

**COUNTY COMMISSION- REGULAR SESSION**

**FEBRUARY 19, 2008**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS TUESDAY MORNING, FEBRUARY 19, 2008, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and Comm. James King, Jr. gave the invocation. Pledge to the flag was led by Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

<b>CATHY L. ARMSTRONG</b>	<b>GARTH BLACKBURN</b>
<b>LINDA K. BRITTENHAM</b>	<b>"MOE" BROTHERTON</b>
<b>DARLENE R. CALTON</b>	<b>O. W. FERGUSON</b>
<b>CLYDE GROSECLOSE</b>	<b>TERRY HARKLEROAD</b>
<b>JON P. HARR</b>	
<b>DENNIS HOUSER</b>	<b>SAMUEL C. JONES</b>
<b>ELLIOTT KILGORE</b>	<b>BILL KILGORE</b>
<b>DWIGHT KING</b>	<b>BUDDY KING</b>
<b>JAMES L. KING, JR.</b>	R. WAYNE MCCONNELL
<b>JOHN MCKAMEY</b>	<b>RANDY MORRELL</b>
	<b>MICHAEL SURGENOR</b>
<b>MARK A. VANCE</b>	<b>EDDIE WILLIAMS</b>

**22 PRESENT (HERRON- ABSENT, PATRICK- DECEASED)**

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. Ferguson to approve the minutes of the January 22, 2008 Regular Session of County Commission. Said motion was approved by roll call vote.

**Sullivan County Board of Commissioners  
Committee Assignments  
January 2008**

<p><b>Administrative</b> Garth Blackburn Clyde Groseclose Terry Harkleroad Sam Jones Randy Morrell W. G. "Bill" Kilgore James L. King, Jr. Howard Patrick <i>Address Utility Issues</i></p>	<p><b>Budget</b> James "Moe" Brotherton Dwight King James "Buddy" King Eddie Williams Joe Herron Dennis Houser Michael Surgenor Mark Vance <i>Serves As Delinquent Tax &amp; Title VI Cmte</i></p>	<p><b>Executive</b> Cathy Armstrong Linda Brittenham Darlene Calton O.W. Ferguson Wayne McConnell John McKamey Jon Harr Elliott Kilgore <i>Oversees Youth Home</i></p>
<p><b>Building Committee</b> Garth Blackburn Jon Harr W. G. "Bill" Kilgore Dwight King James "Buddy" King Wayne McConnell Michael Surgenor Mark Vance Eddie Williams <i>Meets As Called</i></p>	<p><b>Beverage Board</b> Cathy Armstrong Jon Harr Darlene Calton Terry Harkleroad Elliott Kilgore Randy Morrell Howard Patrick <i>Serves As Adult-Oriented Est. Board</i></p>	<p><b>Education Committee</b> James "Moe" Brotherton Darlene Calton Sam Jones Dennis Houser John McKamey O. W. Ferguson Wayne McConnell Glen Arwood, Ex Officio Jack Barnes, Ex Officio <i>Meetings As Called</i></p>
<p><b>Insurance Committee</b> Cathy Armstrong Linda Brittenham Clyde Groseclose Joe Herron W. G. "Bill" Kilgore James L. King, Jr. Eddie Williams</p>	<p><b>Historical Commission</b> Linda Brittenham James "Moe" Brotherton Clyde Groseclose Randy Morrell Dennis Houser Eddie Williams <i>Attends Historical Pres. Assoc. Meeting</i></p>	<p><b>Transportation Committee</b> Garth Blackburn Sam Jones Elliott Kilgore James "Buddy" King Terry Harkleroad Wayne McConnell John McKamey <i>Meets As Called</i></p>
<p><b>Agriculture Extension Committee</b> Dwight King Joe Herron John McKamey</p> <hr/> <p><b>Bays Mountain Park Committee</b> James "Moe" Brotherton</p> <hr/> <p><b>Planning Commission</b> James "Buddy" King</p> <hr/> <p><b>Economic Resources</b> Terry Harkleroad James L. King, Jr. Howard Patrick</p>	<p><b>Animal Shelter Committee</b> Joe Herron</p> <hr/> <p><b>Liaison to City Governments</b></p> <p><b>Bluff City</b> Dwight King John McKamey</p> <p><b>Bristol</b> James "Buddy" King Cathy Armstrong</p> <p><b>Kingsport</b> O.W. Ferguson James L. King, Jr.</p>	<p><b>NETWORKS Sullivan Partnership Board</b> Eddie Williams</p> <hr/> <p><b>Integrated Emergency Preparedness Council</b> Garth Blackburn Elliott Kilgore Cathy Armstrong Mark Vance O.W. Ferguson</p> <hr/> <p><b>Ethics Committee</b> Tommy Kerns Joe Herron Gayvern Moore Jeanie Gammon Linda Brittenham Cathy Armstrong W. G. "Bill" Kilgore</p> <hr/> <p>Committee Appointments Beginning January 2008</p>

MOTION MADE BY COMM. BUDDY KING, SECOND BY COMM. HARKLEROAD TO APPROVE. APPROVED BY ROLL CALL VOTE 02-19-08. 22 AYE, 1 ABSENT

# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

### *PROCLAMATION to honor and recognize E. Jack Jones*

**Whereas,** Jack Jones devoted a great deal of time to our region by serving on the Sullivan County Board of Zoning Appeals, and was also a member of the Sullivan County Commission for four years; and

**Whereas,** Jack Jones was a tireless worker in Kingsport as a leader and active member of the Bloomingdale Ruritan Club. He was a dedicated baseball fan and also worked as a TSSAA official and umpire with local and state credentials in both East Tennessee and Southwest Virginia; and

**Whereas,** Jack Jones was happy to take part in recreations offered by our local area and the State of Tennessee, as he enjoyed fishing and camping with his family on Douglas Lake and was a big fan of the University of Tennessee Volunteers; and

**Whereas,** Jack Jones was a charitable man by supporting Mountain Regions Speech and Hearing, the Shriners Charities, and St. Jude Children's Research Hospital; and

**Whereas,** Jack Jones was a man of faith being a member of Kingsley United Methodist Church and had been a part of several committees functioning throughout their congregation; and

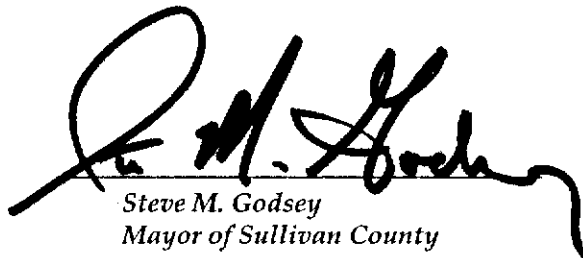
**Whereas,** Jack Jones was a devoted family man who was married for 45 years to his wife, Barbara, and they are the parents of two daughters and three grandsons. A great joy in these last years has been time spent with his grandchildren.

**Now, therefore,** I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Commission, do hereby commend

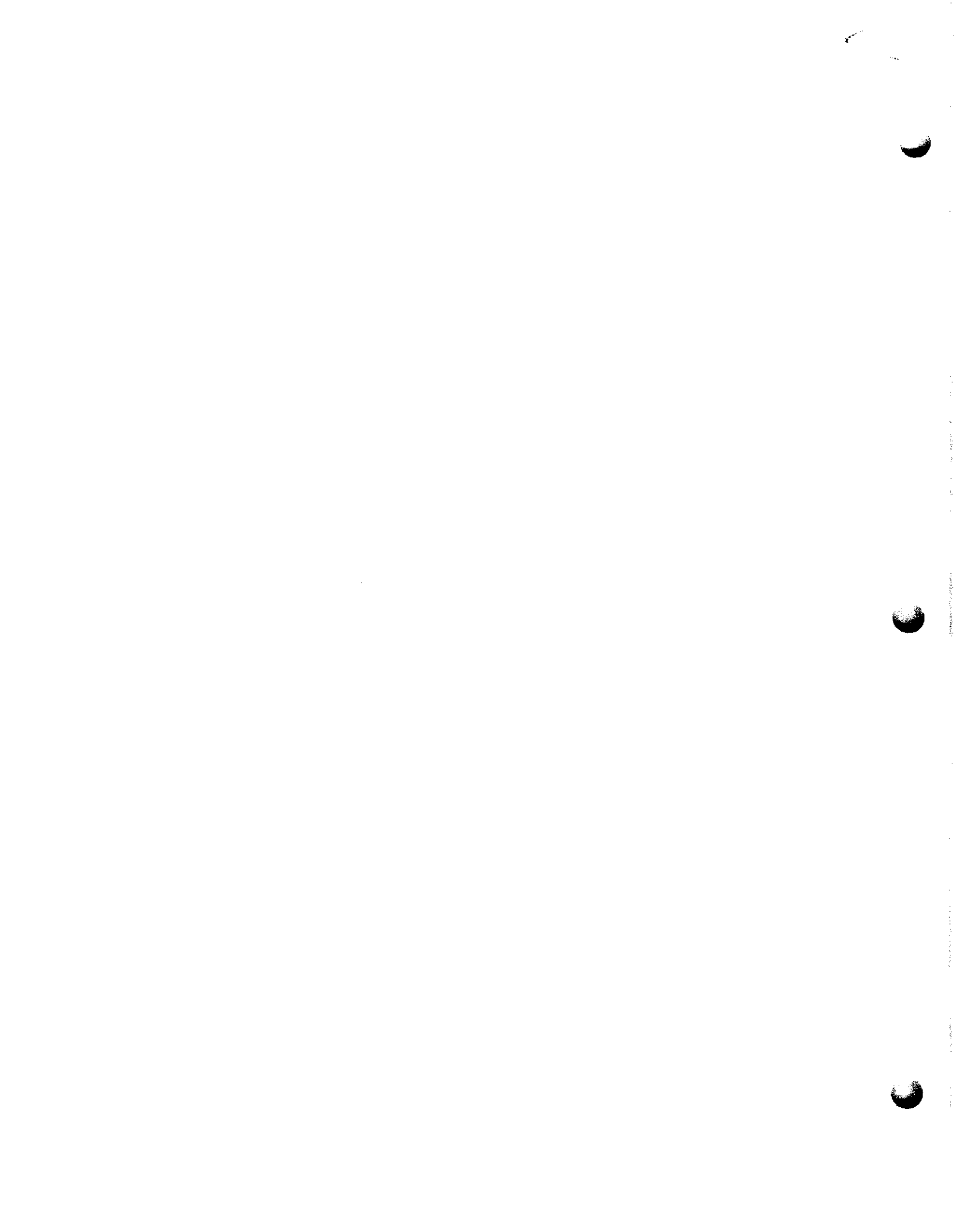
E. Jack Jones

for his good citizenship and service to Sullivan County Tennessee, as we offer our condolences to his wife, Barbara, and his family while we mourn the passing of Jack on January 24, 2008.

**In witness whereof,** I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 19th day of February, 2008.

  
Steve M. Godsey  
Mayor of Sullivan County





# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

### TO HONOR AND RECOGNIZE STEVE KING

**Whereas,** At Farm Expo 2008 held at Meadowview Convention Center in Kingsport, Tennessee, agriculture experts announced on January 19, 2008 that Steve King was chosen to receive the Farmer of the Year Award; and

**Whereas,** Steve King was chosen from a strong field of outstanding, dedicated individuals who have shown an exemplary effort to be the best in their field and profession; and

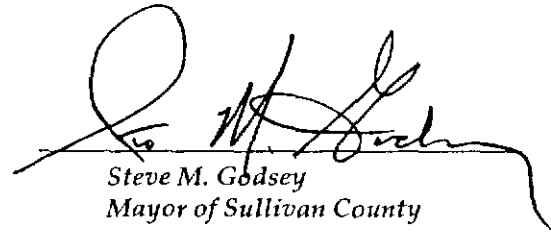
**Whereas,** Steve King received this award based on his efforts to use conservation practices at his dairy farm on the banks of Boone Lake. The fact that Steve King is one of the top corn yield producers in Sullivan County was another factor in the judges' decision, and also, the fact that the dairy farm is a leader in milk and heifer production.

**Now, therefore,** I, Steve Godsey, Mayor, and the Board of Commissioners of Sullivan County, do hereby commend

Steve King

on behalf of the citizens of Sullivan County, and hereby, congratulate Steve King and his family for receiving this outstanding award.

**In witness whereof,** I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 19th day of February, 2008.



Steve M. Godsey  
Mayor of Sullivan County



# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

### To Honor June Feathers

Whereas, June Feathers has lived in the Sullivan County area for most of her life; and

Whereas, June Feathers has been an employee of the Sullivan County Public Library, since 1994; and

Whereas, June Feathers has tirelessly, professionally, diligently, faithfully and happily served our community by her loyal support of the public libraries of our county; and

Whereas, June Feathers has advocated for libraries with every patron who has visited the library; and

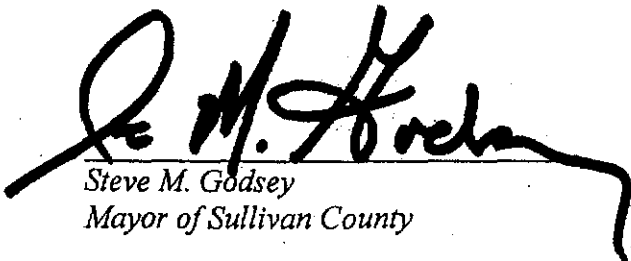
Whereas, June Feathers has retired from retirement to retire again;

Now, therefore, I, Steve Godséy, Mayor of Sullivan County, and the Sullivan County Board of Commissioners, do hereby commend

Ms. June Feathers

for her efforts on behalf of the libraries of Sullivan County, Tennessee and do hereby encourage all citizens to celebrate her long, faithful and dedicated service to our community.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 19th day of February, 2008.

  
Steve M. Godsey  
Mayor of Sullivan County



# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

*PROCLAMATION to honor and recognize  
Howard Glen Patrick  
For His Service & Dedication to  
Sullivan County, Tennessee*

**Whereas,** Howard Patrick lived in the Sullivan County area for most of his life; and

**Whereas,** Howard Patrick was a U.S. Army Veteran, and was also a Deputy with the Sullivan County Sheriff's Department for 18 years; and

**Whereas,** Howard Patrick was civic minded, being a member of the Masonic Lodge, the Jericho Shrine Temple, and the Bloomingdale Ruritan Club. His efforts to make a contribution to better his community and Sullivan County are of lasting value; and

**Whereas,** Howard Patrick served as a Sullivan County Commissioner in District 6 for a total of 14 years, and was still a part of the Commission when he passed away on Friday, January 25, 2008; and

**Whereas,** Howard Patrick was a much loved husband, family member, friend, and a man of faith who was devoted to his church and service to his community and the surrounding area; and

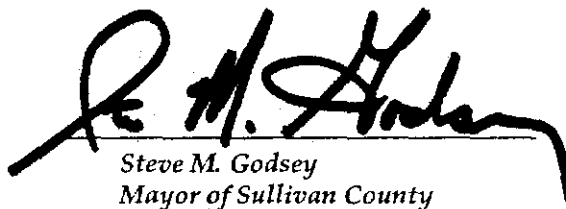
**Whereas,** Howard Patrick was a very caring man who had an ability to see the best in everyone and possessed a smile and demeanor that would encourage and envelope each individual with his kindness and acceptance;

**Now, therefore,** I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Commission do hereby commend

Howard Patrick

for his efforts on behalf of Sullivan County, Tennessee and do hereby encourage all citizens to celebrate his long, faithful, and dedicated service to our County, as we offer our condolences to his wife, Pat, and his family as we too mourn his passing.

**In witness whereof,** I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 19th day of February, 2008.

  
Steve M. Godsey  
Mayor of Sullivan County



**SULLIVAN COUNTY BOARD OF COMMISSIONERS**  
**Blountville, Tennessee**

**Appointment to Sullivan County Board of Zoning Appeals**

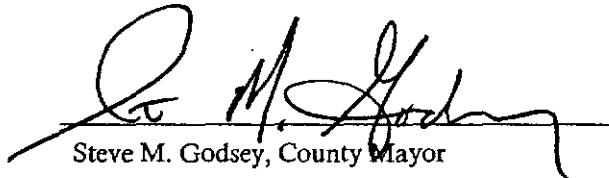
Whereas in accordance with Tennessee Code Annotated §13-7-106, as duly adopted by Sullivan County, Tennessee, the County Mayor has the authority to appoint members to the Sullivan County Board of Zoning Appeals;

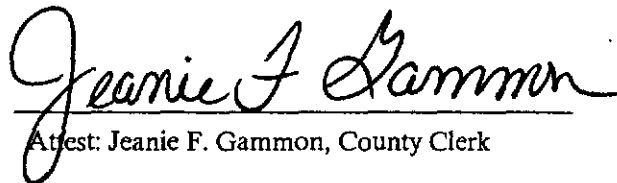
Now therefore, the Sullivan County Mayor does hereby make the following re-appointment to the Sullivan County Board of Zoning Appeals:

**Mr. Carroll Reed**  
335 Arber Terrace Drive  
Kingsport, TN 37660

Term: To Expire September 1, 2010

Approved and confirmed this 19th day of February 2008.

