											
McConnell	✓				✓											
Marzell	✓				✓											
Neal	✓				✓											
Seigener	✓				✓											
White	✓				✓											
Williams	✓				✓											
	22 Present															
	2 Absent				22 Aye											
					2 Absent											



QUESTIONS BEFORE THE COMM.

NAMES OF COMMISSIONERS	No. 5		No. 6		No. 7		No. 8		No. 9		No. 10		No. 11		No. 12	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Haskellroad	✓		✓		✓		✓		✓				✓			
Herron	✓		✓		✓		P		✓				✓			
Hood	✓		✓		✓		✓		✓				✓			
Hauser	✓		✓		✓		✓		A				A			
Johnson	✓		✓		✓		P		✓				✓			
Kilgore	✓		✓		✓		P		✓				✓			
King	✓		✓		✓		✓		✓				✓			
Marsh	✓		✓		✓		✓		P				P			
McConnell	✓		✓		✓		✓		P							
Marnell	✓		✓		✓		✓		✓				✓			
Neel	✓		✓		A		✓		✓				✓			
Surgenor	✓		✓		✓		✓		✓				✓			
White	✓		✓		A		✓		✓				✓			
Williams	✓		✓		✓		✓		✓				✓			
Armstrong	✓		✓		✓		P		✓				✓			
Boomershine	A		A		A		A		A		A		A		A	
Baker	✓		✓		✓		✓		✓				✓			
Boyd	✓		✓		✓		P		✓				✓			
Brittenham	✓		✓		✓		✓		✓				✓			
Brotherton	✓		✓		✓		✓		✓				✓			
Colton	✓		✓		✓		✓		✓				✓			
Crawford	✓		✓		✓		✓		✓				✓			
Ferguson	A		A		A		A		A		A		A		A	
Gardner	✓		✓		✓		✓		✓				✓			
	23 Aye		22 Aye		20 Aye		15 Aye		19 Aye				19 Aye			
	2 Ays		2 Ays		4 Ays		2 Nay		2 Pass				1 Pass			
							5 Pass		3 Ays				1 Pass			
							2 Ays						3 Ays			





2

**AGENDA**  
**Sullivan County Board of County Commission**

*December 20, 2010*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, December 20, 2010 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 10/10/#1 Phillip Wills  
Reclassify 2.88 acres of property located at 1712 Bloomingdale Road from M-2 (Heavy Manufacturing District) to R-1(Low Density/Single-Family Residential District) for the purpose of returning the property to residential.  
**Kingsport Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING 10/10/10 #1

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

Property Owner: <u>Phillip &amp; Betty Wills</u>	<u>OFFICE USE ONLY</u>
Address: <u>1712 Bloomingdale Rd</u> <u>Kingsport TN 37660</u>	Meeting Date <u>11/18/2010</u> Time <u>7:00 pm</u>
Phone <u>288-2159</u> Date of Request <u>09/24/2010</u>	Place <u>2<sup>nd</sup> floor City Hall</u>
Property Located in <u>11</u> Civil District	Planning Commission Approved <input checked="" type="checkbox"/> <u>        </u> Denied <input type="checkbox"/> <u>        </u>
<u>Betty Wills</u> Signature of Applicant	County Commission Approved <input checked="" type="checkbox"/> <u>        </u> Denied <input type="checkbox"/> <u>        </u>
	Other <u>Roll Call</u> Vote <u>19 Aye, 5 Absent</u>
	Final Action Date <u>12-20-10</u>

PROPERTY IDENTIFICATION

Tax Map No. 30-E / Group C / Parcel 1.00  
 Zoning Map 6 Zoning District M-2 Proposed District R-1  
 Property Location : 1712 Bloomingdale Road  
 Purpose of Rezoning: To return property to Residential

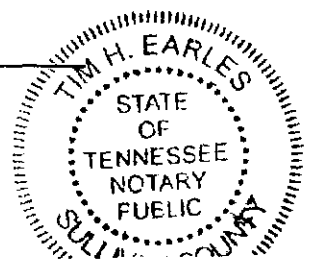
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Betty Wills

SWORN TO AND SUBSCRIBED before me this 24 day of Sept, 2010.

Tim H. Earles  
Notary Public

My Commission Expires: 12-06-2011





**RESOLUTIONS ON DOCKET FOR DECEMBER 20, 2010**

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 12-20-10
#2 REGARDING ELECTION REDISTRICTING IN TENNESSEE COUNTIES	DEFERRED 12-20-10
#3 AMENDING THE PROPERTY MAINTENANCE CODE OF SULLIVAN COUNTY TO INSERT TEXT NECESSARY TO CLARIFY SULLIVAN COUNTY'S REGULATIONS IN CERTAIN SECTIONS	APPROVED 12-20-10
#4 AUTHORIZING SULLIVAN COUNTY TO ENTER INTO AGREEMENT WITH THE CITIES OF KINGSPORT AND BLUFF CITY TO CREATE AND IMPLEMENT THE "SULLIVAN COUNTY-BLUFF CITY-KINGSPORT ANIMAL CONTROL CENTER, INC."	APPROVED 12-20-10
#5 TO AUTHORIZE PLACING STOP SIGNS ON THREE ROADS IN ALLISON HEIGHTS SUBDIVISION- NO. 1 AT NEW BETHEL ROAD AND ALLISON HEIGHTS ROAD- NO. 2 AT ALLISON HEIGHTS ROAD AND HAYLEE'S WAY - NO. 3 AT ALLISON HEIGHTS ROAD AND DENVER LANE IN THE 5 <sup>TH</sup> COMM. DIST.	APPROVED 12-20-10
#6 TO AMEND 2010-11 FY GENERAL FUND BUDGET FOR GRANT FOR ELECTION COMMISSION TO FUND ADDITIONAL CERTIFIED VOTING EQUIPMENT FOR THE UPCOMING ELECTION	APPROVED 12-20-10
#7 TO ACCEPT AND APPROPRIATE THE DONATION FROM THE ESTATE OF LESTER CHILDS TO SULLIVAN COUNTY PUBLIC LIBRARY AND THOMAS MEMORIAL LIBRARY	APPROVED 12-20-10
#8 TO AUTHORIZE REMOVING NO PARKING SIGNS ON LEBANON ROAD IN THE 7 <sup>TH</sup> COMM. DISTRICT	FAILED 12-20-10 PUT BACK ON FIRST READING 12-20-10
#9 TO APPROPRIATE FUNDS FOR DRUG COURT CONTRACTUAL SERVICES	APPROVED 12-20-10
#10 TO ADOPT THE SULLIVAN COUNTY HIGHWAY DEPT. ROAD ATLAS	DEFERRED 12-20-10
#11 AMEND THE 2010-2011 GENERAL PURPOSE SCHOOL BUDGET FOR THE SAFE SCHOOLS GRANT RECEIVED FROM THE STATE OF TENNESSEE (ARRA/SPSF FUNDS) IN THE AMOUNT OF \$5,159.28	APPROVED 12-20-10