  
Steve M. Godsey, County Mayor

  
Attest: Jeanie F. Gammon, County Clerk

Commission Action:

- Approved by Roll Call Vote  
 Approved by Voice Vote  
 Rejected on Vote

AYE	NAY	PASS	ABSENT
22			1



# SULLIVAN COUNTY BOARD OF COMMISSIONERS

## Confirmation of Appointment

In Compliance with Tennessee Law No. 5-5-109, The Sullivan County Commission  
Is Required to Appoint A New Commissioner To Fill Out An Unexpired Term in District Six (6)

Candidates:

Craig Ramey

Bobby Brooks

Pat Patrick

Matthew Jerry Johnson

Tim Earles

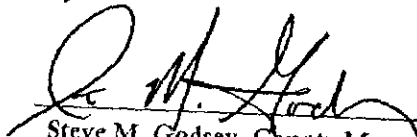
Now therefore, the Sullivan County Board of Commissioners hereby confirms the appointment as set below:

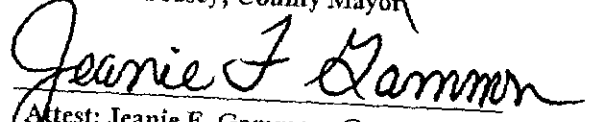
Sullivan County Commissioner District Six

Pat Patrick

Term Ends with August 2008 Election

Approved and confirmed this 19th day of February 2008.

  
Steve M. Godsey, County Mayor

  
Attest: Jeanie F. Gammon, County Clerk

Commission Action:

- Approved by Roll Call Vote
- Approved by Voice Vote
- Rejected on Vote

	<del>PK</del>	<del>XX</del>	PASS	ABSENT
<b>Patrick</b>				
<b>Ramey</b>	21	1		1

OATH OF OFFICE  
COUNTY COMMISSIONER

I, Pat Patrick DO SOLEMLY SWEAR THAT I WILL  
PERFORM WITH FIDELITY THE DUTIES OF THE OFFICE TO WHICH I HAVE BEEN  
ELECTED AND WHICH I AM ABOUT TO ASSUME. I DO SOLEMLY SWEAR TO  
SUPPORT THE CONSTITUTIONS OF TENNESSEE AND THE UNITED STATES AND TO  
FAITHFULLY PERFORM THE DUTIES OF THE OFFICE OF COUNTY COMMISSIONER.

Pat Patrick  
COUNTY COMMISSIONER

REPRESENTING THE \_\_\_\_\_ CIVIL DISTRICT AND  
THE 6th COUNTY COMMISSION DISTRICT  
OF SULLIVAN COUNTY.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 19th DAY OF

February, 2008

[Signature]  
COUNTY MAYOR

[Signature]  
CLERK

**PUBLIC COMMENTS: FEBRUARY 19, 2008**

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

- 1. Judy Godat concerning Warrior's Path State Park and the annexation of Chase Meadows**
- 2. Sean Oellien concerning newly formed Lions Club of Sullivan County**
- 3. Vicki Clark with the Agric. Ext. Office concerning Res. #7**
- 4. Zella Hunigan concerning Res. # 7**
- 5. Kim Pruden concerning annexation of Chase Meadows**

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**PRESENTATION was made to the Commission by John Teague and Patrick Wilson with the Airport Commission.**

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**PRESENTATION was made by Ambre Torbett on the GIS Mapping progress.**

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**PRESENTATION of 2007 Annual Report and update by Richard Venable, CEO of Network Partnership.**

JESSEE  
ULLIVAN

OF NOTARIES

ary 22, 2008

CASEY SCOTT ANDERS

DEBBIE R. BAKER

JUDI A. BELLAMY

CANDI DENISE BLAIR

JADA MICHELLE BOLDEN

CLINDA J. BRICKEY

SABRINA S. BROWN

MARY BETH CAMIOLO

BRIAN DALE CARTER

BENJAMIN R. CHRISTIAN

RITA WHICKER CLATWORTHY

DON W. COOPER

CARLA ELLIOTT

MARTHA R. FREEMAN

LINDA S. FULLER

LISA ANN GALLOWAY

KAREN ANNA GILMORE

LISA HENSLEY

MONICA FAITH JOHNSTON

DEBRA BRIDWELL KENNEDY

DEANETTA R. KOWALSKI

LORRIE ANNE MCGOVERN

VORIECE MCNEW

CRYSTAL RAE NOTTINGHAM

ROBERT MILLARD O'DELL

DEBORAH L. PARKS

KIPLEY DEAN PARKS

AMBER NICOLE PATTERSON

RANDALL LYNN RINICK

ELIZABETH M. SHINE

SHIELA S. SHOUN

JARED RONALD ALLEN SMITH

TONY DARIN URBANI

CHARLES LEE WALSH

ROSEMARY WHITSON

**Motion made by Comm. Vance, seconded by  
Comm. Bill Kilgore to approve above named Notary  
Applications. Motion approved by roll call vote-  
22 Aye, 2 Absent.**

**SULLIVAN COUNTY BOARD OF COMMISSIONERS**  
**Confirmation of Appointment**

In Compliance with Tennessee Law No. 5-5-109, The Sullivan County Commission  
 Is Required to Appoint A New Commissioner To Fill Out An Unexpired Term in District Six (6)

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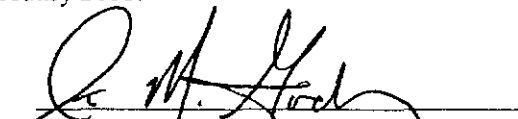
- Craig Ramey
- Bobby Brooks
- Pat Patrick
- Matthew Jerry Johnson
- Tim Earles
- 
- 
- 

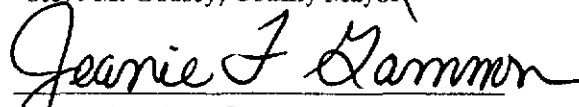
Now therefore, the Sullivan County Board of Commissioners hereby confirms the  
 appointment as set below:

Sullivan County Commissioner District Six

Pat Patrick Term Ends with August 2008 Election

Approved and confirmed this 19th day of February 2008.

  
 Steve M. Godsey, County Mayor

  
 Attest: Jeanie F. Gammon, County Clerk

Commission Action:

- Approved by Roll Call Vote
- Approved by Voice Vote
- Rejected on Vote

**Patrick Ramey**

<del>PK</del>	<del>PK</del>	PASS	ABSENT
21	1		1

OATH OF OFFICE

COUNTY COMMISSIONER

I, Pat Patrick DO SOLEMNLY SWEAR THAT I WILL  
PERFORM WITH FIDELITY THE DUTIES OF THE OFFICE TO WHICH I HAVE BEEN  
ELECTED AND WHICH I AM ABOUT TO ASSUME. I DO SOLEMNLY SWEAR TO  
SUPPORT THE CONSTITUTIONS OF TENNESSEE AND THE UNITED STATES AND TO  
FAITHFULLY PERFORM THE DUTIES OF THE OFFICE OF COUNTY COMMISSIONER.

Pat Patrick  
COUNTY COMMISSIONER

REPRESENTING THE \_\_\_\_\_ CIVIL DISTRICT AND  
THE 6<sup>th</sup> COUNTY COMMISSION DISTRICT  
OF SULLIVAN COUNTY.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 19<sup>th</sup> DAY OF  
February, 2008

[Signature]  
COUNTY MAYOR

[Signature]  
COUNTY CLERK

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
SURETY BONDS

FEBRUARY 15, 2008

HEATHER ANN BIRCHFIELD

LAURA LEIGH DIXON

LINDA FAYE DOVE

MARY ALICE CROUCH

JANA G. JILTON

REBECCA RUSH

PHILLIP ROGER RUST

RANDY MICHAEL SIMPSON

JULIAN KENNETH WRIGHT

**Motion made by Comm. Vance, seconded by Comm. Bill Kilgore to  
approve above Notary Bonds. Motion approved by roll call vote- 22 aye, 2 absent.**

QUESTIONS BEFORE THE COMM.

QUESTIONS BEFORE THE COMM.	No. Roll Call		No. App. Minutes		No. App. Minutes		No. Comm. Assign		No. Appt. Recd		No. Appt. Comm.		No. To adjourn or lunch		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	✓		✓		✓		✓		✓		Patrick			✓		
Blackburn	✓		✓		✓		✓		✓		Patrick			✓		
Brittenham	✓		✓		✓		✓		✓		Patrick			✓		
Brotherton	✓		✓		✓		✓		✓		Patrick			✓		
Calton	✓		✓		✓		✓		✓		Patrick			✓		
Ferguson	✓		✓		✓		✓		✓		Patrick			✓		
Groves	✓		✓		✓		✓		✓		Patrick			✓		
Harpleoad	✓		✓		✓		✓		✓		Patrick			✓		
Hann	✓		✓		✓		✓		✓		Patrick			✓		
Herron	A		A		A		A		A		A			A		
Houser	✓		✓		✓		✓		✓		Patrick			✓		
Jones	✓		✓		A		✓		✓		Patrick			✓		
Elliott Kilgore	✓		✓		✓		✓		✓		Patrick			✓		
W. Bill Kilgore	✓		✓		✓		✓		✓		Patrick			✓		
Dwight King	✓		✓		✓		✓		✓		Patrick			✓		
Buddy King	✓		✓		✓		✓		✓		Patrick			✓		
James & King	✓		✓		✓		✓		✓		Patrick			✓		
McConnell	✓		✓		✓		✓		✓		Ramsey			✓		
McKamey	✓		✓		✓		✓		✓		Patrick			✓		
Morrill	✓		✓		✓		✓		✓		Patrick			✓		
(deceased) Patrick	✓		✓		✓		✓		✓		Patrick			✓		
Surgenor	✓		✓		✓		✓		✓		Patrick			✓		
Tamce	✓		✓		✓		✓		✓		Patrick			✓		
Williams	✓		✓		✓		✓		✓		Patrick			✓		

Patricia Patrick elected to vacant seat that Howard Patrick held before his death of Jan 2008. Mrs. Patrick took the seat after election this 19th day of Feb. 2008.

22 Aye 22 Aye 22 Aye 22 Aye 22 Aye 21 Patrick 18 Aye  
 1 abs. 1 abs. 2 abs. 1 abs 1 abs. 1 Ramsey 4 Aye  
 1 absent 1 Pass 1 abs.





# AGENDA

## Sullivan County Board of County Commission

*February 19, 2008*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, February 19, 2008 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

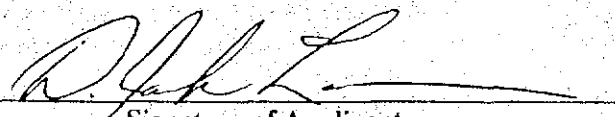
- (1) File No. 12/07#1 Sullivan County  
Reclassify 20.59 acres of R-1 property located north of Mountain View Drive and south of Industrial Park Road on the west side of the Industrial Park to M-1 for the purpose of combining it to the Industrial Park. Property ID No Tax map 124, Parcel part of 79.00 located in the 9<sup>th</sup> Civil District. **Sullivan County Planning**
- (2) File No. 12/07#2 Networks Sullivan Partnership  
Reclassify 28.05 acres property located in the 1100 block on east side of Hawley Road from A-1 to PMD-1 for the purpose of combining with adjacent PMD-1 property. Property ID No. Tax map 94, Parcel 56.10 located in the 18<sup>th</sup> Civil District. **Sullivan County Planning**
- (3) File No. 12/07#3 Darrell Peters  
Reclassify 2.60 acres of R-1 property located at 112 Summerville Road to B-3 for the purpose of allowing for future business. Property ID No. Tax map 92, Parcel 12.00 located in the 14<sup>th</sup> Civil District. **Kingsport Planning**

3

#12/07#1

PETITION TO SULLIVAN COUNTY FOR REZONING

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

<p>Property Owner: <u>Sullivan County</u></p> <p>Address: <u>3411 Hwy 126</u> <u>Blountville, Tn 37617</u></p> <p>Phone <u>279-7680</u> Date of Request <u>12/05/2007</u></p> <p>Property Located in <u>9th</u> Civil District</p> <p style="text-align: center;"> Signature of Applicant</p>	<p style="text-align: center;"><u>OFFICE USE ONLY</u></p> <p>Meeting Date <u>1/15/2008</u> Time <u>7:00 pm</u></p> <p>Place <u>Courth House - Main Street</u></p> <hr/> <p>Planning Commission Approved <input checked="" type="checkbox"/> <u>✓</u> Denied _____</p> <p>County Commission Approved <input checked="" type="checkbox"/> <u>X</u> Denied _____</p> <p>Other <u>Roll Call Vote 23 Aye, 1 Absent</u></p> <p>Final Action Date <u>02-19-08</u></p>
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PROPERTY IDENTIFICATION


Tax Map No: 124 / Group \_\_\_\_\_ / Parcel Part of 79.00

Zoning Map 26 Zoning District R-1 Proposed District M-1

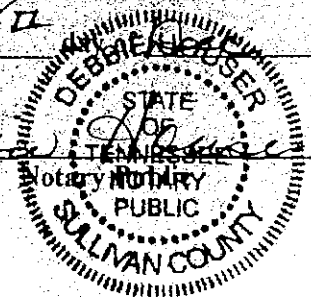
Property Location : South Park View Circle

Purpose of Rezoning: To combine with adjacent M-1 property

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.

  
SWORN TO AND SUBSCRIBED before me this 5<sup>th</sup> day of February, 2007

My Commission Expires: 1-16-08

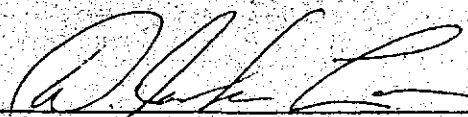


8

#12/07#2

**PETITION TO SULLIVAN COUNTY FOR REZONING**

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

<p>Property Owner: <u>Networks Sullivan Partnership</u></p> <p>Address: <u>P O Box 1157</u> <u>Blountville, Tn 37617</u></p> <p>Phone <u>279-7680</u> Date of Request <u>12/05/2007</u></p> <p>Property Located in <u>18th</u> Civil District</p> <p style="text-align: center;"> Signature of Applicant</p>	<p style="text-align: center;"><b><u>OFFICE USE ONLY</u></b></p> <p>Meeting Date <u>01/15/2008</u> Time <u>7:00 pm</u></p> <p>Place <u>2<sup>nd</sup> floor Courthouse - Blountville</u></p> <hr/> <p>Planning Commission Approved <input checked="" type="checkbox"/> <u>  </u> Denied <u>  </u></p> <p>County Commission Approved <input checked="" type="checkbox"/> <u>  </u> Denied <u>  </u></p> <p>Other <u>Roll Call</u> Vote <u>23 Aye, 1 Absent</u></p> <p>Final Action Date <u>                    </u></p>
---	--

**PROPERTY IDENTIFICATION**


Tax Map No. 94 / Group        / Parcel 56.10

Zoning Map 16                      Zoning District A-1                      Proposed District PMD-1

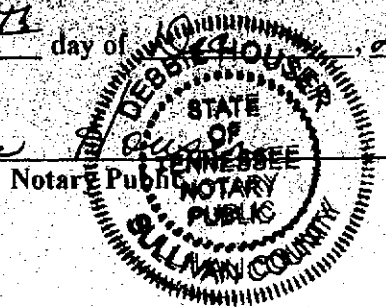
Property Location : Hawley Road

Purpose of Rezoning: To combine with adjacent PMD-1 property

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.

  
SWORN TO AND SUBSCRIBED before me this 5<sup>th</sup> day of January, 2007.

My Commission Expires: 1-16-08



PETITION TO SULLIVAN COUNTY FOR REZONING #12/07#3

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: DARRELL PETERS

Address: P O BOX 5153  
KINGSPORT TN 37663

Phone 239-6650 Date of Request 12/10/2007

Property Located in 14 Civil District

*Darrell Peters*  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 01/17/2008 Time 7:00 PM

Place CITY HALL 2<sup>ND</sup> FLOOR

Planning Commission Approved ✓  
Denied \_\_\_\_\_

County Commission Approved X  
Denied \_\_\_\_\_

Other Roll Call Vote 23 Aye, 1 Absent

Final Action Date 02-19-08

PROPERTY IDENTIFICATION

Tax Map No. 92 / Group \_\_\_\_\_ / Parcel 12.00

Zoning Map 15 Zoning District R-1 Proposed District B-3

Property Location : 112 SUMMERVILLE RD.

Purpose of Rezoning: FUTURE BUSINESS

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.

SWORN TO AND SUBSCRIBED before me this 10<sup>th</sup> day of Dec. 2007.

*Darrell Peters*  
*Marilyn Morrison*  
Notary Public

My Commission Expires: 1-16-08

QUESTIONS BEFORE THE COMM.