<p>#12 REQUIRING THAT ALL MAIN MOTIONS INVOLVING EXPENDITURES BE SUBMITTED AS A WRITTEN RESOLUTION</p>	<p>1<sup>ST</sup> READING 12-20-10</p>
<p>#13 AUTHORIZE THE ACCEPTANCE OF A 2005 DODGE SPRINTER VAN DONATED TO THE SULLIVAN COUNTY SHERIFF'S DEPARTMENT</p>	<p>APPROVED 12-20-10</p>
<p>#14 AUTHORIZE APPROVAL OF STATUTORY BONDS FOR ELECTED AND APPOINTED OFFICIALS</p>	<p>APPROVED 12-20-10</p>
<p>#15 ANNUALLY APPROPRIATE FUNDS FOR THE KINGSPORT ECONOMIC DEVELOPMENT BOARD TO PROVIDE A GUARANTEE FOR CONTINGENCY FUNDING OF PAYMENTS ON THE PURCHASE OF THE BUILDING AND PROPERTY LOCATED AT 10388 AIRPORT PARKWAY, KINGSPORT, TN</p>	<p>APPROVED 12-20-10</p>

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2010-12-00

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

**RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution**

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

WHEREAS, such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution.

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

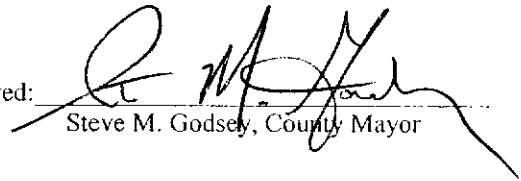
All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 20th day of December 2010.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Steve M. Godsey, County Mayor

**Sponsor: John Crawford**

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

2010-12-00	County Commission
ACTION	Approved 12-20-10 Voice Vote

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

Item 2  
Executive  
No. 2010-09-92

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

**RESOLUTION Regarding Election Redistricting In Tennessee Counties**

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

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

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

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

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

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

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

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

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

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

2010-09-92	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 10-4-10; Deferred By Sponsor 11-1-10; Deferred 12-6-10	Deferred 10-7-10, No Action 11-9-10, No Action 12-2-10	No Action 10-5-10, Deferred 11-3-10, No Action 12-7-10	

Notes: 1st Reading 09-20-10; Deferred 10-18-10; Deferred 11-15-10; **Deferred 12-20-10;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 3  
Executive  
No. 2010-10-98

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

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

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

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

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

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

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

**Section 302.4 – Insert “12 inches”**

**~~Section 304.14 – Insert “Year Round”~~**

**~~Section 602.3 – Insert “October through May”~~**

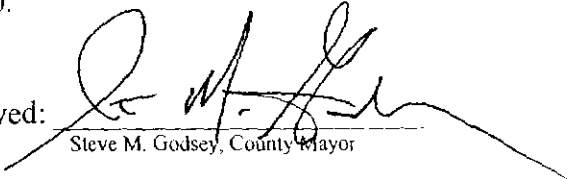
**~~Section 602.4 – Insert “October through May”~~**

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

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser**  
**Prime Co-Sponsor(s): Terry Harkleroad**

2010-10-98	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 10-4-10; No Action 11-1-10, No Action 12-6-10	Deferred 10-7-10, Failed 11-9-10, No Action 12-2-10	Approved 10-5-10, No Action 11-3-10, No Action 12-7-10	<b>Approved 12-20-10</b> <b>22 Aye, 2 Absent</b>

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

**Amended by Sponsor 12-20-10 to delete "Section 304.14, Section 602.3, and Section 602.4" as shown above.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 4  
Administrative  
No. 2010-11-107

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

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

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

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

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

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

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

*Waiver Of Rules Requested*



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

Approved this 20th day of December 2010.