Resolving Requests No. No. Resolutions No.  
 1 2 3 1 2 3

NAMES OF COMMISSIONERS	1		2		3								1		2		3	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	✓		✓		✓								✓		✓			
Blackburn	✓		✓		✓								✓		✓			
Brittenham	✓		✓		✓								✓		✓			
Brotherton	✓		✓		✓								✓		✓			
Calton	✓		✓		✓								✓		✓			
Ferguson	✓		✓		✓								✓		A			
Grase close	✓		✓		✓								✓		✓			
Harkleroad	✓		✓		✓								✓		✓			
Harr	✓		✓		✓								✓		✓			
Herron	A		A		A								A		A			
Houser	✓		✓		✓								✓		✓			
Jones	✓		✓		✓								A		A			
Elliott Kelgore	✓		✓		✓								✓		✓			
W. Bill Kelgore	✓		✓		✓								✓		✓			
Dwight King	✓		✓		✓								A		✓			
J. Buddy King	✓		✓		✓								✓		✓			
James King Jr.	✓		✓		✓								✓		✓			
McConnell	✓		✓		✓								✓		✓			
McKerney	✓		✓		✓								✓		✓			
Morrison	✓		✓		✓								✓		✓			
(deceased) Patrick																		
Surgenor	✓		✓		✓								A		✓			
Vance	✓		✓		✓								✓		✓			
Williams	✓		✓		✓								✓		✓			
Patrice	✓		✓		✓								✓		✓			
	23 Aye		23 Aye		23 Aye								20 Aye		21 Aye			
	1 abs.		1 abs.		1 abs.								4 abs.		3 abs.			

QUESTIONS BEFORE THE COMM.

NAMES OF COMMISSIONERS	No. 4		No. 5		No. 6		No. 7		No. 8 <sup>70 table</sup>		No. 9		No. 10		No. 11 <sup>70 table</sup>	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong			✓		✓				✓		✓			✓		✓
Blackburn			✓		✓				✓		✓			✓		✓
Brittenham			✓		✓				✓		✓			✓		✓
Brotherton			✓		✓				✓		✓			✓		✓
Calton			✓		✓				✓		✓			✓		✓
Ferguson	A		A		A		A		A		A		A		A	
Groseclere			✓		✓				✓		✓			✓		✓
Hartbrood			✓		✓				✓		✓			✓		✓
Harr			✓		✓				✓		✓			✓		✓
Herron	A		A		A		A		A		A		A		A	
Houser			✓		A				A		A			A		✓
Jones	A		A		A		A		A		A		A		A	
Elliott Kelgore			✓		✓				✓		✓			✓		✓
W Bill Kelgore			✓		✓				✓		✓			✓		✓
Dwight King			✓		✓				✓		✓			✓		✓
Buddy King			✓		✓				✓		✓			✓		✓
James & King			✓		✓				✓		✓			✓		✓
McConnell			✓		✓				✓		✓			✓		✓
McKamey			✓			✓			✓		✓			✓		✓
Mornell			✓		✓				✓		✓			✓		✓
<del>(deceased) Patrice</del>																
Surgener			✓		✓				✓		✓			✓		✓
Vance			✓		✓				✓		✓			✓		✓
Williams			✓		✓				✓		A			A		✓
Patrice			✓		✓				✓		✓			✓		12 Aye
																9 Nay
																3 Absent

21 Aye 19 Aye  
3 Abs. 1 Nay  
4 Abs

20 Aye 19 Aye  
4 Abs 5 Abs

19 Aye 9 Nay  
5 Abs 3 Absent

at

f

QUESTIONS BEFORE THE COMM.

APPT. 11/1/18  
w/ R. 11/1/18

No.	12		13		14		15		16		17		18/20		19	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
	NAMES OF COMMISSIONERS															
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	A		A		A		A		A		A		A		A	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	A		A		A		A		A		A		A		A	
	A		A		A		A		A		A		A		A	
	A		A		A		A		A		A		A		A	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	A		A		A		A		A		A		A		A	
	A		A		A		A		A		A		A		A	
	A		A		A		A		A		A		A		A	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		A		A		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	<del>Patrice</del>		<del>Patrice</del>		<del>Patrice</del>		<del>Patrice</del>		<del>Patrice</del>		<del>Patrice</del>		<del>Patrice</del>		<del>Patrice</del>	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	✓		✓		✓		✓		✓		✓		✓		✓	
	9 Aye		20 Aye		18 Aye		19 Aye		19 Aye		20 Aye		20 Aye		20 Aye	
	10 Nay		4 Abs		5 Abs		5 Abs		1 Nay		4 Abs		4 Abs		4 Abs	
	1 Abs								4 Abs							
	4 Abs															
	<p>✓</p> <p>Ferguson absent</p> <p>Steve called out</p> <p>William - bob to call to serve</p>															



		No.		No.		No.		No.		No.		No.		No.		No.	
QUESTIONS BEFORE THE COMM.		20		21		22		23		24		25		26		27	
NAMES OF COMMISSIONERS		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
	Armstrong			✓		✓		✓		✓							
	Blackburn			✓		✓		✓		✓							
	Brittenham			✓		✓		✓		✓							
	Brotherton			✓		✓		✓		✓							
	Calton			✓		✓		✓		✓							
	Jerguson			A		A		A		A							
	Messelose			✓		✓		✓		✓							
	Harbleroad			✓		✓		✓		✓							
	Herr			✓		✓		✓		✓							
	Herron			A		A		A		A							
	Houser			A		A		A		A							
	Jones			A		A		A		A							
	E. Kilgore			✓		✓		✓		✓							
t	W. Bill Kilgore			✓		✓		✓		✓							
	Dwight King			✓		✓		✓		✓							
	Buddy King			✓		✓		✓		✓							
	James A. King			✓		✓		✓		✓							
	McConnell			✓		✓		✓		✓							
t	McKamey			✓		✓		✓		✓							
	Marnell			✓		✓		✓		✓							
2	(deceased) Patrick																
	Sugener			✓		✓		✓		✓							
	Vance			✓		✓		✓		✓							
t	Williams			✓		✓		✓		✓							
	Patrick			✓		✓		✓		✓							
2				20 Aye		20 Aye		20 Aye		20 Aye							
2				4ells		4ells		4ells		4ells							

**RESOLUTIONS ON DOCKET FOR FEBRUARY 19, 2008**

<b>RESOLUTIONS</b>	<b>ACTION</b>
#1 AMENDMENTS TO THE SULL CO ZONING RESOLUTION	APPROVED 02-19-08
#2 AUTHORIZE PLACING A 35 MPH SPEED LIMIT SIGN ON SUMMERVILLE ROAD, IN THE 8 <sup>TH</sup> COMM. DISTRICT	APPROVED 02-19-08
#3 ADOPTING THE PROPERTY TAX FREEZE PROGRAM AS PROVIDED FOR IN 2007 PUBLIC CHAPTER 581	DEFERRED 02-19-08
#4 REDISGNATE MISTY WOOD PRIVATE DRIVE IN THE 6 <sup>TH</sup> COMM. DISTRICT TO BE A SULLIVAN COUNTY ROAD AND CHANGE THE NAME TO MISTY WOOD DRIVE	DEFERRED 02-19-08
#5 ALLOW SULL. CO. SHERIFF'S OFFICE AND SHERIFF'S OFFICE ANIMAL CONTROL DIVISION TO WORK WITH A PUBLIC GROUP OF CITIZENS AND BUSINESS LEADERS FOR THE PURPOSE OF DESIGNING, FUNDRAISING AND BUILDING A NEW ANIMAL SHELTER.	APPROVED 02-19-08
#6 REQUESTING AMENDMENT TO THE "SUNSHINE LAW" REGARDING COMMUNICATION OUTSIDE PUBLIC MEETINGS	APPROVED 02-19-08
#7 APPROPRIATE \$50,000 OF FUNDING TO HELP CATTLE PRODUCERS OFFSET THE COST FOR HAULING HAY INTO SULLIVAN COUNTY	WITHDRAWN 02-19-08
#8 I, JAMES "MOE" BROTHERTON, RESPECTFULLY REQUEST THAT MY FELLOW SULLIVAN COUNTY COMMISSIONERS REMOVE MY NAME AS PRIME CO-SPONSOR OF RESOLUTION NO. 2003-02-19 PASSED ON THE 17 <sup>TH</sup> DAY OF MARCH, 2003 AS I NO LONGER SUPPORT THIS RESOLUTION, AS I WAS MISINFORMED	TABLED 02-19-08
#9 TO ALLOW THE SULL. COUNTY HIGHWAY DEPARTMENT TO ENTER INTO A CONTRACT WITH MATTERN & CRAIG (AS DESCRIBED IN PROFESSIONAL SERVICES AGREEMENT) FOR A TRAFFIC STUDY IN PINEY FLATS, TN IN THE AREA OF 11-E, ALLISON ROAD, AND PICKENS BRIDGE ROAD IN THE 5 <sup>TH</sup> COMM. DISTRICT	APPROVED 02-19-08
#10 URGING SULLIVAN COUNTY COMMISSIONERS AND OTHER OWNERS OF THE TRI-CITIES REGIONAL AIRPORT TO SUPPORT TRI-CITIES REGIONAL AIRPORT CONTROLLING DOCUMENTS OF OCTOBER 25, 1935; AND NOT SUPPORT THE CONCEPT OF CREATING TRI-CITIES REGIONAL AIRPORT AUTHORITY	1 <sup>ST</sup> READING 02-19-08
#11 TO HIRE TWO FULL TIME POSITIONS FOR THE CHILDREN'S DENTAL CLINIC. THE POSITIONS NEEDED ARE ONE DENTIST AND HYGIENIST. AMEND HEALTH DEPARTMENT BUDGET \$62,291.	APPROVED 02-19-08

#12 REQUEST THAT THE STATE OF TENNESSEE SUPPORT HOUSE BILL 9 WHICH IS A GRANT PROGRAM REQUIRING THAT ALL EXCESS LOTTERY FUNDS ABOVE \$250 MILLION BE SET APART FOR ASSISTING LOCAL SCHOOLS	FAILED 02-19-08 PUT BACK ON 1 <sup>ST</sup> READING
#13 SUPPORT STATE LEGISLATION REPEALING THE PROVISION THAT REDUCES THE COMMISSION RETAINED BY THE COUNTY REGISTER OF DEEDS	APPROVED 02-19-08
#14 AMENDING THE 2007-2008 GENERAL PURPOSE SCHOOL BUDGET IN THE AMOUNT OF \$16,155.00 FOR THE ADULT EDUCATION PROGRAM GRANT.	APPROVED 02-19-08
#15 AMENDING THE 2007-2008 GENERAL PURPOSE SCHOOL BUDGET FOR THE GO TRYBE-TENNESSEE GRANT. THIS GRANT IS FULLY FUNDED FROM AN ENDOWMENT GRANT CONTRACT BETWEEN THE STATE OF TN, CENTER FOR DIABETES PREVENTION AND HEALTH IMPROVEMENT, AND SULLIVAN COUNTY IN THE AMOUNT OF \$39,680	APPROVED 02-19-08
#16 AMENDING THE 2007-2008 GENERAL PURPOSE SCHOOL BUDGET BY APPROPRIATING \$29,215.72 FROM GENERAL PURPOSE SCHOOL FUND BALANCE TO PAY ACCRUED INTEREST FOR \$2,000,000.00 TAX ANTICIPATION NOTE ISSUED BY THE GENERAL FUND OF SULLIVAN COUNTY OCTOBER 17, 2007	APPROVED 02-19-08
#17 AMEND 2007-2008 FY GENERAL FUND BUDGET FOR EMA GRANT	APPROVED 02-19-08
#18 AMEND 2007-2008 GENERAL FUND BUDGET FOR INCREASED PERSONNEL AND OTHER COSTS IN THE TRUSTEE'S OFFICE	APPROVED 02-19-08
#19 AUTHORIZING BRISTOL METROPOLITAN PLANNING ORGANIZATION TO REQUEST THE TN DEPT. OF TRANSPORTATION TO CONVEY TO SULLIVAN COUNTY THE HISTORIC STEEL TRUSS BRIDGE COMPONENTS OF HWY. 75 AT THE WASHINGTON COUNTY LINE FOR FUTURE ENHANCEMENT PROJECTS	1 <sup>ST</sup> READING 02-19-08
#20 AMEND 2007-2008 GENERAL FUND BUDGET FOR INCREASED PERSONNEL AND OTHER COSTS IN THE REGISTER OF DEEDS OFFICE	APPROVED 02-19-08
#21 AMEND 2007-208 FY GENERAL FUND BUDGET FOR STAFFING COURTROOM SECURITY	APPROVED 02-19-08
#22 ESTABLISHING A POLICY FOR THE PRODUCTION AND DISTRIBUTION OF GIS INFORMATION FOR PRIVATE USE	APPROVED 02-19-08

<p>#23 AUTHORIZING A PARTNERSHIP WITH THE TENN. DEPT. OF TOURIST DEVELOPMENT IN THE DEVELOPMENT OF THE TENN. CIVIL WAR TRAILS PROGRAM</p>	<p>APPROVED 02-19-08</p>
<p>#24 APPROVE AND APPROPRIATE AN ADDITIONAL \$70,108 OF GRANT FUNDING FOR GREAT STATE ROAD MUSEUM AND WALKING TOUR</p>	<p>APPROVED 02-19-08</p>
<p>#25 SULLIVAN COUNTY BOARD OF COMMISSIONERS TO CONSIDER REQUEST FOR SUMMARY JUDGMENT CONCERNING THE MEADOWS ANNEXATION TO BECOME EFFECTIVE ON MARCH 6, 2008</p>	<p>1<sup>ST</sup> READING 02-19-08</p>

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2008-02-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January 2008.

**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 19th day of February 2008.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

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

Sponsor: James "Buddy" King  
Prime Co-Sponsor(s): O.W. Ferguson

2008-02-00	County Commission
ACTION	Approved 02-19-08 Roll Call Vote 20 Aye, 4 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

2  
Item 11  
Executive  
No. 2008-01-01  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2008.

**RESOLUTION To Authorize Placing A 35 MPH Speed Limit Sign On Summerville Road,  
in the 8<sup>th</sup> Commissioner District**

WHEREAS, Commissioner Darlene Calton requested the Sullivan County Highway Department to make traffic sign changes; and,

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

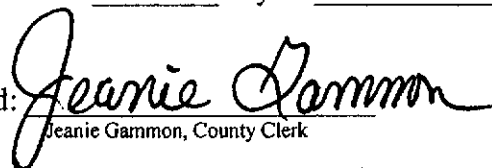
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:**

**8<sup>th</sup> Commission District**

**To place A 35 MPH Speed Limit Sign On Summerville 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 19<sup>th</sup> day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2008-01-01	Administrative	Budget	Executive	County Commission
ACTION	No Action 1-7-08	Approved 1-10-08		Approved 02-19-08 21 Aye, 3 Absent

Notes: 1st Reading 01-22-08;

**RESOLUTION REQUEST REVIEW**

**DATE:** December 17, 2007

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Darlene Calton

**SUBJECT:** To place a 35 MPH SPEED LIMIT on  
Summerville Road.

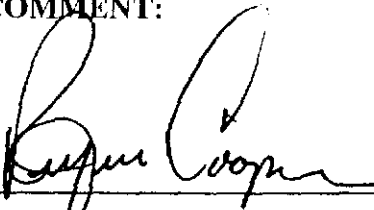
8 COMMISSIONER DISTRICT

Eddie Williams


X APPROVED BY HIGHWAY DEPARTMENT

       DENIED BY HIGHWAY DEPARTMENT

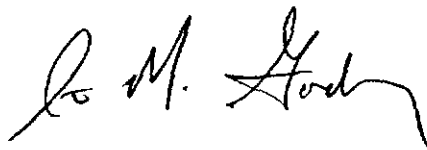
**COMMENT:**

  
11/17/2007

TRAFFIC COORDINATOR

  
11/17/2007

HIGHWAY COMMISSIONER



Sullivan County, Tennessee  
Board of County Commissioners

3  
Item 12  
Budget

No. 2008-01-02

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2008.

**RESOLUTION Adopting the Property Tax Freeze Program as Provided for in 2007 Public Chapter 581**

**WHEREAS**, Chapter 581 of the Public Acts of 2007, codified in Tennessee Code Annotated §67-5-705, is a local option law which authorizes counties to adopt a property tax freeze program; and

**WHEREAS**, the Sullivan County Legislative Body has determined that it is in the best interest of Sullivan County that the county adopt the property tax freeze program;

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

**SECTION 1.** The property tax freeze program as provided for in Chapter 581 of the Public Acts of 2007, codified in Tennessee Code Annotated §67-5-705, is hereby adopted by the County Legislative Body of Sullivan County.

**SECTION 2.** The property tax freeze program shall be implemented and administered in accordance with Tennessee Code Annotated §67-5-705 and the rules promulgated by the State Board of Equalization through the Division of Property Assessments.

**SECTION 3.** The County Clerk shall file a copy of this resolution with the Division of Property Assessments within 45 days of its adoption.

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 \_\_\_\_\_ 2008.

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

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

**Sponsored By: John McKamey**  
**Prime Co-Sponsor(s): Wayne McConnell; Elliott Kilgore**

2008-01-02	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 1-7-08	No Action 1-10-08		

Notes: 1st Reading 01-22-08; Amended by McKamey (attached). Deferred 02-19-08;



PROPOSED AMENDMENT #1 TO

RES. # 2008-01-02

AMEND AS FOLLOWS:

TO ask that the Mayor appoint a committee to study this and report back to the Commission next month if at all possible.

Mayor Godsey recommended the following people to make up the committee:

Frances Harrell, Bobby Icenhour or someone from the Property Assessor's Office, Larry Bailey, Chair of the Budget Committee, Commissioner McKamey and Mayor Godsey. Upon recommendations, motion was made by Comm. Herron and seconded by Comm. Calton to approve same. Committee as recommended was approved by the Commission by voice vote this 22<sup>nd</sup> day of January, 2008.

INTRODUCED BY: Comm. McKamey

SECONDED BY:

COMMENTS: Amendment on 1<sup>st</sup> Reading

Sullivan County, Tennessee  
Board of County Commissioners

**4**  
Item ~~10~~  
Executive  
No. 2008-01-06

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2008.

**RESOLUTION To redesignate Misty Wood Private Drive in the 6th Commissioner District to be a Sullivan County road and change the name to Misty Wood Drive; and,**

WHEREAS, Commissioner Terry Harkleroad has noted that this road is already paved which means it will not require any current labor to help it meet county requirements, and has in the past been a county road; and,

WHEREAS, a small neighborhood has developed on this road causing it to be more frequently traveled than in past years.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize this road to be renamed as Misty Wood Drive and designated as a Sullivan County Road in the 6th Commissioner District.**

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 \_\_\_\_\_ 2008.

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

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

**Sponsored By: Harkleroad**  
**Prime Co-Sponsor(s): Surgenor, Patrick**

2008-01-06	Administrative	Budget	Executive	County Commission
ACTION				

Notes: 1st Reading 01-22-08; Deferred 02-19-08;

Sullivan County, Tennessee  
Board of County Commissioners

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Item 18  
Budget  
No. 2008-01-08

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2008.

**RESOLUTION To Allow Sullivan County Sheriff's Office and Sheriff's Office Animal Control Division to work with a public group of citizens and business leaders for the purpose of designing, fundraising and building a new animal shelter. The new shelter will be built in conjunction with, and attached to the existing shelter.**

WHEREAS, the Sullivan County Animal Shelter has been in existence for approximately 25 – 30 years, and is in need of expansion and upgrading; and,

WHEREAS, there is a recognized need for an aggressive approach to the animal over-population problem and for the care of unwanted, stray and otherwise homeless domestic cats and dogs; the shelter adoption rates rose from 963 in 2006 to 1,276 in 2007. Calls for service and animal complaints are running at an average of 3,489 per year, while shelter visitors are running at an average of 4,873 per year; and,

WHEREAS, the public expects this service to be provided by Sullivan County; a new shelter would enhance the adoption processes and promote better and increased adoption opportunities, as well as reducing the euthanasia rates of these unfortunate animals; and,

WHEREAS, Sullivan County is committed to the ethical, humane and proper treatment of homeless and otherwise deposed domestic cats and dogs; and,

WHEREAS, the cost for this project will be raised and provided by the committee, and will be known as the Sullivan County Animal Shelter Task Force. While members of this Task Force will consist of some county representatives, this Task Force will not be an extension of Sullivan County, the Sullivan County Sheriff's Office, or the Sullivan County Sheriff's Office Animal Control Division; but will operate as a separate entity for the sole purpose of bringing this shelter to a reality.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Sullivan County Animal Shelter Task Force to commence and proceed with this project after review and approval by the Sullivan County Building Committee.

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 19th day of February 2008.

Attested: Jeanie Gammon Approved: Steve M. Godsey  
Jeanie Gammon, County Clerk Steve M. Godsey, County Mayor

Sponsored By: Joe Herron

Prime Co-Sponsor(s): Cathy Armstrong, Terry Harkleroad, Linda Brittenham

Kilgore, Calton, Brotherton

2008-01-08	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-08 21 Aye, 3 Absent

Notes: 1st Reading 01-22-08;

Sullivan County, Tennessee  
Board of County Commissioners

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Item 19  
Executive  
No. 2008-01-09

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2008.

**RESOLUTION Requesting Amendment to the "Sunshine Law" Regarding Communication Outside Public Meetings**

WHEREAS, present state law under the "Sunshine Law" raises an interpretation that one member of a public body cannot discuss or communicate with one other member on public matters or business without being subject to the "Sunshine Law" and being done in a public meeting; and

WHEREAS, the "Sunshine Law" is certainly a good and essential law, and decisions that are made and done by public bodies should be made with proper notice in the open and subject to public view. However, the interpretation of the word "meeting" that prohibits one member of a public body from discussing or communicating with one other member without being subject to the "Sunshine Law" limits a good discussion between 2 members on the pros and cons, the things that would make a matter better, things that should not be, the good points and the bad points of a matter, etc., without having a public meeting. This is not practical and actually hinders good homework and preparation outside of the public meeting. It can stifle coming up with good ideas. It tends to discourage extra dialogue that could occur between one member with another because of having to have a public meeting for these discussions. It doesn't make good sense prohibiting 2 commissioners, 2 school board members, or 2 aldermen from talking one on one without it being done in a public meeting; and

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, recommend to the Tennessee State Legislature that in TCA 8-44-102 where "meeting" is defined that language be added that will permit and have the effect that 2 members of a public body can discuss or communicate with each other on any matter if those 2 members do not constitute a quorum which would be necessary to make a decision for the public body without such discussion or communication being considered a public meeting under the "Sunshine Law". This communication shall include a face to face discussion, written communication, and electronic communication.**

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. This resolution is intended to rescind the modified or amended resolution (No. 2007-11-132) that was passed on December 17, 2007, and go back to the idea as expressed in the original resolution before it was amended.

Approved this 19th day of February 2008.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

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

Sponsored By: **James L. King, Jr.**

Prime Co-Sponsor(s): Sam Jones

2008-01-09	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-08 19Aye, 1Nay, 4Absent

Notes: 1st Reading 01-22-08;

Sullivan County, Tennessee  
Board of County Commissioners

7  
Item 20  
Administrative/Budget  
No. 2008-01-10

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 22nd day of January, 2008.

**RESOLUTION To Appropriate \$50,000 of Funding to help Cattle Producers Offset the Cost for Hauling Hay into Sullivan County**

WHEREAS, the killing freeze in late spring of 2007 and the drought that lasted throughout the summer and fall has reduced the hay crop for cattle producers by as much as one half; and,

WHEREAS, producers were faced with no pasture and had to feed their winter hay supply that so many sold their calves early in the fall and culled their cow herds; and,

WHEREAS, the producers are now at a point where they either sell out their herds or buy hay from the Mid-west; and,

WHEREAS, if producers buy enough hay to carry them through the winter the calves they have sold will probably not cover the hay cost, otherwise they lose money or break-even at the best; and,

WHEREAS, numerous counties across the State of Tennessee have provided assistance in assuring adequate supplies of hay for their cattle farmers; and,

WHEREAS, the livelihoods of the cattle farmers plays an important economic impact on Sullivan County; and,

WHEREAS, as an effort to help save the cattle industry in this county the producers are asking the people of Sullivan County to help with the cost of transporting hay.

**NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, appropriate \$50,000 from the fund balance account of the General Fund to assist in the funding of transportation of the hay to Sullivan County. Account codes to be assigned by the Director of Accounts & Budgets.**

**BE IT FURTHER RESOLVED that the County Mayor be authorized to appoint a temporary Committee including representatives of the UT Agriculture Extension Service to develop and over see a program to assist in providing hay for county cattle farmers.**

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 \_\_\_\_\_ 2008.

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

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

**Sponsored By: Dwight King**  
**Prime Co-Sponsor(s): Buddy King, Elliott Kilgore**

2008-01-10	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: AMENDED by sponsor to request that a temporary committee consisting of Mayor Godsey, Dwight King, Buddy King, Chris Ramsey and Kevin Melvin be put together to discuss Resolution 01-22-08.  
1st Reading 01-22-08 ; **Withdrawn 02-19-08.**



Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Executive  
No. 2008-02-11  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION: I, James "Moe" Brotherton , respectfully request that my fellow Sullivan County Commissioners remove my name as prime co-sponsor of Resolution No. 2003-02-19 passed on the 17th day of March, 2003 as I no longer support this resolution, as I was misinformed.**

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize that James "Moe" Brotherton be removed as prime co-sponsor of Resolution No. 2003-02-19.**

*Waiver of Rules Requested*

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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

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

**Sponsored By: James "Moe" Brotherton  
Prime Co-Sponsor(s): Darlene Calton**

2008-02-11	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 2-4-08	Approved 2-7-08	No Action 2-6-08	

Notes: **Motion made by Williams, seconded by Surgenor to Table. Motion approved by roll call vote 02-19-08. Tabled 02-19-08.**

Sullivan County, Tennessee  
Board of County Commissioners

*Attachment*  
*Res # 8*  
*3*  
Item 13

Executive Committee  
P-No. 2003-02-19

To the Honorable Richard S. Venable, Sullivan County Executive, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of February, 2003.

**RESOLUTION Approving Concept of Creating Tri-Cities Regional Airport Authority and Urging Other Owners of the Tri-Cities Regional Airport to Approve Such Concept and to Jointly Study the Implementation of the Same**

WHEREAS, in 1935 the Cities of Bristol, Johnson City and Kingsport, Tennessee and the County of Sullivan, Tennessee joined to construct, own and operate a public airport which is now known as "Tri-Cities Regional Airport, TN/VA"; and

WHEREAS, in 1948 Johnson City subsequently transferred one-half of its ownership interest in the airport to the County of Washington, Tennessee; and

WHEREAS, in 1964 the City of Bristol, Virginia acquired an ownership interest in the airport; and

WHEREAS, the six owners of the Tri-Cities Regional Airport have delegated its operation to a twelve member commission whose members are appointed by, and serve at the pleasure of, the respective owners; and

WHEREAS, the Tri-Cities Regional Airport is owned and operated by its six owners as an unincorporated association or joint venture, and neither the airport nor its commission is a distinct legal entity; and

WHEREAS, it appears that the owners and the public would benefit significantly if the Tri-Cities Regional Airport were operated by an airport authority which would be a distinct governmental entity; and

WHEREAS, the creation of the Tri-Cities Regional Airport Authority would likely require the drafting of local legislation for submission to the Tennessee General Assembly;

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17<sup>th</sup> day of February, 2003, hereby supports the concept of creating the Tri-Cities Regional Airport Authority and urges the other owners of the Tri-Cities Regional Airport to support this concept and to join together to study the implementation of same. Prior to the submission of any legislation proposed for creating the Tri-Cities Regional Airport Authority, the same will be presented to the Sullivan County Board of Commissioners for review and consideration.

**BE IT FURTHER RESOLVED** that upon passage of this Resolution that the Office of the Sullivan County Executive forward a copy of the same to the Cities of Bristol, Kingsport and

Johnson City, Tennessee, the City of Bristol, Virginia and the County of Washington, Tennessee.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this 17th day of March 2003.

Attested: Jeanie Gammon 3/17/03 Approved: Richard S. Venable 3/17/03  
Jeanie Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By: Commissioner: Jones  
Seconded By: Commissioner(s): Brotherton

tl

2003-02-__	Administrative	Budget	Executive	County Commission
ACTION				Approved 03-17-03 15 Aye, 8 Nay, 1 Absent

Comments: 1st Reading 02-17-03;

Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Executive  
No. 2008-02-12  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To Allow the Sullivan County Highway Department to enter into a contract with Mattern & Craig, Inc.(as described in professional services agreement) for a traffic study in Piney Flats, Tennessee in the area of 11-E, Allison Road, and Pickens Bridge Road in the 5th Commissioner District; and**

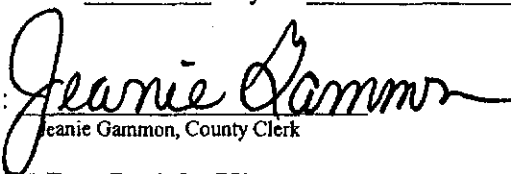
WHEREAS, this is an area that has encountered a tremendous influx of additional traffic in recent years while also being a location where future expansion is expected, thus creating safety concerns that must be addressed; and

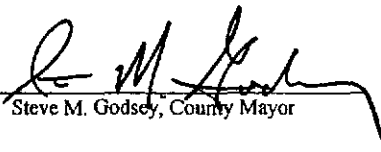
WHEREAS, the Sullivan County Highway Department will pursue fund reimbursement from the proper MPO as the study progresses.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Sullivan County Highway Department to enter into a contract with Mattern & Craig, Inc. to have a traffic study done in the 5th Commissioner District in the area of 11-E, Allison Road, and Pickens Bridge 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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dwight King**  
**Prime Co-Sponsor(s): John McKamey**

2008-02-12	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 2-4-08	Approved 2-7-08	Motion Failed/ No Other Motion 2-6-08	<b>Approved 02-19-08</b> <b>19 Aye, 5 Absent</b>

Notes:

**CLIENT AND ENGINEER  
PROFESSIONAL SERVICES AGREEMENT**

This agreement is made and entered into at Kingsport, Tennessee effective this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between:

**ENGINEER:**

Name: Mattern & Craig, Inc.  
Address: 429 Clay Street  
Kingsport, Tennessee 37660  
Phone: (423) 245-4970

**CLIENT:**

Name: Sullivan County Hwy. Dept.  
Address: P.O. Box 590  
147 County Hill Rd.  
Blountville, TN 37617  
Phone: (423) 279-2820

The project upon which the services hereinafter described are to be performed is located near the intersection of U.S. 11E (S.R. 34) and Allison Road in Piney Flats, Tennessee.

**Services:**

- Collect 3-hour full turning movement traffic counts (6:00 AM until 9:00 AM and 3:00 PM until 6:00 PM) on a typical weekday at the signalized intersection of U.S. 11E at Allison Road and at the unsignalized intersections of Allison Road at Pickens Bridge Road and Pickens Bridge Road at Cherry Grove Condominiums entrance.
- Visit the site to gather necessary information including digital photos.
- Determine future traffic generated during a typical weekday for the AM and PM peak hours by the proposed development and by future expansion of Cherry Grove Condominiums.
- Perform capacity, levels of service, and queueing analyses for the AM and PM peak hours during a typical weekday for existing, background, and future conditions at the above intersections (3) and at the proposed site access points (3).
- Identify and discuss recommendations including possible mitigation improvements.
- Prepare a traffic impact study, including all appropriate figures, tables, worksheets, etc.
- Submit a draft version to the Sullivan County Hwy. Dept. for review and make corrections as necessary.
- Submit the final sealed and signed report to all interested parties.

**Fee:**

- Payment for the hereinabove described services will be \$9,900 lump sum. Billings for Services and Reimbursable Expenses will be on a monthly basis. Additional Services will be provided upon your request at the following rates per hour: Engineer - \$100, Technician - \$65, Clerical - \$45.

**Time of Completion (from receipt of signed Agreement):**

- 45 work days

In addition to the matters set forth herein, our agreement shall include, and shall be subject to, the Standard Provisions attached hereto and incorporated herein.

If you concur and wish us to proceed with the services described above, please have both enclosed originals of this Agreement executed by a properly authorized individual in the space provided. Retain one and return the other. Times stated in this agreement are valid for sixty (60) days from the date executed by the Engineer.

**ENGINEER:**

By Randy L. Becker  
Title: Office Manager  
Date January 22, 2008

**CLIENT:**

By \_\_\_\_\_  
Title: \_\_\_\_\_  
Date \_\_\_\_\_

**MATTERN & CRAIG, INC.**  
**STANDARD PROVISIONS**

(1) **Engineer's Scope of Services** The undertaking of the Engineer to perform professional services extends only to those services specifically described in this Agreement. However, if requested by the Client and agreed to by the Engineer, the Engineer will perform additional services ("Additional Services") hereunder and shall be compensated as set forth below.

- (2) **Client's Responsibilities** In addition to other responsibilities described herein or imposed by law, the Client shall:
- (a) Designate in writing a person to act as its representative with respect to this Agreement, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
  - (b) Provide to the Engineer all previous studies, plans, or other documents pertaining to the project; Client's requirements and criteria; standards to be followed; and all new information reasonably necessary; upon all of which the Engineer may rely.
  - (c) Arrange for access to the site and other property and obtain approvals and permits required for the Engineer to provide its services.
  - (d) Review all documents or verbal reports presented by the Engineer and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Engineer.
  - (e) Provide such overall feasibility services such as independent accounting, legal, insurance, and cost estimating as the client may require or the Engineer may reasonably request.
  - (f) Give prompt written notice to the Engineer wherever the Client becomes aware of any development that affects the scope and timing of the Engineer's services or any defect or noncompliance in any aspect of the project.
  - (g) Bear all costs incident to the responsibilities of the Client.

(3) **Period of Services** This Agreement has been entered into in anticipation of conditions permitting continuous and orderly progress through the completion of the Engineer's services. Times for performance shall be extended to the extent necessary for delays due to circumstances the Engineer does not control. If such delay or suspension extends for more than six months (cumulatively), the rates of compensation provided for in the Agreement shall be renegotiated.