Attested: Jeanie Gammon  
 Jeanie Gammon, County Clerk

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

**Sponsored By: Joe Herron**

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

2010-11-107	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 12-6-10	Approved 12-2-10	No Action 12-7-10	Approved 12-20-10 18 Aye, 2 Nay, 1 Pass, 3 Absent

Notes: 1st Reading 11-15-10;

**Amendment #1** made by Sponsor 12-20-10 as follows "If Kingsport or Sullivan County backs out that their shelter reverts back to them"

**Amendment #1** approved with Resolution 12-20-10

**Motion** made by White, seconded by Brotherton to defer Resolution for thirty days- **Motion** withdrawn by White

**Amendment #2** "A Fee of \$15 (Fifteen Dollars) was agreed upon as the Fee The City Of Bristol will Pay to Dispose of Animals Collected in Its Animal Control Program and Brought to The Animal Shelter Facility Operated Under This Agreement" (#9 of Interlocal Agreement) - **Amendment** Approved with Resolution 12-20-10

**Amendment #3** made by Comm. Brittenham and Accepted by Sponsor that "An Annual Review be Brought Back to the Governing Bodies"- **Amendment** Approved with Resolution 12-20-10

## INTERLOCAL AGREEMENT

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

### WITNESSETH:

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

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

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

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

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

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

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

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

6. The corporation is not for profit.

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

8. This corporation will not have members.

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

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

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

DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
INCORPORATOR

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

**ARTICLE I  
MEMBERSHIP**

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

**ARTICLE II  
BOARD OF DIRECTORS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **ARTICLE III OFFICERS**

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

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

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

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

### **ARTICLE IV MANAGER**

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

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

### **ARTICLE V FISCAL YEAR**

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

### **ARTICLE VI AMENDMENT TO BY-LAWS**

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

**ARTICLE VII  
DISSOLUTION**

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

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

Sullivan County - \$308,016.00  
Kingsport - \$165,800.00  
Bluff City - \$5,000.00

The not for profit corporation will be required to raise the remainder of the operating budget.

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

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

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

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

8. Upon the occurrence of an alleged default, or a dispute or disagreement between the parties hereto arising out of or in connection with any term or provision of this Agreement or, the subject matter hereof, or the interpretation or enforcement hereof (the "Dispute"), the parties will engage in informal, good faith discussions and attempt to resolve the Dispute. In connection therewith, upon written notice of either party, each of the parties will appoint a designated officer whose task it will be to meet for the purpose of attempting to resolve such Dispute. The designated officers will meet as often as the parties will deem to be reasonably necessary. Such officers will discuss the Dispute. If the parties are unable to resolve the

Dispute in accordance with this paragraph, and in the event that any of the parties concludes in good faith that amicable resolution through continued negotiation with respect to the Dispute is not reasonably likely, then the parties may mutually agree to submit to nonbinding mediation. If the matter is not resolved by mediation any party will have the right, at its sole option, without further demand or notice, to take whatever action at law or in equity may appear necessary or desirable to enforce its rights including, but not limited to, the suspension or termination of this agreement.

9. Should the City of Bristol so desire, it shall be allowed to participate in the joint animal control and shelter services contemplated by this Agreement upon such terms as may be agreed to by the parties. Until such time as the City of Bristol so participates, the not for profit corporation shall allow the City of Bristol, upon its payment of reasonable fees, to dispose of animals collected in its animal control program at the closest animal shelter facility operated under this Agreement.

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

**SULLIVAN COUNTY, TENNESSEE**

ATTEST:

\_\_\_\_\_

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel P. Street  
County Attorney for Sullivan County

**CITY OF BLUFF CITY, TENNESSEE**

ATTEST:

\_\_\_\_\_

Judy A. Dulaney, City Recorder

By: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_

\_\_\_\_\_  
City Attorney for Bluff City

**CITY OF KINGSPORT, TENNESSEE**

ATTEST:

\_\_\_\_\_

James H. Demming, City Recorder

By: \_\_\_\_\_  
Dennis R. Phillips, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_

J. Michael Billingsley  
City Attorney for Kingsport



Sullivan County, Tennessee  
Board of County Commissioners

Item 5  
Executive  
No. 2010-12-109  
Attachment

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

**RESOLUTION To Authorize Placing STOP Signs On Three Roads In Allison Heights Subdivision – No. 1 At New Bethel Road And Allison Heights Road – No. 2 At Allison Heights Road And Haylee’s Way – No. 3 At Allison Heights Road And Denver Lane In The 5th Commissioner District**

WHEREAS, Commissioner Dwight King requested the Sullivan County Highway Department to make this change; and,

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

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

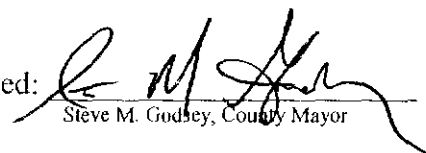
**5th Commission District**

**To Place STOP Signs In Allison Height Subdivision:  
At New Bethel Road And Allison Heights Road,  
At Allison Heights Road And Haylee’s Way,  
At Allison Heights Road And Denver Lane**

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dwight King**

**Prime Co-Sponsor(s): Ty Boomershine , Cathy Armstrong**

2010-12-109	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-6-10	Approved 12-2-10	Approved 12-7-10	<b>Approved 12-20-10 22 Aye, 2 Absent</b>

Notes: **Waiver of rules requested.**

**RESOLUTION REQUEST REVIEW**

**DATE:** September 14, 2010

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Dwight King

**SUBJECT:** To place stop sign at (3) roads in Allison Heights Subdivision  
1.) New Bethel Rd. / Allison Heights Rd. (2) Allison Heights  
Rd. / Haylee's Way (3) Allison Heights Rd / Denver Ln.

5th **CIVIL DISTRICT**

Ty Boomershine  
\_\_\_\_\_

X **APPROVED BY HIGHWAY DEPARTMENT**

       **DENIED BY HIGHWAY DEPARTMENT**

**COMMENT:**

 11/18/2010  
\_\_\_\_\_  
**TRAFFIC COORDINATOR**

 11/18/2010  
\_\_\_\_\_  
**HIGHWAY COMMISSIONER**

Sullivan County, Tennessee  
Board of County Commissioners

Item 6  
Budget/Executive  
No. 2010-12-110

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

**RESOLUTION To Amend 2010-11 FY General Fund Budget For Grant For Election Commission To Fund Additional Certified Voting Equipment For The Upcoming Election**

WHEREAS, the State of Tennessee provides funding to local counties to obtain the use of certified voting equipment to improve the election process in counties; and

WHEREAS, Sullivan County with the equipment provided through these additional funds be able to improve the ratio of voters to certified voting equipment.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, approve the grant and amend the General Fund budgeted revenues and appropriations in the amount of \$6,000.00 to cover the cost of rental equipment for the upcoming elections in Sullivan County (Account codes to be assigned by the Director of Accounts & Budgets.)**

*Waiver of Rules Requested*

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**

**Prime Co-Sponsor(s): Dwight King**

2010-12-110	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-6-10	Approved 12-2-10	Approved 12-7-10	<b>Approved 12-20-10</b> <b>22 Aye, 2 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 7  
Administrative/Budget  
No. 2010-12-111

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

**RESOLUTION To Accept And Appropriate The Donation From The Estate Of Lester Childs To Sullivan County Public Library And Thomas Memorial Library**

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


WHEREAS, these funds will provide for many needs of the two libraries to provide extended services to the citizens of Sullivan County;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting and appropriating funds in an amount up to \$33,139.40 from the estate of Lester Childs.**

**BE IT RESOLVED that the Sullivan County Library will not be required to provide any matching funds from their current budget (No New Money Involved). Account Codes assigned by the Office of Accounts & Budgets.**

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Linda Brittenham**

**Prime Co-Sponsor(s): Randy Morrell, Darlene Calton, John Crawford, Joe Herron,  
Terry Harkleroad, All Voting "Aye"**

2010-12-111	Administrative	Budget	Executive	County Commission
ACTION	Approved 12-6-10	Approved 12-2-10	Approved 12-7-10	Approved 12-20-10 20 Aye, 4 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Executive  
No. 2010-12-112  
Attachments  
Amendments

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

**RESOLUTION To Authorize Removing NO PARKING Signs On Lebanon Road In The 7th Commissioner District**

WHEREAS, Commissioner Baxter Hood requested the Sullivan County Highway Department to make this change; and,

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

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

**7th Commission District**

**To Remove NO PARKING Signs  
On Lebanon Road**

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

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

**Sponsored By: Baxter Hood**  
**Prime Co-Sponsor(s): James Brotherton**

2010-12-12	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-6-10	Deferred 12-2-10	No Action 12-7-10	

Notes: **Failed 12-20-10 (15 Aye, 2 Nay, 5 Pass, 2 Absent); Put back on as 1st Reading by Sponsor 12-20-10;**

**Amendment No. 1 From Executive Committee -- December 7, 2010**

**Request That NO PARKING Signs Be Amended To Read:**

**“NO PARKING Here To Corner”**

**Amendment No. 2 Added By Sponsor -- December 8, 2010**

**Amend Resolution No. 2010-12-112 by deleting the title of the Resolution, both paragraphs beginning with "WHEREAS," and the paragraph beginning "NOW, THEREFORE, BE IT RESOLVED" in their entirety and substituting in lieu thereof the following:**

**RESOLUTION Authorizing Removal of "No Parking" Signs in 700 Block of Lebanon Road and Authorizing Placement of "No Parking Here to Corner" Signs on Lebanon Road at its Intersection with Winesap Road and Intersection with Crabapple Lane in the 7th Commissioner District**

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2009-03-33 on March 16, 2009 authorizing the placement of "No Parking Signs on Lebanon Road between STOP signs of Winesap Road and Crab Apple Road that Connects Onto Lebanon Road"; and

WHEREAS, the residents in the 700 block of Lebanon Road have requested that said "No Parking" signs be removed; and

WHEREAS, Commissioner Baxter Hood has requested that the "No Parking" signs located in the 700 Block of Lebanon Road be removed and that "No Parking Here to Corner" signs be posted on Lebanon Road at its intersection with Winesap Road and its intersection with Crabapple Lane with the exact location of the signs to be at the discretion of the Sullivan County Highway Department; and

WHEREAS, this request has been reviewed and approved by the Sullivan County Highway Department.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of December, 2010 hereby authorize the removal of the three "No Parking" signs currently posted in the 700 block of Lebanon Road.**

**BE IT FURTHER RESOLVED that two "No Parking Here to Corner" signs be posted in the 700 Block of Lebanon Road, one to be located on Lebanon Road at its intersection with Winesap Road and one to be located on Lebanon Road at its intersection with Crabapple Lane. The exact location of the signs shall be at the discretion of the Sullivan County Highway Department.**

**RESOLUTION REQUEST REVIEW**

**DATE:** November 29, 2010

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Baxter Hood

**SUBJECT:** To Remove No Parking Signs on Lebanon Road.  
\_\_\_\_\_  
\_\_\_\_\_

7th **CIVIL DISTRICT**

James Brotherton  
\_\_\_\_\_

**APPROVED BY HIGHWAY DEPARTMENT**

**DENIED BY HIGHWAY DEPARTMENT**

**COMMENT:**

  
\_\_\_\_\_  
9/14/2010  
**TRAFFIC COORDINATOR**

  
\_\_\_\_\_  
9/14/2010  
**HIGHWAY COMMISSIONER**



November 23, 2010

Commissioner Baxter Hood  
Sullivan County Commission  
646 Lebanon Rd.  
Colonial Heights  
Kingsport, Tennessee 37663

Dear Commissioner Hood,

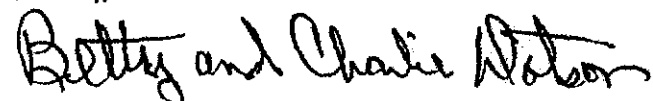
This letter is directed to you on behalf of a number of your neighbors and constituents in your district for the purpose of asking you to represent the desires of the individuals listed on the attached petition. The petition is self-explanatory but asks you to act on our behalf to facilitate the removal of three No Parking signs placed on the 700 block of Lebanon Rd. The signs were requested by residents who reside on streets other than Lebanon Road. We assume their motivation to ask the county to install them was to cure a situation they publically called "unsafe" but privately called "tacky". I say "assume" because the residents residing on Lebanon Road were not contacted by County personnel nor the "neighbors" who requested the installation. Taking away from one taxpayer privileges provided to other taxpayers without explanation is not the way taxpayers expect to be treated.