(4) **Compensation for Additional Services** Unless otherwise agreed to in writing, the Client shall pay the Engineer for the performance of any Additional Services an amount based upon the Engineer's current hourly rates plus an amount to cover certain direct expenses including in-house duplicating, local mileage, telephone calls, postage, and word processing. Other direct expenses will be billed at 1.15 times cost.

(5) **Method of Payment** Compensation shall be paid to the Engineer in accordance with the following provisions:

- (a) Invoices will be submitted by the Engineer to the Client for services performed and expenses incurred. Payment of each invoice will be due within 25 days of receipt. Interest will be added to accounts not paid within 25 days at the maximum rate allowed by law. If the Client fails to make any payment due the Engineer for services and expenses within 30 days after the Engineer's transmittal of its invoice, the Engineer may suspend services until all amounts are paid in full.
- (b) If the Client objects to any invoice, it must advise the Engineer in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections shall be waived, and the invoice shall conclusively be deemed due and owing.
- (c) If the Engineer initiates legal proceedings to collect payment for services, it may recover in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Engineer's normal hourly billing rates, of the time devoted to such proceedings by its employees.
- (d) The Client acknowledges and agrees that the payment for services rendered and expenses incurred by the Engineer pursuant to this Agreement is not subject to any contingency or conditions unless expressly set forth in this Agreement.

(6) **Use of Documents** All documents, including but not limited to drawings, specifications and data or programs stored electronically, prepared by the Engineer are related exclusively to the services described herein. They are not intended or represented to be suitable for partial use or reuse by the Client or others on extensions of this project or on any other project. Any modifications made by the Client or any partial use or reuse without written authorization or adaptation by the Engineer will be at the Client's sole risk and without liability or legal exposure to the Engineer, and the Client shall indemnify, defend and hold the Engineer harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. Any authorization or adaptation will entitle the Engineer to further compensation at rates to be agreed upon by the Client and the Engineer. Copies of Documents that may be relied upon by Client are limited to the printed copies (also known as hard copies) signed or sealed by the Engineer. Files in electronic media format of text, data, graphics, or of other types furnished by Engineer to Client are only for convenience of Client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the Client, after receiving electronic files, agrees to perform acceptance tests or procedures within 60 days, after which the Client shall be deemed to have accepted the data. Any errors detected within the 60-day acceptance period will be corrected by the Engineer. Engineer shall not be responsible to maintain documents stored in electronic media format after acceptance by Client. When transferring documents in electronic media format, Engineer makes no representations as to long term compatibility, usability, or readability of documents resulting from the use of software application packages, operation systems, or computer hardware differing from those used by Engineer at the beginning of this Project. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

(7) **Opinions of Cost** Because the Engineer does not control the cost of labor, materials, equipment, services furnished by others, methods of determining prices, competitive bidding or market conditions, any opinion rendered as to costs shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, but the Engineer cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator.

(8) **Termination** The obligation to provide further services under this Agreement may be terminated by either party upon seven days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In the event of any termination, the Engineer will be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by the Engineer as a result of such termination.

(9) **Insurance** The Engineer is protected by Workers' Compensation insurance, professional liability insurance, and general liability insurance for bodily injury and property damage and will exchange certificates of insurance upon request.

(10) **Liability** In performing its professional services, the Engineer will use that degree of care and skill ordinarily exercised, under similar circumstances, by reputable members of its profession practicing in the same or similar locality at the time the services are provided. No warranty, express or implied, is made or intended by the Engineer's undertaking herein or its performance of services hereunder, and it is agreed that the Engineer is not a fiduciary with respect to the Client. To the fullest extent of the law, and notwithstanding any other provisions of this Agreement, the total liability, in the aggregate of the Engineer and the Engineer's officers, directors, employees, agents and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs or damages whatsoever arising out of, resulting from or in any way related to the services under this Agreement from any cause or causes including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of the Engineer or the Engineer's officers, directors, employees, agents, or subconsultants shall not exceed twice the total compensation received by the Engineer under this Agreement or \$50,000 whichever is greater. Under no circumstances shall the Engineer be liable for lost profits, consequential damages or for extra costs or other consequences due to changed conditions or for costs related to the failure of the contractor to perform work in accordance with the plans and specifications.

(11) **Expenses of Litigation** If the Client or its contractors initiate legal proceedings against the Engineer, its contractors, or its subcontractors related to the Engineer's services, and such proceedings conclude with the entry of a final judgment favorable to the Engineer, the Client shall reimburse the Engineer for all of its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Engineer's normal hourly billing rates, of the time devoted to the proceedings by the Engineer's employees.

(12) **Dispute Resolution** If and to the extent that Client and Engineer have agreed on a method and procedure for resolving disputes between them arising out of or relating to this Agreement, such dispute resolution method and procedure, if any, is set forth in an Exhibit attached to this Agreement. Client and Engineer agree to negotiate in good faith for a period of thirty days from date of notice of all disputes prior to exercising their rights under any Exhibit or under law.

(13) **Hazardous Substances** It is understood and agreed that in seeking the professional services of the Engineer, the Client does not request the Engineer to undertake to perform any services, studies, or tests, or to make any determinations involving hazardous substances or conditions, as defined by federal or state law. Therefore, the Engineer undertakes no such obligation, and the Client agrees to hold harmless, indemnify, and defend the Engineer from and against any and all claims, losses, damages, liability, and costs arising out of or in any way connected with the presence, discharge, release, or escape of hazardous substances or conditions of any kind, or environmental liability of any nature, in any manner related to services performed by the Engineer. If any hazardous substance or condition is observed or reasonably suspected by the Engineer, it shall have the right to cease all services until the hazardous substance or condition has been eliminated. The Engineer shall notify the Client of any such substance or condition of which the Engineer becomes aware, and the Client shall be solely responsible for its elimination.

(14) **Assignment** Nothing in this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than the Client and the Engineer, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the Client and the Engineer and not for the benefit of any other party. Neither the Client nor the Engineer shall assign, sublet, or transfer any rights under or interest in this Agreement without the written consent of the other, except that the Engineer may retain subconsultants as it deems appropriate.

(15) **Confidentiality** The Client consents to the use and dissemination by the Engineer of photographs of the Project and to the use by the Engineer of facts, data and information obtained by the Engineer in the performance of its services. If, however, any facts, data or information is specifically identified in writing by the Client as confidential, the Engineer shall use reasonable care to maintain the confidentiality of that material.

(16) **Miscellaneous Provisions** This Agreement is to be governed by the laws of the State of Tennessee. This Agreement shall bind, and the benefits thereof shall inure to the respective parties hereto, their legal representatives, executors, administrators, successors and assigns. This Agreement contains the entire and fully integrated agreement between the parties hereto and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. This Agreement can be supplemented or amended only by a written document executed by both the Engineer and the Client. Provided, however, that conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by the Engineer. Any provision in this Agreement that is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof or affecting the validity or enforceability of such provision in any other jurisdiction. Also, the non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.



Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Executive  
No. 2008-02-13  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION Urging Sullivan County Commissioners and other owners of the Tri-Cities Regional Airport to support Tri-Cities Regional Airport controlling documents of October 25, 1935; and not support the concept of creating Tri-Cities Regional Airport Authority; and**

WHEREAS, in 1935 the Cities of Bristol, Johnson City and Kingsport, Tennessee and the County of Sullivan, Tennessee joined to construct, own, and operate a public airport which is now known as "Tri-Cities Regional Airport, TN/VA"; and

WHEREAS, in 1948 Johnson City subsequently transferred one-half of its ownership interest in the airport to the County of Washington, Tennessee; and

WHEREAS, in 1964 the City of Bristol, Virginia acquired an ownership interest in the airport; and

WHEREAS, the six owners of the Tri-Cities Regional Airport have delegated its operation to a twelve member commission whose members are appointed by, and serve at the pleasure of, the respective owners; and

WHEREAS, the Tri-Cities Regional Airport is owned and operated by its owners as an unincorporated association or joint venture, and neither the airport nor its commission is a distinct legal entity; and

WHEREAS, the Sullivan County Commissioners would ask that the Sullivan County legislators not submit legislation to the Tennessee General Assembly to change the Tri-Cities Regional Airport Commission.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session does not support the concept of creating the Tri-Cities Regional Airport Authority and urges the other owners of the Tri-Cities Regional Airport to support Tri-Cities Regional Airport controlling document of October 25, 1935. Prior to any legislation proposed for creating the Tri-Cities Regional Airport Authority, the same will be presented to the Sullivan County Board of Commissioners for review and consideration.**

**BE IT FURTHER RESOLVED** that upon passage of this resolution that the office of the Sullivan County Mayor forward a copy of the same to the Cities of Bristol, Kingsport, and Johnson City, Tennessee, the City of Bristol, Virginia and the County of Washington, Tennessee, and also send copies to the Governor of Tennessee, the Tennessee Department of Property Management, and all elected state, county, and local officials representing 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 \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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

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

**Sponsored By: James "Moe" Brotherton**  
**Prime Co-Sponsor(s): Darlene Calton**

2008-02-13	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 2-4-08	Deferred 2-7-08	No Action 2-6-08	

Notes: **1st Reading 02-19-08;**

its presently authorized members on said Commission and one of its votes thereon, [REDACTED]

[REDACTED]

[REDACTED] and Sullivan County, Tennessee, has agreed to relinquish and give to the City of Bristol, Virginia, 1/6 of its present 24 percent ownership of Tri-City Airport, [REDACTED]

48

[REDACTED]

Upon the execution of this contract the airport property will be as follows:

- Washington County, Tennessee ---- 20 percent
- City of Johnson City, Tennessee - 20 percent
- Sullivan County, Tennessee ----- 20 percent
- City of Kingsport, Tennessee ---- 20 percent
- City of Bristol, Tennessee ----- 10 percent
- City of Bristol, Virginia ----- 10 percent

and after which the [REDACTED]

[REDACTED] to be selected as follows:

- Washington County, Tennessee ---- 3 members
- City of Johnson City, Tennessee - 3 members
- Sullivan County, Tennessee ----- 2 members
- City of Kingsport, Tennessee ---- 2 members
- City of Bristol, Tennessee ----- 1 member
- City of Bristol, Virginia ----- 1 member

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements stated herein together with the payment

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Administrative/Budget  
No. 2008-02-14

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To hire two full time positions for the Children's Dental Clinic. The positions needed are one dentist and hygienist. Amend Health Department budget \$62,691.**

WHEREAS, Sullivan County Commission approved adding capacity for children dental services; and

WHEREAS, dental care for children is a vitally important priority for Sullivan County; and

WHEREAS, construction is finished for the additional operatories so that services may begin.

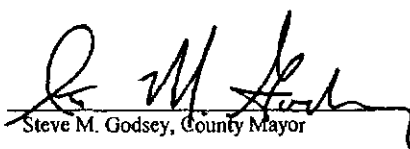
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending health department budget \$62,691, (\$188,000 12 months cost) to hire one hygienist (grade 8 range 29,792 - 40,964) and one dentist (grade 15 68,612 - 94,341). Benefit cost is 39% of salary.**

55160.100	\$45,101	\$135,305	12 Months
55160.200	\$17,598	\$ 52,768	12 Months

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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Wayne McConnell**

**Prime Co-Sponsor(s): Joe Herron , Linda Brittenham, Terry Harkleroad**

2008-02-14	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 2-4-08	Approved 2-7-08	No Action 2-6-08	<b>Approved 02-19-08 19 Aye, 5 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Administrative/Budget/Executive  
No. 2008-02-15  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To Request that the State of Tennessee Support House Bill 9 which is a Grant Program requiring that all Excess Lottery Funds above \$250 million be set apart for Assisting Local Schools; and**

WHEREAS, HB 9 would create a "K-12 Lottery Capital Outlay Special Account" and require the comptroller to develop and administer a grant program for capital projects for K-12 educational facilities using funds from the special account. This bill would require any funds that remain in the lottery account at the end of each fiscal year in excess of \$250 million to be deemed excess lottery funds and be transferred to the special account. The funds in the special account would supplement, not replace, other resources for capital projects in schools; and

WHEREAS, this bill would require any funds in the special account each year be available as capital outlay grants to each school district based on the ratio of each district's average daily membership to the state's overall average daily membership. If a school district is not awarded a grant in a given year, the funds would be credited to the district and included in the district's grant availability in subsequent years until awarded. The bill authorizes the comptroller to audit any school district that accepts a grant for compliance purposes and establish matching dollar requirements based on need. Also, this bill authorizes administrative expenses incurred by the comptroller in administering the grant program to be paid from the special account; and

WHEREAS, the Sullivan County School System operates a school system with 16 elementary schools, 1 intermediate school, 7 middle schools, and 4 comprehensive high schools, and other administrative facilities and is desirous of lottery surplus funds being available for education capital projects.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize that a copy of this Resolution be mailed to our State Representatives and Governor Phil Bredesen in Order to Acknowledge the County's Support for this Legislation.

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 \_\_\_\_\_ 2008.

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

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

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

2008-02-15	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 2-4-08	Approved 2-7-08	Approved 2-6-08	

Notes: **Failed 02-19-08- Roll Call Vote; Put back on 1st Reading 02-19-08 by Sponsor;**

Information on this page is generally current to within an hour.

**\*HB0009** by \*Hawk, \*Brooks H, \*Williams, \*Ford, \*Roach, \*Matlock, \*Bell, \*Eldridge, \*Lundberg, \*Gresham, \*Cobb J, \*Hood, \*DuBois, \*Hackworth, \*Harmon, \*Brooks K, \*Maggart, \*Lynn. (SB0277 by \*Tracy, \*Williams.)


**Lottery, Scholarships and Programs - Creates K-12 lottery capital outlay special account; establishes grant program for capital outlay projects for K-12 educational facilities administered by comptroller of the treasury. - Amends TCA Title 4, Chapter 51, Part 1; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49.**

Summary for \*HB0009/SB0277

Fiscal Note for HB0009 / SB0277 filed under HB0009

No Amendments for HB0009

Amendments to SB0277    Fiscal Memos

SA0511 -- Amendment 1-0   
to SB0277

NOTE: Each fiscal memorandum applies only to the amendment(s) identified in the memorandum. The fiscal memorandum must be matched to any amendments that have been adopted.

House Votes on HB0009

**Bill History Section**



<u>Actions Taken on HB0009</u>	<u>Action Date</u>	<u>Actions Taken on SB0277</u>	<u>Action Date</u>
Action def. in Education to Select Oversight Committee on Education	5/22/2007	Rec. for pass. w/ am., ref. to S. FW&M Comm. Ayes 7, Nays 0 PNV 1	5/8/2007
Placed on cal. Education Committee for 05/23/2007	5/16/2007	Placed on S. Ed. Comm. cal. for 05/08/2007	5/3/2007
Action Def. in Education Committee to 5/23/2007	5/16/2007	Action Def. in S. Ed. Comm. to 5/9/2007	5/2/2007
Action Def. in Education Committee to 5/23/2007	5/15/2007	Placed on S. Ed. Comm. cal. for 05/02/2007	4/26/2007
Placed on cal. Education Committee for 05/16/2007	5/9/2007	Action def. in S. Edu. comm to 5/2/07	4/25/2007
Action Def. in Education Committee to 5/16/2007	5/9/2007	Placed on S. Ed. Comm. cal. for 04/25/2007	4/18/2007

Placed on cal. Education Committee for 05/09/2007	5/2/2007	P2C, ref. to S. Ed. Comm.	2/8/2007
Rec. For Pass. by s/c ref. to Education Committee	5/2/2007	Intro., P1C.	2/7/2007
Placed on s/c cal Higher Education of ED for 05/02/2007	4/25/2007	Filed for intro.	2/5/2007
Action Def. in s/c Higher Education of ED to 5/2/2007	4/25/2007		
Placed on s/c cal Higher Education of ED for 04/25/2007	4/19/2007		
Assigned to s/c Higher Education Subcommittee	4/18/2007		
Assigned to s/c K-12 of ED	4/18/2007		
Rec. For Pass. ref. to: Education Committee	4/18/2007		
Placed on cal. Government Operations Committee for 04/18/2007	4/11/2007		
P2C, ref. to Government Operations for review-- Education	1/20/2007		
Intro., P1C.	1/19/2007		
Filed for intro.	1/11/2007		



Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Budget  
No. 2008-02-16  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To Support State Legislation Repealing The Provision That Reduces The Commission Retained By The County Register of Deeds**

WHEREAS, the Sullivan County Legislative Body has determined that Tennessee Code Annotated Title 67 Chapter 4 Section 409 entitles the Register of Deeds office to retain a five percent (5%) commission on taxed levied under this section; and

WHEREAS, the County Legislative Body has determined that fifty-two percent (52%) of the five percent (5%) commission has since been retained by the state for the purpose of funding an antiquated retirement system for county officials; and

WHEREAS, the County Legislative Body has determined that the antiquated retirement system is no longer being funded by the fifty-two percent (52%) of the five percent (5%) commission entitled to be retained by the County Register's Office; and

WHEREAS, such funds are now remitted to the state treasurer and credited to the general fund of the state; and

WHEREAS, the Tennessee Registers Association has asked the state legislative body to repeal the provision that reduces the commission retained by the County Register; and

WHEREAS, the Tennessee Registers Association is asking the County Legislative Body to endorse and support any and all legislation repealing the provision reducing commissioners retained by the Register of Deeds Office thereby restoring the retained commission to five percent (5%).

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

**SECTION 1:** This Legislative Body supports the repeal of the provision reducing the commission retained by the Register of Deeds Office.

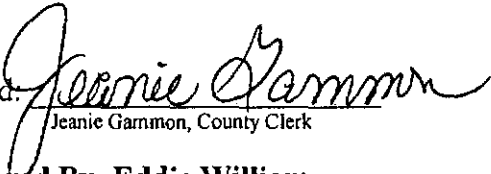
**SECTION 2:** This Legislative Body requests all state legislators to support and adopt legislation repealing said provision.

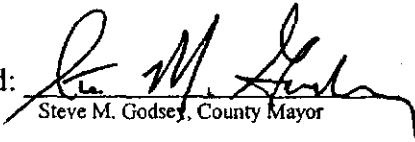
**SECTION 3.** The County Clerk's Office shall maintain a copy of this resolution for public inspection in the official minutes of the County Legislative Body and shall forward a certified copy of the County's state elected representative(s) and senator(s) representing Sullivan County urging the repeal of said provisions.

*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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**

**Prime Co-Sponsor(s): Buddy King, Wayne McConnell, Moe Brotherton**

2008-02-16	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 2-4-08	Approved 2-7-08	Approved 2-6-08	<b>Approved 02-19-08</b> <b>20 Aye. 4 Absent</b>

Notes:

*Welcome to*  
**The Tennessee General Assembly**

Information on this page is generally current to within an hour.

**Information**

**\*HB2663 by \*Hackworth. (SB3182 by \*Stanley.)**

**Senate**

**County Officers - Removes provision whereby 52 percent of the 5 percent commission clerks receive for collecting and reporting real estate transfers must be remitted to the state. -**

**House**

**Amends TCA Section 67-4-409.**

**Joint Committees**

**Legislation**

**The Abstract summarizes**

**\*HB2663/SB3182 as introduced.**

**No Fiscal Note for this Bill!**

- Bill Number Index
- Subject Index
- Effective 01/01/08
- Chaptered Bills
- Publications
- Tennessee Code
- Archive

**No Amendments  
for HB2663**

**No Amendments  
for SB3182**

**District Maps**

**Other Links**

**Home**

**Bill History  
Section**



*Bill History  
Abbreviations*

<u>Actions Taken on HB2663</u>	<u>Action Date</u>	<u>Actions Taken on SB3182</u>	<u>Action Date</u>
Intro., PIC.	1/16/2008	P2C, ref. to S. S&L Govt. Comm.	1/23/2008
Filed for intro.	1/14/2008	Intro., PIC. Filed for intro.	1/17/2008 1/16/2008

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Budget  
No. 2008-02-17  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION AUTHORIZING** amending the 2007 -- 2008 General Purpose School Budget in the amount of \$16,155.00 for the Adult Education Program Grant. The State has increased funding for personnel in effort to provide services to participants in the Adult Education Program, and

**WHEREAS**, the Sullivan County Department of Education Board approved a budget for this grant, now

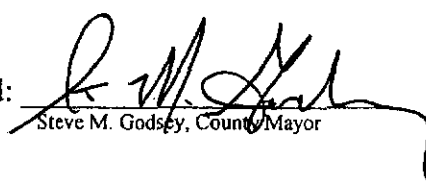
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending the General Purpose School Budget as follows. The School Board is not required to provide matching funds.

Account Number	Account Description	Amount
47120.000	Adult Basic Education Program (Revenue)	+\$16,155.00
71600.116	Adult Education Program-Teacher (Expenditure)	+\$16,155.00

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

Approved this 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser , Eddie Williams**  
**Prime Co-Sponsor(s): Sam Jones , Linda Brittenham**

2008-02-17	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Approved 2-7-08	Approved 2-6-08	<b>Approved 02-19-08</b> <b>19Aye, 5 Absent</b>

Notes: **Waiver of Rules Requested.**

## CONTRACT SUMMARY SHEET

021406

RFS#		Contract#	
337.09-469		Z-08-201254-00	
State Agency		State Agency Division	
Department of Labor and Workforce Development		Adult Education	
Contractor Name		Contractor ID# (FEIN or SSN)	
Sullivan County Schools		<input checked="" type="checkbox"/> C- or <input type="checkbox"/> V- 626000858-00	
Service Description			
To provide services to participants in the Adult Education program.			
Contract BEGIN date	Contract END date	Subrecipient or Vendor?	CFDA#
12/1/2007	6/30/2008	Subrecipient	N/A
Mark Each TRUE statement			
<input checked="" type="checkbox"/> Contractor is on STARS		<input checked="" type="checkbox"/> Contractor's Form W-9 is on file in Accounts	
Allotment Code	Cost Center	Object Code	Fund
337.09	490	133	11
Funding/Grant Code		Funding Subgrant Code	
N/A		N/A	
FY	State	Federal	Interdepartmental
08	\$ 16,155.00		
<b>TOTAL</b>	<b>\$ 16,155.00</b>	<b>\$ -</b>	<b>\$ -</b>
<b>COMPLET FOR AMENDMENTS ONLY</b>		State Agency Fiscal Contact & Telephone	
Base Contract & Error Amendments	THIS Amendment ONLY	Bill Haynes Acct Tech 2 615-741-5353	
		State Agency Budget Officer Approval	
		<i>Handwritten Signature</i>	
		Funding Certification (required only by FOIA/US 151) that there is a plan of the appropr 400 that will obligate expenditures required to be paid in full or otherwise accumulated for obligations previously incurred)	
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	
End Date			
Contractor Ownership (complete only for base contracts with a letter preference or SF)			
<input type="checkbox"/> African American	<input type="checkbox"/> Person w/ Disability	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Small Business
<input type="checkbox"/> Asian	<input type="checkbox"/> Female	<input type="checkbox"/> Native American	<input type="checkbox"/> NOT disadvantaged
OTHER minority/disadvantaged—			
Contractor Selection Method (complete for ALL base contracts & Amendments if delegated authority)			
<input type="checkbox"/> RFP	<input type="checkbox"/> Competitive Negotiation		<input type="checkbox"/> Alternative Competitive Method
<input type="checkbox"/> Non-Competitive Negotiation	<input type="checkbox"/> Negotiation w/ Government (eg. ID, GG, GU)		<input type="checkbox"/> Other
Procurement Process Summary (complete for Alternative Method, Competitive Negotiation, Non-Competitive Negotiation, OR Other)			

Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Budget  
No. 2008-02-18  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION AUTHORIZING** amending the 2007 – 2008 General Purpose School Budget for the Go Trybe-Tennessee Grant. This grant is fully funded from an endowment grant contract between the State of Tennessee, Center for Diabetes Prevention and Health Improvement. and Sullivan County in the amount of \$39,680.00, and

**WHEREAS**, this grant is for the specific use of Sullivan County High School students totaling 3,968. The high school students will have access to a program to promote the understanding and prevention of diabetes and obesity, and

**WHEREAS**, the Sullivan County Department of Education Board approved a budget for this grant, now

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending the General Purpose School Budget as follows. The School Board is not required to provide matching funds.

Account Number	Account Description	Amount
46980.000	Other State Grants (Revenue)	+\$39,680.00
71100.399	Regular Instruction Other Contracted Services(Expenditure)	+\$39,680.00

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

Approved this 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser, Eddie Williams**  
**Prime Co-Sponsor(s): Sam Jones, Linda Brittenham**

2008-02-18	Administrative	Budget	Executive	County Commission
ACTION		Approved 2-7-08	Approved 2-6-08	Approved 02-19-08 19 Aye, 5 Absent

Notes: **Waiver of rules requested.**

**ENDOWMENT GRANT CONTRACT  
BETWEEN THE STATE OF TENNESSEE,  
CENTER FOR DIABETES PREVENTION AND HEALTH IMPROVEMENT  
AND  
SULLIVAN COUNTY DEPARTMENT OF EDUCATION**

Whereas, the 104<sup>th</sup> General Assembly of the State of Tennessee enacted the Diabetes Prevention and Health Improvement Act of 2006, hereinafter referred to as the "Act" and;

Whereas, the Act established the Tennessee Center for Diabetes Prevention and Health Improvement as an agency of the state and is attached to the Department of Health for administrative purposes; and

Whereas, the Act authorizes the Tennessee Center for Diabetes Prevention and Health Improvement to provide grants to high schools through the district office of local education agencies across the state to be used exclusively for programs promoting the understanding and prevention of diabetes.

This Endowment Grant Contract, by and between the State of Tennessee, Center for Diabetes Prevention and Health Improvement, hereinafter referred to as the "State" and Sullivan County Department of Education, hereinafter referred to as the "Grantee," is for the provision of a program to promote the understanding and prevention of diabetes and obesity among high school students, as further defined in the "SCOPE OF SERVICES."

The Grantee is a local education agency  
Grantee Federal Employer Identification or Social Security Number: 62 6000862

**A. SCOPE OF SERVICES:**

- A.1. The Grantee agrees to implement the program, referred to as GoTrybe - Tennessee, in accordance with Grant Attachment 1, Application for a Program to Promote the Understanding and Prevention of Diabetes and Obesity, which is incorporated by reference as if fully set out herein.
- A.2. The Grantee shall make the GoTrybe - Tennessee program available for use by 1,029 students at Central High School, 981 students at East High School, 865 students at North High School and 1,093 students at South High School for a total of 3968 students within the system.
- A.3. The Grantee shall submit a report of the results of this program to the State to include, at a minimum, the following information: number of registered users by district, county and school; number of times the site has been accessed per user account; and average duration of the site visits during the reporting period.

Reports shall be due as follows:

<u>Reporting Period</u>	<u>Report Due Date</u>
January 1 - March 31	April 15
April 1 -- June 30	July 15
July 1 -- September 30	October 15
October 1 -- December 31	January 15

**B. GRANT CONTRACT TERM:**

This Grant Contract shall be effective for the period commencing on January 1, 2008 and ending on December 31, 2008. The State shall have no obligation for services rendered by the Grantee which are not performed within the specified period.

**C. PAYMENT TERMS AND CONDITIONS:**

- C.1. Maximum Liability. In no event shall the maximum liability of the State under this Grant Contract exceed Thirty Nine Thousand Six Hundred Eighty Dollars (\$39,680). The Grant amount shall constitute the maximum amount due the Grantee for the service and all of the Grantee's

Sullivan County, Tennessee  
Board of County Commissioners

Item 16  
Budget  
No. 2008-02-19  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION AUTHORIZING** amending the 2007 – 2008 General Purpose School Budget by appropriating \$29,215.72 from General Purpose School Fund Balance to pay accrued interest for \$2,000,000.00 Tax Anticipation Note issued by the General Fund of Sullivan County October 17, 2007, and

**WHEREAS**, the Sullivan County Department of Education Board approved amending the General Purpose School fund to pay accrued interest, now

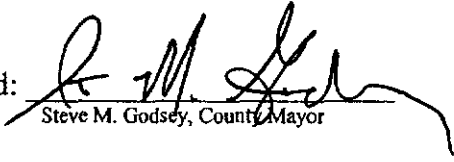
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending the General Purpose School Budget as follows.

Account Number	Account Description	Amount
39000.000	General Purpose School Fund Balance	-\$29,215.72
82230.604	Interest on Notes (Expenditure)	+\$29,215.72

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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser, Eddie Williams, E. Kilgore**  
**Prime Co-Sponsor(s): Sam Jones, Linda Brittenham**

2008-02-19	Administrative	Budget	Executive	County Commission
ACTION		Approved 2-7-08	Approved 2-6-08	Approved 02-19-08 19Aye, 1Nay, 4Absent

Notes: **Waiver of rules requested.**



0.\*  
 0.\*  
 0.\*  
 2,000,000.00x  
 5.03%  
 100,600.00\*  
 100,600.00÷  
 365.=  
 275.62\*  
 275.62x  
 106.=  
 29,215.72\*

TOTAL

10-17

75 days  
 31  
 -----  
 106 days

5.03

Harry- This was paid last year at this time. The interest rate is dropping and if you need to borrow more before year end it will be at a lower rate.

Sullivan County, Tennessee  
Board of County Commissioners

Item 17  
Budget  
No. 2008-02-20

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.


**RESOLUTION to Amend 2007-08 FY General Fund Budget for EMA Grant**

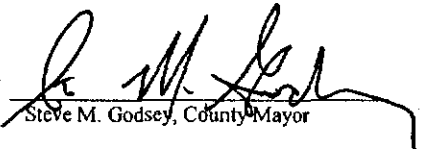
WHEREAS, the State of Tennessee provides certain grants to develop, improve and implement counties emergency plans.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, amend the General Fund budget in the amount of \$ 5,600 for the Emergency Management Office to be funded from a State Grant in the amount of \$5,600. Account codes to be assigned by the Director 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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Williams**  
**Prime Co-Sponsor(s): Ferguson, Blackburn**

2008-02-20	Administrative	Budget	Executive	County Commission
ACTION		Approved 2-7-08	Approved 2-6-08	Approved 02-19-08 20 Aye, 4 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 18  
Budget  
No. 2008-02-21

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To Amend 2007-08 General Fund Budget for Increased Personnel and Other Costs in the Trustee's Office**

WHEREAS, the operations of the Trustee's Office continues to have an increased workload brought on by the additional regulations, parcels of property on the tax rolls; and

WHEREAS, the Trustee is responsible for the collection of all property taxes for the county and the custodian of all county funds including the School Department of more than \$200 million and earns commissions of more than \$2.1 million turned into the County General Fund; and

WHEREAS, total number of employees operating the three offices has not increased while the amount of funds being managed has increased considerably; and

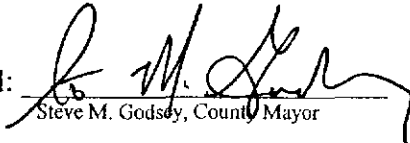
WHEREAS, two (2) additional full-time positions (Class 6) along with the additional funding for part-time personnel should alleviate the need for any additional personnel based upon the current level of operations for the foreseeable future.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the General Fund budget for the Trustee's Office in the total amount of \$30,300 to be funded from the 39000 Account. This appropriation amount is to be allocated to the Personnel Account in the amount of \$21, 415 and benefits in the amount of \$8,885.**

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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams

Prime Co-Sponsor(s): Buddy King , Armstrong, Brittenham, Brotherton, Calton

2008-02-21	Administrative	Budget	Executive	County Commission
ACTION		No Action 2-7-08		Approved 02-19-08 20 Aye, 4 Absent

Notes: Waiver of rules requested.

Sullivan County, Tennessee  
Board of County Commissioners

Item 19  
Administrative/Executive  
No. 2008-02-22

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION Authorizing Bristol Metropolitan Planning Organization to request the Tennessee Department of Transportation to convey to Sullivan County the historic steel truss bridge components of Hwy. 75 at the Washington County line for future enhancement projects; and**

WHEREAS, the soon to be scrapped historic steel truss bridge on Hwy. 75 spanning Fort Patrick Henry Lake reservoir at the Washington County line is scheduled to be replaced by TDOT, and

WHEREAS, such historic steel truss bridge components have recently been painted and refurbished and there is no presence of lead in the paint, and

WHEREAS, such structures are deemed of historic importance by the Sullivan County Regional Historic Zoning Commission, and

WHEREAS, the Sullivan County Regional Historic Zoning Commission has unanimously requested the Sullivan County Board of Commissioners to consider requesting the acquisition of the salvaged components for future enhancement bridge projects, within the Blountville Historic District (see attached exhibit), and

WHEREAS, any request should also first be considered and approved by the Bristol Metropolitan Planning Organization (MPO) as historic Blountville district is within the Bristol MPO planning boundary, and

WHEREAS, future enhancement projects could utilize such historic bridge components in a non-structural manner, that would meet the design standards of an adaptive reuse project such as over the Muddy Creek Bridge along the Great Stage Road/Hwy 126 near the old Mill site within the Historic District. Adding the historic open steel truss side components over the existing bridge will create a defined entrance to the historic district corridor similar to the previous bridge of the early 1900's (see exhibit attached).

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the Bristol Metropolitan Planning Organization and the Sullivan County Regional Historic Zoning Commission to request the acquisition of the open steel truss bridge components from the bridge of Hwy 75 that would otherwise be scrapped by TDOT.**

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 \_\_\_\_\_ 2008.