The signs prohibit residents from parking on the county right of way and therefore restrict the visitation of church members, relatives, maintenance personnel, and others to the homes of the residents. Any time said residents even temporarily bend the rules to unload something to carry into their house or otherwise use the county right of way, the Sherriff is called and responds to investigate. Every such visit by the deputies results in a reasonable explanation by the offender and instructions by the deputies to park on the streets nearby. These instructions are unreasonable but are followed by we offenders. That too becomes an issue with the other neighbors. From the Hwy. 36/Lebanon Rd. intersection to I-26 there are numerous places along the roadway where citizens can pull onto the right of way. Aside from the 700 block of Lebanon Road there is only one other spot where signs prevent parking. That location is at the corner of Eastern Star Rd. and Fordtown Rd. where large tractor trailers might be prone to pull onto the side.

The situation that motivated the installation of the signs no longer exists and the signs are therefore inappropriate. The signs should be removed and we solicit your assistance in seeing that this request is appropriately considered and acted on as soon as possible. We apologize for taking your time, that of your fellow commissioners and others who work to do the right thing. You have so many important issues to address but without your action we're afraid that we will be governed by these signs for perpetuity.

Baxter, thank you for visiting the site and understanding why this issue is being brought to you for handling.

Sincerely,



Betty and Charlie Dotson on behalf of petitioners

**PETITION FOR ACTION  
November 13, 2010**

We, the undersigned residents of Lebanon Road in Colonial Heights, petition you to approve the removal of the 3 "No Parking" Signs located in the block of Lebanon Road as indicated on the attached map. Because of these signs, we are unable to have visitors park in front of our homes on the county right of way. These No Parking signs are the only ones on the entire length of Lebanon Road beginning at Highway 36 and going to I-26. The signs were installed at the request of a small group of residents located on another street based on a temporary condition that no longer exists. The first time, we parked temporarily across the street to unload a lawn mower, the Sullivan County Sheriff's office was called. They came to inform us that we would have to move. When we explained the situation to the Officer, he informed us to park on the street across from us and we have been doing that. As taxpayers we can exercise our right to park on another street half way around the block. The county is depriving us as residents of our right to park in available space when the complaining neighbors have the right to use the space in front of their own homes. However, now that we have the Holidays coming, our families, visiting church members, out of town visitors and others will have no place to park. Please correct this inconsistency in the treatment of tax paying citizens. We would appreciate your removing these signs.

Residents of Lebanon Rd. and Supporters from other nearby streets

<u>NAME</u>	<u>ADDRESS</u>
Betty Watson	769 Lebanon Rd
Charles Watson	769 Lebanon Rd.
Don Allen	773 Lebanon Rd.
Carol L. Headman	765 Lebanon Rd Kpt In
Hugh Redley	761 Lebanon Rd Kpt TN
Gwen P. Jones	753 Lebanon Rd Kpt TN.
Jimmy Hochly	3016 Winecup Rd Kpt TN.
Chris Headman	3016 Winecup Rd Kpt In
Chris Barr	3001 Winecup Rd Kpt, TN

Continuation of Petition for Action

~~Tom Buss~~ 3001 WILKSON RD

Joyce B Stamp 774 Lebanon Rd

~~Ann Stamp~~ 774 Lebanon Rd

David Neal 765 Lebanon Rd

Fred Neal 765 Lebanon Rd

Lennie Home 757 Lebanon Rd

Connie Home 757 Lebanon Rd.

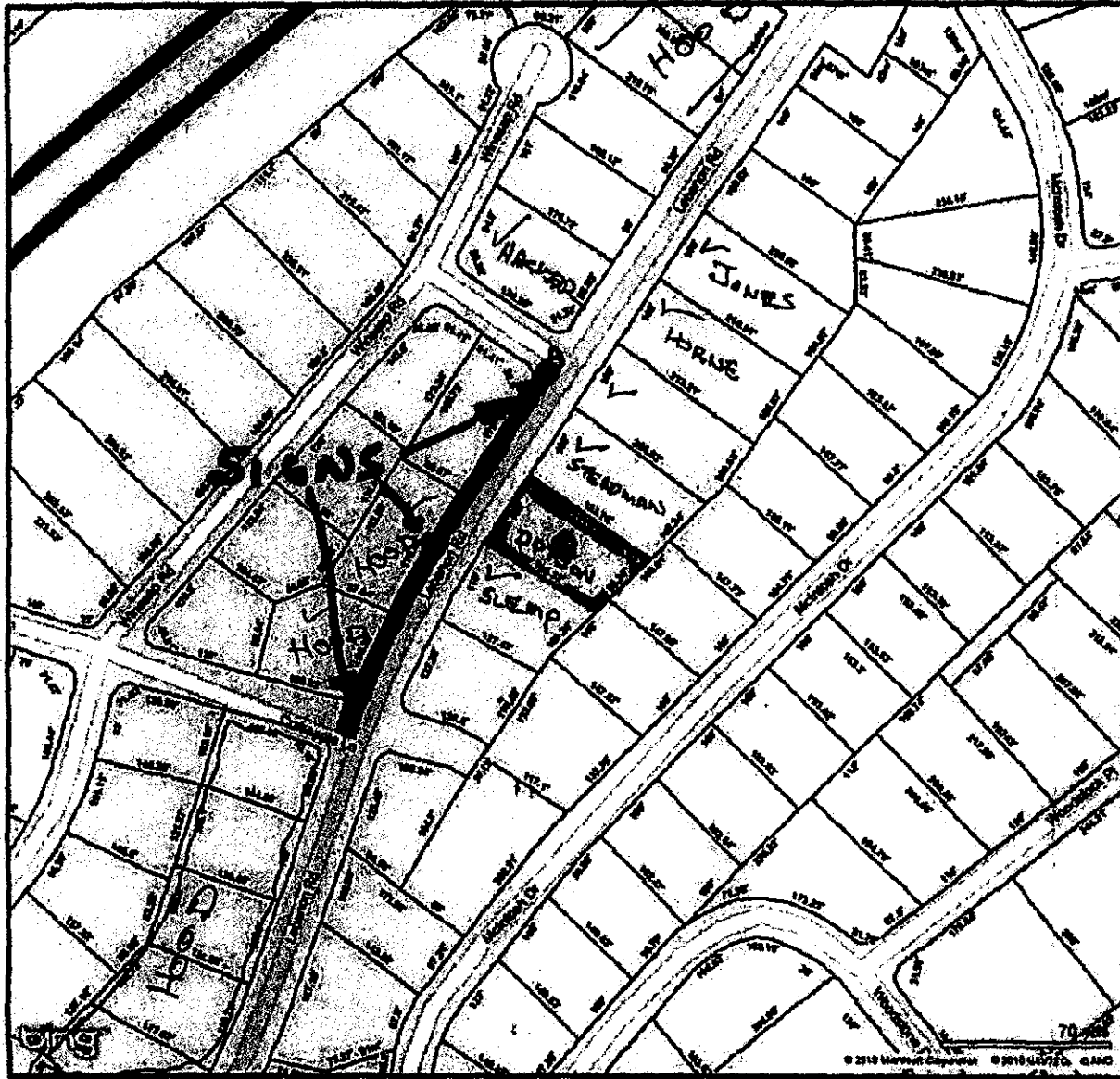
Allyn Hood Lebanon Rd.