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

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

**Sponsored By: Dennis Houser**  
**Prime Co-Sponsor(s): Moe Brotherton**

2008-02-22	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Approved 2-7-08		

Notes: **1st Reading 02-19-08;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 20  
Budget  
No. 2008-02-23

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To Amend 2007-08 General Fund Budget for Increased Personnel and Other Costs in the Register of Deeds Office.**

WHEREAS, the operations of the Register of Deed's Office continues to have an increased workload brought on by changes in laws and regulations along with the conversion of rural farmlands into subdivisions; and

WHEREAS, the revenues generated in the Register of Deed's Office operations according to the 2007 financial report reflected \$978,775.40 turned in to the County General Fund, this amount is \$271,605.40 more than the annual budget for the 2007-2008; and

WHEREAS, total number of employees operating these offices has not increased for a number of years; and

WHEREAS, two (2) additional full-time positions (Class 6) along with the additional funding for part-time personnel should alleviate the need for additional personnel to operate the offices based upon current needs and growth for the foreseeable future.

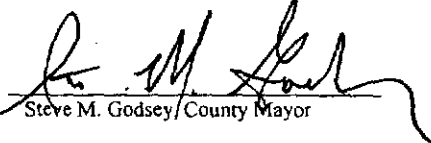
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, amend the General Fund budget in the total amount of \$30,300 to be funded from the 39000 Account of the General Fund. The appropriations to be allocated are as follows:**

53120.100 Personnel	\$21,415
53120.200 Benefits	\$ 8,885

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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey/County Mayor

**Sponsored By: Blackburn**

**Prime Co-Sponsor(s): Vance, Armstrong, Brittenham, Brotherton, Calton**

2008-02-23	Administrative	Budget	Executive	County Commission
ACTION		No Action 2-7-08		Approved 02-19-08 20 Ave, 4 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 21  
Budget  
No. 2008-02-24

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION to Amend 2007-08 FY General Fund Budget for Staffing Courtroom Security**

WHEREAS, recently this body approved and funded the purchase of equipment for the various Courtrooms; and

WHEREAS, this governing body has previously approved a \$15 litigation tax to be utilized for Courtroom Security which should generate approximately \$180,000 annually; and,

WHEREAS, the Courtroom Security Committee has reviewed the personnel needs and concluded that six (6) full-time officers at the skill level seven (pay grade 7), plus a pool of nine (9) part-time officers for the implementation of this program at a projected annual cost of \$303,863.04 including benefits.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, amend the 2007-08 FY General Fund Budget for Courtroom Security in the amount of \$101,287.68 to be funded from Courthouse Litigation Tax Revenues for the remainder of this fiscal year. 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 19th day of February 2008.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

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

**Sponsored By: Williams**

**Prime Co-Sponsor(s): Buddy King , McConnell, E. Kilgore, Jones**

2008-02-24	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-08 20 Aye, 4 Absent

Notes: Waiver of rules requested.

Sullivan County, Tennessee  
Board of County Commissioners

Item 22  
Executive  
No. 2008-02-25  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION Establishing a Policy for the Production and Distribution of GIS Information for Private Use**

WHEREAS, Sullivan County and the cities of Kingsport and Bristol have approved the spending of over \$329,874.00 towards the development of digital mapping data including the 2006 aerial orthographic imagery, planimetric data, topographic contour with elevations for every two feet, and CADD; and

WHEREAS, the Planning & Zoning Department - GIS Division has been securing, down-loading, categorizing, editing, and utilizing this new mapping data within the department; and

WHEREAS, the GIS Division has received several requests from local, regional and out-of-state citizens, surveyors, engineers, and developers for copies of such digital data; and

WHEREAS, the Cities of Kingsport and Bristol have adopted a fee schedule and Usage Agreement Form for the distribution of such data and therefore Sullivan County should get a similar policy; and

WHEREAS, the distribution of the digital data shall be made by the GIS Division of the Planning & Zoning Department and the collection of such user fee shall be received by the same.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the Planning & Zoning Department to distribute the new Geographic Information System digital data to the public for a fee of \$123.00 per DVD (see attached Data Usage Agreement Form). Such fees shall be used to recuperate the costs of the program. All fees shall be deposited with the Sullivan County Trustee and designated for the future expenditures of the GIS program. Account codes to be assigned by the Director of Accounts and 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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Williams**  
**Prime Co-Sponsor(s): Buddy King, Brittenham**

2008-02-25	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-08 20 Aye, 4 Absent

Notes: Waiver of rules requested.



**Department of Planning & Zoning  
GIS Division**

**CUSTOMER INFORMATION**

Name: \_\_\_\_\_

Affiliation: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

**DIGITAL DATA INFORMATION**

DESCRIPTION	CHARGES
<ul style="list-style-type: none"> <li>• 2006 Aerial Photo, CAD, GDB – Tax Map# _____</li> <li>• DVD Media</li> <li>• Labor 1 hr minimum</li> </ul>	\$99.00  \$1.00 \$23.00

TOTAL:            \$123.00            Data Usage Agreement

*Sullivan County, Tennessee is not responsible for any hardware or software needed to access and use the product and information therein.*

*The Sullivan County, Tennessee GIS products distributed by Sullivan County, Tennessee contain information from publicly available sources. The products have been developed for internal use by Sullivan County, Tennessee. All data is provided as is, with all faults, and without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.*

*The consumer understands and acknowledges that the products and information contained therein are subject to constant change and that its accuracy cannot be guaranteed. Sullivan County, Tennessee makes no warranties or guarantees, either expressed or implied, as to the completeness, accuracy, or correctness of such products, nor accepts any liability arising from any incorrect, incomplete or misleading information contained therein.*

*Sullivan County, Tennessee shall not be subject to liability for human errors, defect of failure of machines, or any material used in connection with the machines, including but not limited to tapes and disks.*

*Sullivan County, Tennessee shall not be liable for any loss of profits or consequential damages, or claims against the consumer by third parties. The entire risk as to the quality, performance and usefulness of the data rests with the consumer.*

*The consumer releases Sullivan County, Tennessee and its officers, agents, consultants, contractors and employees from any and all claims, actions or causes of action for damages including, but not limited to, any costs of recovering, reprogramming or reproducing any programs or data stored in or used with the Sullivan County, Tennessee GIS data, damage to property, damages for personal injury or for loss of profits, lost savings or other special incidental or consequential damages arising out of the use or the inability to use the Sullivan County, Tennessee GIS data.*

*The consumer shall indemnify and hold harmless Sullivan County, Tennessee and its officers, agents, consultants, contractors and employees from any and all liability claims or damages to any person or property arising from or connected with the use of Sullivan County, Tennessee GIS data.*

I have read and understand the "Data Usage Agreement"

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Sullivan County, Tennessee  
Board of County Commissioners

Item 23  
Administrative  
No. 2008-02-26  
Attachments

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION Authorizing a partnership with the Tennessee Department of Tourist Development in the development of the Tennessee Civil War Trails Program**

WHEREAS, The Civil War Trails is a multi-state Program that identifies, interprets and creates driving tours of both the great campaigns and the lesser-known civil war sites.

WHEREAS, the Tennessee Department of Transportation awarded the Department of Tourist Development a Federal Enhancement Grant in the amount of \$537,420, which is an 80/20 funding match.

WHEREAS, The Sullivan County Historic Zoning Commission also made a formal unanimous recommendation in support of the county partnering with the Tennessee Department of Tourist Development, Civil War Trails Program.

WHEREAS, The Sullivan County Department of Tourism, and the Sullivan County Department of Planning & Zoning have identified 3 initial sites fitting for the trails program as being sites disturbed during the Battle of Blountville of 1863: the Cannonball House, Schoolhouse hill (former site of the Masonic Institute and stronghold of the Confederates) and the Blountville Cemetery Hill (stronghold of the Union Forces).

WHEREAS, the Partnership between the State of Tennessee, Department of Tourist Development and Sullivan County would include the installation and maintenance of interpretive historical information signage regarding the Battle of Blountville War Between the States as well as future battlefield sites if applicable (see the attached partnership information as provided by the State);

WHEREAS, the Tennessee Civil War Trails Program will provide maintenance and security to the development of the Battle of Blountville battleground trail within the historic district of our county seat and provide for the tourist development and necessary public marketing campaign necessary in the longevity and success of this program;

WHEREAS, Sullivan County desires to be one of the first partners in this new program managed by the State as publications, websites and other materials will be offered to its partners as early as May of 2008; and

WHEREAS, any initial application fee and maintenance fee of the interpretative signage shall be established through the Sullivan County Department of Tourism with account codes assigned by the Director of Accounts and Budgets;

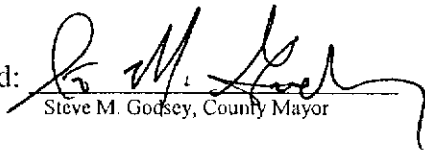
WHEREAS, the Sullivan County Departments of Tourism and Planning & Zoning have recently established a partnership with the Sullivan County Department of Archives and History, Highway Department, local chapter of the Sons of the Confederates, Historical Preservation Association, Blountville Presbyterian Church and other local citizens in the Battle of Blountville Preservation Planning Program;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the Sullivan County Department of Tourism to submit all required application forms and fees on behalf of the county in order to become one of the first partners with the Tennessee Department of Tourist Development on the Tennessee Civil Wars Trails Program.

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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser**  
**Prime Co-Sponsor(s): Brittenham, Brotherton**

2008-02-26	Administrative	Budget	Executive	County Commission
ACTION			:	Approved 02-19-08 20 Aye, 4 Absent

Notes: **Waiver of rules requested.**

**Amended by Sponsors 02-19-08 to "INCLUDE IN THIS RESOLUTION \$3,900 TO BE PROPERLY CODED BY MR. BAILEY".**



- The Tennessee Department of Transportation awarded the Department of Tourist Development a federal enhancement grant in the amount of \$537,420, which is an 80/20 funding match.
- The matching award allows for the Department of Tourist Development to implement the program with the majority of the costs and fees covered. Without the matching grant, all services below would total approximately \$5,500, which includes the design, fabrication, and installation of the historical marker and trailblazer signs, in addition to the design and printing of the statewide map-guide.
- However, an individual/community/organization will be asked to pay \$1,100 as the 20% match, which will cover the majority of the fabrication costs for each marker and the 4 directional trailblazer signs. The 80% (\$4,400) remaining from the cost is covered by the grant, including the design and installation of the markers.
- The \$1,100 cost includes:
  - Development, design, fabrication, installation of one interpretive historical marker.
  - Fabrication and installation of required (avg. 4 each marker) additional directional trailblazer signs. (a) TDOT will be responsible for choosing trailblazer sign locations on TDOT Right-of-Way. (b) Your site will be a participant in the decision to locate trailblazer signs at locations off TDOT R-o-W. Your site will work according to the sign ordinances of local town or county governments to determine sign location.
  - Inclusion on the Tennessee Civil War Trails statewide map-guide.
  - Each interpreted site will also be promoted on all materials distributed throughout the existing multi-state program and featured on the program website, [www.CivilWarTrails.org](http://www.CivilWarTrails.org).
- Additionally, the logo for the Tennessee Civil War Trails program has been added to the map-guides for the Virginia Civil War Trails. As more sites are added, the Tennessee statewide map-guide will be produced and include all sites throughout the state. The map-guide, which is downloadable from the Civil War Trails website, is continually updated and reprinted to include new sites.
- The only other cost to each location is a \$200 annual maintenance/membership fee, which is payable to the Virginia Civil War Trails, Inc, for upkeep of the historical marker and trailblazer signs. The fee is paid annually, due at the beginning of the fiscal year following installation of the marker.



**Follow This Sign  
To More Than 700  
Civil War Sites**

Civil War Trails is a multi-state program that identifies, interprets, and creates driving tours of both the great campaigns and the lesser-known Civil War sites. Directional "trailblazer" signs and four-color interpretive markers with maps, illustrations, and text have been installed at more than 700 previously uninterpreted sites. The Civil War Trails map-guides and fulfillment literature are the most requested, niche-market program materials in Virginia and Maryland, and second only to golf-related materials in North Carolina. On average, more than 2,000 map-guides are downloaded weekly from the program's website, and visitor profile studies generated by the Virginia Tourism Corporation show that the "Civil War Car Route Travel Party" spends on average 30% more while on vacation than traditional "Pleasure Travel Parties."\*

The Civil War Trails program is administered by a non-profit corporation and supported by local communities, state tourism offices, and state departments of transportation. In 2001, the National Trust for Historic Preservation identified the Civil War Trails program as one of the most successful and sustainable heritage tourism programs in the nation.\*\* Twice, the Federal Highway Administration has officially recognized the program's role in improving the transportation experience by strengthening multi-modal systems and boosting local economies.\*\*\*

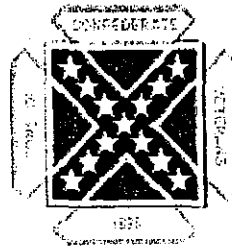
Further development of the Civil War Trails program is funded in West Virginia and Tennessee, with an additional 300 sites planned for those two states. Additional marketing and interpretive program services are being planned by the 183 member localities in Virginia, Maryland, and North Carolina in preparation for the 150th anniversary of the Civil War, commencing in 2011.

For visitor information about the Civil War Trails program, visit [www.CivilWarTrails.org](http://www.CivilWarTrails.org). For administrative information, or to inquire about adding a site to the trail, contact the Executive Director, Mitch Bowman, at 804-783-7423 or at Civil War Trails, 401 N. Third St., Richmond, VA 23219.

\* VTC; "2003 Virginia Visitor Study"

\*\* NTHP; *Share Your Heritage: Cultural Heritage Tourism Success Stories*, 2001

\*\*\* FHWA; *Enhancing America's Communities*, 2002



January 17, 2008

Ambre M. Torbett  
Director of Planning & Zoning  
411 Hwy. 126, Suite 30  
Blountville, TN 37617

Dear Ms. Torbett,

It has recently come to my knowledge that you are in the process to have the Battle of Blountville put on the National Historic Register. The Lt. Robert D. Powel Camp, Sons of Confederate Veterans, applaud and support you 100% in this endeavor.

Long being aware of the sacrifices put forth by the men on both sides of this Civil War, nowhere more than in East Tennessee did the term 'brother against brother' come into reality. Anything that helps bring to public awareness the scope of this conflict that made us a stronger nation is one of the goals of our particular organization.

We stand ready to help in any capacity. Please feel free to call on us.

Thank You,

David Roberts, Commander  
Lt. Robert D. Powel Camp #1817  
Sons of Confederate Veterans  
Blountville, TN

# SULLIVAN COUNTY TENNESSEE

*DENNIS HOUSER, COUNTY COMMISSIONER*

*471 Camp Placid Road  
Blountville, Tennessee 37617  
(423) 323-6628*

Sullivan County Historical Preservation Association  
P.O. Box 486  
Great Stage Road  
Blountville, TN 37617

January 18, 2008

Ambre Torbett  
Sullivan County Planning Department  
Great Stage Road  
Blountville, TN 37617

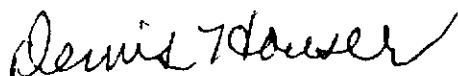
Dear Ms. Torbett,

The Sullivan County Historical Preservation Association was established in 1998 by Blountville preservationists concerned with protecting, enhancing, and showcasing our town's rich history. Developing a non-motorized trail through our Historic District would bring economic and health benefits, promote tourism and enhance the quality of life for Sullivan County citizens and visitors.

We believe the Battle of Blountville was particularly significant because loyalties were divided between Union and Confederate supporters. Our Historic District includes Cemetery Hill, the site Union forces occupied, and the downtown area that was burned during the September 23, 1863 battle. The Confederate forces were stationed on "Schoolyard Hill" to protect the town. This area is neither mapped nor protected.

We are enthusiastically supportive of Sullivan County's efforts to develop a comprehensive overview of the Battle of Blountville and to place this battlefield on the National Historic Landmark registry.

Sincerely,



Dennis Houser  
President, Sullivan County Historical Preservation Association

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

**ALLAN D. POPE**  
*Commissioner of Highways*

(423) 279-2820  
Fax (423) 279-2876

January 17, 2008

Ambre Torbett  
Sullivan County Planning Department  
Great Stage Road  
Blountville, TN 37617

Dear Ambre:

Pursuant to your email of the Battle of Blountville and the possibility of the battlefield being placed on the National Landmark Registry, I whole heartily support this effort. As you are aware I have a deep interest in the Civil War. Over one hundred members of my family fought on both sides. And I am a member of the Sons of Confederate Veterans, Camp 1409, Colonel John Singleton Mosby.

Our area has a rich history and I think every opportunity needs to be taken to promote and preserve this history, if I can further assist in any way please feel free to contact me at any time.

Respectfully,  


Allan D. Pope,  
Highway Commissioner

Cc: Anita Long  
File





## Blountville Presbyterian Church

P. O. Box 424

Blountville, TN 37617

John H. Everett, Pastor

423-323-8041

January 17, 2008

Ambre Torbett  
Sullivan County Planning Department  
Great Stage Road  
Blountville, TN 37617

Dear Ms. Torbett,

The first Blountville Presbyterian Church building was built on Cemetery Hill shortly after the church was organized at the home of Samuel Rhea in 1820. William Deery, one of Sullivan County's founding fathers and our church's first elders, donated the land for both the Blountville Cemetery and the first Blountville Presbyterian Church building.