# Property Map

Map for Parcel Address: 769 Lebanon Rd Kingsport, TN 37683-2911, Parcel ID: 108Q & 023.00

Find Need Help

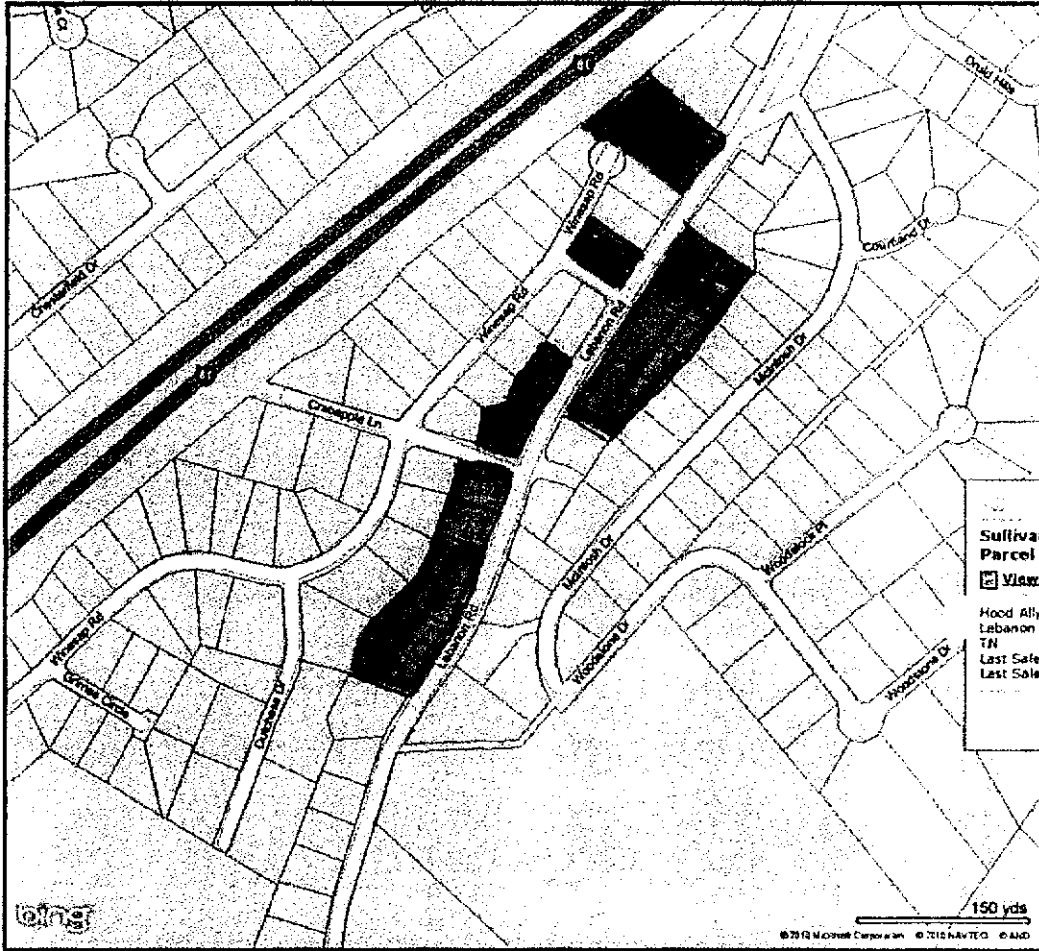


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P9.3

Map for Parcel Address: 769 Lebanon Rd Kingsport, TN 37663-2911 Parcel ID: 106G C 023 00

Print | Read Help



Sullivan County, TN  
 Parcel #: 106G C 010.00  
[View Report](#)  
 Hood Allyn  
 Lebanon Rd  
 TN  
 Last Sale Date: 09/09/2005  
 Last Sale Price: \$12,500

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**REPRESENTS PROPERTY OWNERS  
 WHO OBJECT TO THE NO PARKING  
 SIGNS AND WHO REQUEST THEIR  
 REMOVAL**

pg. 4

Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Administrative/Budget  
No. 2010-12-113

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

**RESOLUTION To Appropriate Funds For Drug Court Contractual Services**

**WHEREAS**, the Drug Court was established by this body in June of 2004; and

**WHEREAS**, this body entered into an agreement with Comprehensive Community Services in June of 2004 to provide services for the Adult Drug Court Programs in Bristol and Kingsport (Resolution 2004-05-059); and

**WHEREAS**, Comprehensive Community Services no longer has their grant through the State of Tennessee but continues to provide services and Sullivan County continues to collect the revenues through the court system.