On July 27, 1836 Reverend Daniel Rogan was preaching on Graveyard Hill when Muriel Spoden states in her Historic Sullivan "a distinguished party arrived. General Andrew Jackson, A. J. Donaldson, and Colonel McClellan with about 15 others rode up to the church in carriages and on horseback. The Reverend Rogan stopped a moment and announced the arrival of president Jackson, saying an amen and then preached a sermon, "Remember Keepeth the Sabbath Day Holy."

J.P. Briscoe was the minister throughout the Civil War and until 1873. The third church, a beautiful brick structure, was built in 1887 at the present site."

The Battle of Blountville was particularly significant because the town was largely Confederate, but loyalties were divided. The Union forces took hold of Cemetery Hill on September 22, 1863. Confederate forces began the battle from Schoolhouse Hill. The second Presbyterian church building was adjacent to Blountville Cemetery at that time. Some of the old graves at the graveyard bear battle shots from the battle.

Since 1820 our congregation has been proud to be part of Sullivan County's rich and diverse history. We are enthusiastically supportive of Sullivan County's efforts to develop a comprehensive overview of the Battle of Blountville and to place this battlefield on the National Historic Landmark registry.

Sincerely,

John H. Everett

Sullivan County, Tennessee  
Board of County Commissioners

Item 24  
Administrative/Budget  
No. 2008-02-27

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION To Approve and Appropriate an additional \$70,108 of Grant Funding for Great State Road Museum and Walking Tour**

WHEREAS, Resolution No. 2003-01-03 approved on January 21st of 2003 approved the acceptance and expending of a grant from the State of Tennessee, Department of Transportation in the amount of \$828,454 and the local matching funds of \$207,114; and

WHEREAS, these grant funds in the amount of \$828,454 have been received and expended on the designated projects; and

WHEREAS, the State of Tennessee has advised that upon completion of the initial review of this project cost an additional \$70,108 is available through said grant to be expended on the project; and


WHEREAS, the local match of \$196,224.37 has been expended of the total authorized amount of \$207,114 allowing for the balance (\$10,999.63) of the previously approved match to be applied toward these additional funds; and

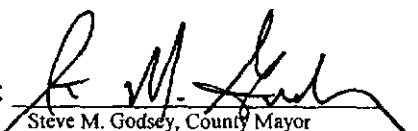
WHEREAS, without any additional funding from the County the project can be expanded to include certain improvements to the Rutledge House.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular, approve and appropriate the additional \$70,108 of the grant funds from the State of Tennessee. Account codes to be assigned by the Director of Accounts and 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 19th day of February 2008.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Williams**

**Prime Co-Sponsor(s): Houser, Blackburn, Brittenham , Brotherton**

2008-02-27	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-08 20 Aye, 4 Absent

Notes: Waiver of rules requested.

Sullivan County, Tennessee

Board of County Commissioners

No. 25  
*Executive*  
2008-02-XX  
2008-02-28

To The Honorable Steve Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session on this 19<sup>th</sup> Day of February, 2008.

RESOLUTION AUTHORIZING The Sullivan County Board of Commissioners to Consider Request for Summary Judgment concerning the Meadows Annexation to become effective on March 6<sup>th</sup>, 2008.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 19<sup>th</sup> day of February 2008;

THAT, WHEREAS, The Petitioners for the Meadows Annexation are not residents of the affected territory, their petition for annexation is not valid under TCA 6-51-102 (a) (1).

WHEREAS, There is only one privately owned parcel within the Meadows Annexation territory, the affected territory is not sufficiently sized to allow residents and property owners to form a majority as required by TCA 6-51-102 (a) (1).

WHEREAS, The Chase Meadows development parcel has sewer lines on its border, the safety and welfare of inhabitants and property owners is not endangered.

WHEREAS, Development property soils must pass percolation tests prior to being issued building permits, the safety and welfare of inhabitants and property owners is not endangered.

WHEREAS, The cost to the city to provide services (e.g, installation of sewer and water) is greater than benefits they'll receive via taxes, the prosperity of Kingsport will be retarded rather than enhanced.

WHEREAS, The corridor configuration of the annexation territory (jutting 2.5 miles into Sullivan County) causes redundancy to rolling service providers, thus retarding the prosperity of both the municipality and territory.

WHEREAS, The Service Plan for the Meadows Annexation did not address traffic or environmental impact effects to the nearby State Park, Fall Creek area residents, the State-Designated Bicycle Route, or to the County Roads, the county must intervene on behalf of the region's residents and property owners.

WHEREAS, The Chase Meadows development parcel is not adjoining existing boundaries of the City of Kingsport as required under TCA 6-51-102 (a) (1), the annexation does not further orderly city development, the purpose of the annexation statutes and is an exercise of power not conferred by law. See Tennessee Attorney General Opinion 03-158.

WHEREAS, The Land Use Plans submitted via Kingsport Resolution 00-049 to the Comprehensive Growth Plan Coordinating Committee call for the Chase Meadows property to receive single family dwellings, the Planned Development District zoning approved on 2/5/08 is

not consistent with the growth plan as required by TCA 6-58-107. See Tennessee Attorney General Opinion 00-184.

WHEREAS, The concentrations of population are to be in harmony with the surrounding areas, the planned development district approved on 2/5/08 is in conflict the Kingsport Zoning Ordinances and is akin to Spot Zoning. See Tennessee Attorney General Opinion 04-137.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF SULLIVAN COUNTY AS FOLLOWS: That the Sullivan County Commission hereby authorizes and directs the Sullivan County Attorney to institute prior to March 6th, in any court of competent jurisdiction, any legal proceedings necessary and appropriate to challenge the legality of the Meadows Annexation, including without limitation, the constitutionality of Public Chapter 1101.

BE IT FURTHER RESOLVED, that in instituting any such legal proceeding and complaint, the County Attorney is authorized to join in any action brought by an other County in the State of Tennessee, and is further authorized to employ such additional legal counsel or experts as the County Attorney deems necessary for the successful prosecution of such proceedings.

BE IT FURTHER RESOLVED, that there is hereby appropriated to the County Attorney budget, from the General Fund Balance, the amount of Twenty-five Thousand Dollars (\$25,000) to be used for the purpose described and authorized herein.

*Waiver of Rules Requested*

This Resolution is to 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 \_\_\_\_\_ 2008.

Attested \_\_\_\_\_

Approved: \_\_\_\_\_

Jeannie Gammon, County Clerk

Steve M. Godsey, County Mayor

Sponsored By: Michael Surgenor

Prime Co-Sponsor(s): Terry Harkleroad

2008-02-28	Administrative	Budget	Executive	County Commission

Notes: **1st Reading 02-19-08;**

PETITION FOR SPECIAL CALLED SESSION  
OF THE  
SULLIVAN COUNTY COMMISSION

The Following members of the Sullivan County Commission request that the Sullivan County Commission be called into Special Session for the purpose of voting on resolution 2008-02-25. It is requested that the Special Called Session be set for Tuesday, February ~~25~~ at 6:30 in the evening.

Thursday 2.28

Commission District

Signature of Commissioner

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*Randy L. Murrell*      *Murrell*

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*Jim Ham*      *Ham*

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*William H. McKamey*

*Michael Suggenor*

*Jerry Harkleroad*

*Pat Patrick*

*James Moe Brotherton*

*Samuel Jones*

*Dalene Gilton*

*Linda Butterham*

*Bob Z. Williams*      *Blackburn*

*Deane Jones*

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*Kyle Gordon*

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**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. SURGENOR TO MEET AGAIN IN CALLED  
SESSION FEBRUARY 28, 2008.**

A handwritten signature in black ink, appearing to read "Steve Godsey", written over a horizontal line.

**STEVE GODSEY**

**COMMISSION CHAIRMAN**

# COUNTY COMMISSION- CALLED SESSION

FEBRUARY 28, 2008

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN CALLED SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS THURSDAY EVENING, FEBRUARY 28, 2008, 6:30 P.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and Comm. James King, Jr. gave the invocation. Pledge to the flag was led by Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CATHY L. ARMSTRONG	GARTH BLACKBURN
LINDA K. BRITTENHAM	"MOE" BROTHERTON
DARLENE R. CALTON	
CLYDE GROSECLOSE	TERRY HARKLEROAD
JON P. HARR	
DENNIS HOUSER	SAMUEL C. JONES
ELLIOTT KILGORE	BILL KILGORE
DWIGHT KING	BUDDY KING
JAMES L. KING, JR.	
JOHN MCKAMEY	RANDY MORRELL
	MICHAEL SURGENOR
MARK A. VANCE	

19 PRESENT 5 ABSENT (ABSENT- FERGUSON, HERRON,  
MCCONNELL, PATRICK, WILLIAMS)

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.

**PUBLIC COMMENTS: FEBRUARY 28, 2008**

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

- 1. BILL NASH, 296 STONEY POINT DRIVE, KINGSPORT IN SUPPORT OF RESOLUTION**
- 2. GERALD LATHAM, 156 WARRIOR FALLS DRIVE, KINGSPORT IN SUPPORT OF RESOLUTION**
- 3. PAUL SARNOFF, 233 PARKRIDGE COURT, KINGSPORT IN SUPPORT OF RESOLUTION**
- 4. ANNEMARIE SHUPE, 224 PARK RIDGE COURT, KINGSPORT IN SUPPORT OF RESOLUTION**
- 5. JERRY DYKES, HWY 11 W, BLOUNTVILLE IN SUPPORT OF RESOLUTION**
- 6. JUDY GODAT, PARK RIDGE, KINGSPORT IN SUPPORT OF RESOLUTION**

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QUESTIONS BEFORE THE COMM.	No. Roll Call		Resolutions												No.	No.	No.	No.		
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay		
Armstrong	✓				✓															
Blackburn	✓				✓															
Brittonham	✓				✓															
Brotherton	✓				✓															
Cotton	✓				✓															
Ferguson	A				A															
Dresselose	✓				✓															
Harkleroad	✓				✓															
Harr	✓				✓															
Herron	A				A															
Houser	✓				✓															
Jones	✓				✓															
Elliott Kilgore	✓				✓															
W Bill Kilgore	✓				✓															
Dwight King	✓				✓															
J Buddy King	✓				✓															
James A King Jr.	✓				✓															
McConnell	A				A															
McKamey	✓				✓															
Monrell	✓				✓															
<del>(deceased) Patrice</del>																				
Surgener	✓				✓															
Vance	✓				✓															
Williams	A				A															
Patrice	A				A															
					19 Present		11 Abs													
					5 Absent		8 Key													
							5 Absent													

(Vance came in late)

**RESOLUTIONS ON DOCKET FOR FEBRUARY 28, 2008**

<b>RESOLUTIONS</b>	<b>ACTION</b>
#1 SULLIVAN COUNTY BOARD OF COMMISSIONERS TO CONSIDER REQUEST FOR SUMMARY JUDGMENT CONCERNING THE MEADOWS ANNEXATION TO BECOME EFFECTIVE ON MARCH 6, 2008	FAILED 02-28-08
	:

Sullivan County, Tennessee  
Board of County Commissioners

Item 25  
Executive  
No. 2008-02-28

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of February, 2008.

**RESOLUTION Authorizing the Sullivan County Board of Commissioners to consider request for ~~Summary Judgment~~ concerning the Meadows Annexation to become effective on March 6, 2008**

WHEREAS, the Petitioners for the <sup>Chase</sup> Meadows Annexation are not residents of the affected territory, their petition for annexation is not valid under TCA 6-51-102 (a) (1); and

WHEREAS, there is only one privately owned parcel within the <sup>Chase</sup> Meadows Annexation territory, the affected territory is not sufficiently sized to allow residents and property owners to form a majority as required by TCA 6-51-102 (a) (1); and

WHEREAS, the Chase Meadows development parcel has sewer lines on its border, the safety and welfare of inhabitants and property owners is not endangered; and

WHEREAS, development property soils must pass percolation tests prior to being issued building permits, the safety and welfare of inhabitants and property owners is not endangered; and

WHEREAS, the cost of the city to provide services (e.g., installation of sewer and water) is greater than benefits they'll receive via taxes, the prosperity of Kingsport will be retarded rather than enhanced; and

WHEREAS, the corridor configuration of the annexation territory (jutting 2.5 miles into Sullivan County) causes redundancy to rolling service providers, thus retarding the prosperity of both the municipality and territory; and

WHEREAS, the service plan for the <sup>Chase</sup> Meadows Annexation did not address traffic or environmental impact effects to the nearby State Park, Fall Creek area residents, the State-Designated Bicycle Route, or to the County Roads, the county must intervene on behalf of the region's residents and property owners; and

WHEREAS, the Chase Meadows development parcel is not adjoining existing boundaries of the City of Kingsport as required under TCA 6-51-102 (a) (1), the annexation does not further orderly city development, the purpose of the annexation statutes and is an exercise of power not conferred by law. See Tennessee Attorney General Opinion 03-158; and

WHEREAS, the land use plans submitted via Kingsport Resolution 00-049 to the Comprehensive Growth Plan Coordinating Committee call for the Chase Meadows property to receive single family dwellings, the Planned Development District zoning approved on 2-5-08 is not consistent with the growth plan as required by TCA 6-58-107. See Tennessee Attorney General Opinion 00-184; and

WHEREAS, the concentrations of population are to be in harmony with the surrounding areas, the planned development district approved on 2-5-08 is in conflict with the Kingsport Zoning Ordinances and is akin to Spot Zoning. See Tennessee Attorney General Opinion 04-137.

~~NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee as follows: that the Sullivan County Commission hereby authorizes and directs the Sullivan County Attorney to institute prior to March 6, 2008, in any court of competent jurisdiction, any legal proceedings necessary and appropriate to challenge the legality of the Meadows Annexation, including without limitation, the constitutionality of Public Chapter 1101.~~

~~BE IT FURTHER RESOLVED that in instituting any such legal proceeding and complaint, the County Attorney is authorized to join in any action brought by any other County in the State of Tennessee, and is further authorized to employ such additional legal counsel or experts as the County Attorney deems necessary for the successful prosecution of such proceedings.~~

~~BE IT FURTHER RESOLVED that there is hereby appropriated to the County attorney budget, from the General Fund Balance, the amount of Twenty-five Thousand Dollars (\$25,000) to be used for the purpose described and authorized herein.~~

*Waiver of Rules Requested*

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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

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

**Sponsored By: Michael Surgenor**  
**Prime Co-Sponsor(s): Terry Harkleroad**

2008-02-28	Administrative	Budget	Executive	County Commission
ACTION				

**1st Reading 02-19-08;**

Notes: **Amended by Sponsor 02-28-08 (AMENDMENT ATTACHED) and reflected above.**  
**RESOLUTION FAILED 11AYE, 8 NAY, 5 ABSENT 02-19-08.**

As to the resolution I would like to amend the resolution as follows:

1. The following be omitted-

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF SULLIVAN COUNTY AS FOLLOWS: That the Sullivan County Commission hereby authorizes and directs the Sullivan County Attorney to institute prior to March 6th, in any court of competent jurisdiction, any legal proceedings necessary and appropriate to challenge the legality of the Meadows Annexation, including without limitation, the constitutionality of Public Chapter 1101.

BE IT FURTHER RESOLVED, that in instituting any such legal proceeding and complaint, the County Attorney is authorized to join in any action brought by an other County in the State of Tennessee, and is further authorized to employ such additional legal counsel or experts as the County Attorney deems necessary for the successful prosecution of such proceedings.

BE IT FURTHER RESOLVED, that there is hereby appropriated to the County Attorney budget, from the General Fund Balance, the amount of Twenty-five Thousand Dollars (\$25,000) to be used for the purpose described and authorized herein.

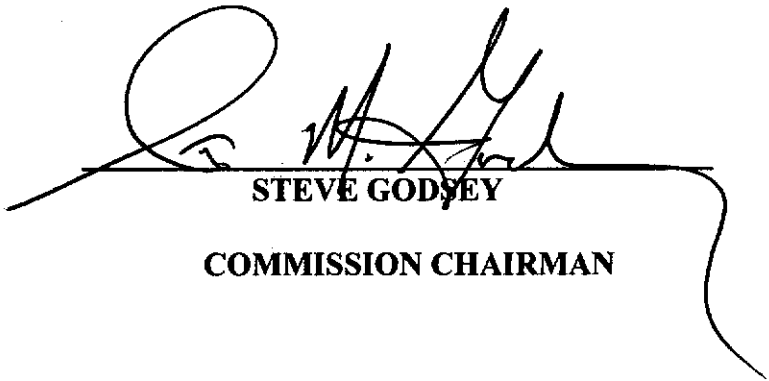
2. The resolution be amended to read-

Now therefore be it resolved by the commission of Sullivan County as follows: That the Sullivan County Commission hereby authorize and direct the Sullivan County Attorney to obtain a Tennessee Attorney General Opinion regarding the legality of the Meadows Annexation.

Be it further resolved, that a copy of that correspondence be made available to each member of the Sullivan County Commission upon receiving the response from the above mentioned state official.

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**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. BLACKBURN TO MEET AGAIN IN REGULAR  
SESSION MARCH 17, 2008.**



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