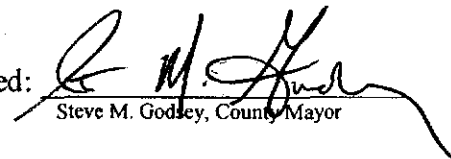
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorized amending the FY 2010 – 2011 Budget Appropriation to expend \$85,000 for contractual services of the program. (Account Codes to be Assigned by Director of Accounts & Budgets)

*Waiver of Rules Requested*

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2010-12-113	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-6-10	Approved 12-2-10	Approved 12-7-10	<b>APPROVED 12-20-10</b> <b>19 Aye. 2 Pass. 3 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Executive  
No. 2010-12-114  
Attachment

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

**RESOLUTION To Adopt The Sullivan County Highway Department Road Atlas**

**WHEREAS**, annually the Sullivan County Highway Department reviews and updates a listing of County Roads as required by the Tennessee law; and

**WHEREAS**, attached hereto is a summary of the revisions dated December 1, 2010, which are necessary to bring the official Sullivan County Road Atlas up-to-date.

**NOW THEREFORE BE IT RESOLVED**, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the adoption of the Sullivan County Road Atlas as amended. (The Sullivan County Road Atlas in its entirety is on record and available in the Office of the Sullivan County Highway Department for review.)

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

Attested: \_\_\_\_\_  
                  Jeanie Gammon, County Clerk

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

**Sponsored By: Cathy Armstrong**  
**Prime Co-Sponsor(s): Bob Neal**

2010-12-114	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-6-79		Approved 12-7-10	

Notes: **Deferred 12-20-10;**





								<b>total</b>	-4.39
<b>Changes</b>									
	Diana Road	( length correction )						from 0.20 to 0.12	-0.08
	Quail Drive	( paper street--remove )						remove from atlas	-0.47
	Weaver Branch Road	( ROW correction )						from 60 to 30	
	Hilltop Road	( ROW correction )						from 30-50 to 12-50	
	Rocky Springs Road	( ROW correction )						from 60 to 30-60	
	Underwood Spring Branch Rd	( ROW correction )						from 20-50 to 15-50	
	Colonial Heights Road	( ROW correction )						from 60 to 30-60	
	Glenburn Road	( wrong civil district )						from 12 to 13	
<b>name change</b>									
	Holston Industrial Drive to Holston Industrial Parkway								
								<b>total gain from changes/deletions</b>	<b>-4.94</b>
								<b>total gain from additions</b>	<b>0.76</b>
								<b>TOTAL MILEAGE GAIN</b>	<b>-4.18</b>

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Budget  
No. 2010-12-115

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

**RESOLUTION To Amend The 2010 – 2011 General Purpose School Budget For The Safe Schools Grant Received From The State Of Tennessee (ARRA/SPSF Funds) In The Amount Of \$5,159.28.**

WHEREAS, the State of Tennessee has made available additional funds for this program which were left over from the 2009-2010 fiscal year; and,

WHEREAS, these monies will be used to provide funds to the Department of Education for additional security measures; and

WHEREAS, the Sullivan County Department of Education Board approved this grant with no additional local funds required.

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

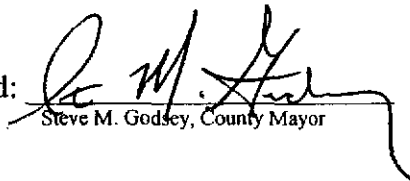
Account Number	Account Description	Amount
46981.000	Safe Schools/ARRA – Other ARRA/SPSF Funds	+5,159.28
72210.399	Regular Instruction – Other Contracted Services	+5,100.00
72210.499	Regular Instruction – Other Supplies & Materials	+59.28

*Waiver Of Rules Requested*

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Dwight King , Matthew Johnson**

2010-12-115	Administrative	Budget	Executive	County Commission
ACTION				Approved 12-20-10 19 Aye, 1 Nay, 1 Pass, 3 Absent

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Budget  
No. 2010-12-116

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

**RESOLUTION Requiring That All Main Motions Involving Expenditures Be Submitted As a Written Resolution**

WHEREAS, it is not in the best interest of Sullivan County for expenditures to be approved upon their initial consideration by the full County Commission without discussion in committees.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of December, 2010 hereby establish as a rule of procedure for this body that all main motions coming before the Sullivan County Commission requiring monetary expenditures shall be done by written resolution.**

**Adoption of this rule of procedure requires approval by two-thirds vote (sixteen (16) affirmative votes).**

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

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

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Dwight King , All Voting "Aye"**

2010-12-116	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: **1st Reading 12-20-10;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Administrative  
No. 2010-12-117

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

**Resolution To Authorize The Acceptance Of A 2005 Dodge Sprinter Van Donated To The Sullivan County Sheriff's Department**

WHEREAS the Sullivan County Sheriff's Office has received a 2005 Dodge Sprinter Van donated from Big South Wholesale to be used by the S.W.A.T. Team and other areas of the Sheriff's office as needed; and

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


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

**NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby accept the donation of the 2005 Dodge Sprinter Van and be added to Sheriff's Office list of assets.**

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2010-12-117	Administrative	Budget	Executive	County Commission
ACTION				Approved 12-20-10 21 Aye. 3 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Budget  
No. 2010-12-118

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

**Resolution To Authorize Approval Of Statutory Bonds For Elected And Appointed Officials**

WHEREAS, Tennessee Code Annotated authorizes counties to approve the statutory bonds for elected and appointed officials; and

WHEREAS, certain elected and appointed officials are required to have statutory bonds and the County Commission must approve such bonds; and

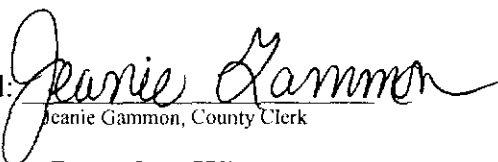
WHEREAS, Cincinnati Insurance Company has agreed to provide the bond for \$100,000.00 at a cost of \$539.00 from now until September 1, 2012.

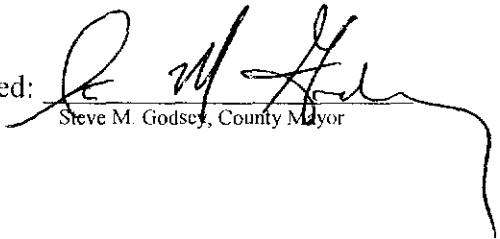
**NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the Statutory Bond for Terry Shaffer as Highway Commissioner for Sullivan County.**

*Waiver Of Rules Requested*

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

Approved this 20th day of December 2010.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2010-12-118	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				<b>Approved 12-20-10</b> <b>20 Aye, 1 Pass, 3 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Executive/Budget  
No. 2010-12-119

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

**Resolution to annually appropriate funds for the Kingsport Economic Development Board to provide a guarantee for contingency funding of payments on the purchase of the building and property located at 10388 Airport Parkway, Kingsport, TN.**

Whereas, Sullivan County and Kingsport through its partnership in Networks Sullivan Partnership is aggressively recruiting investments and jobs in Sullivan County, and

Whereas, through these efforts a company who is committed to making investments and creating jobs in Sullivan County desires to lease the building at 10388 Airport Parkway in Kingsport to bring about these investments and jobs, and

Whereas, KEDB operating as the Industrial Development Board of Kingsport has the statutory authority to borrow funds to purchase and lease the building, and

Whereas, KEDB will purchase the building only after completion of a lease with the aforementioned company, the lease rate being no less than an amount necessary to pay off the debt over the term of the loan, and

Whereas, if the building is sold, the proceeds of the sale will be used to retire any debt associated with the sale and any remaining funds will be divided equally between Sullivan County and Kingsport, and

Whereas The Cost Benefit Analysis used by the State of Tennessee's Comptroller to determine the contributions to the local economy by the creation of 450 jobs, estimates an increase of \$527,110 in new annual local sales tax.

**NOW THEREFOE BE IT RESOLVED that the Board of Commissioners of Sullivan County, Tennessee, assembled in Regular Session, agrees to annually appropriate funds in an amount up to \$150,000.00 per year beginning with the 2010-11FY to be used as a contingency to cover the County's portion of any shortfall in lease payments required to cover the debt service on the funds used to purchase the building and property at 10388, Airport Parkway Kingsport, TN. The funds are to be expended only in the event that lease payments to KEDB from the company are not sufficient to pay the debt service during the term of the loan (20 years).**


**BE IT FURTHER RESOLVED THAT THE PARTNERS need to make a payment in the amount of \$500,000 representing a contribution toward initial startup operations costs of the Industrial Tenant that are to be equally shared between the City and County. Funding for the county's portion (\$250,000) is to be funded from the earmarked funds from sales of the Tri-Cities Industrial Park now on deposit with Sullivan County. (Account codes to be assigned by the Director of Accounts and Budgets.)**

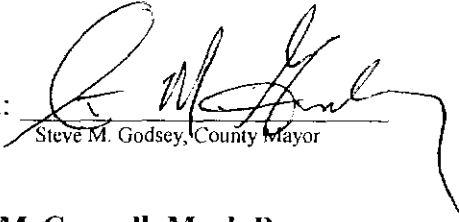
**This resolution shall take effect upon the County Mayor signing an inter-local agreement with the City of Kingsport and the Contract with the Kingsport Economic Development Board when like provisions are adopted by the Kingsport Board of Mayor and Aldermen and properly executed.**

*Waiver Of Rules Requested*

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

Approved this 20th day of December 2010.

Attested:   
 Jeanie Gammon, County Clerk

Approved:   
 Steve M. Godsey, County Mayor

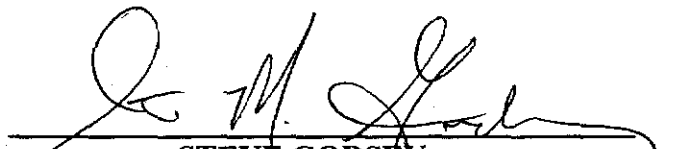
**Sponsored By: Eddie Williams**

**Prime Co-Sponsor(s): Joe Herron, Dwight King, Wayne McConnell, Mark Bowery  
 All Voting in the Affirmative**

2010-12-119	Administrative	Budget	Executive	County Commission
ACTION				Approved 12-20-10 22 Aye, 2 Absent

Notes: **Amended by Sponsor 12-20-10 to add in the last paragraph to read as follows "This resolution shall take effect upon the County Mayor signing an inter-local agreement with the City of Kingsport and the Contract with the Kingsport Economic Development Board when like provisions are adopted by the Kingsport Board of Mayor and Aldermen and properly executed".**

**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR  
SESSION JANUARY 18, 2011.**

  
**STEVE GODSEY**  
**COMMISSION CHAIRMAN**