

COUNTY COMMISSION-REGULAR SESSION

FEBRUARY 19, 2013

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, 2013, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by Mayor Steve Godsey. Deputy Sheriff Malone opened the commission and Mr. Jerry Teague gave the invocation. The pledge to the flag was led by Deputy Sheriff Malone.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CATHY ARMSTRONG	TY BOOMERSHINE
MARK BOWERY	BRYAN BOYD
LINDA BRITTENHAM	MO BROTHERTON
	JOHN K. CRAWFORD
O. W. FERGUSON	JOHN GARDNER
TERRY HARKLEROAD	BAXTER HOOD
DENNIS HOUSER	MATTHEW JOHNSON
BILL KILGORE	DWIGHT KING
ED MARSH	WAYNE MCCONNELL
RANDY MORRELL	BOB NEAL
PATRICK W. SHULL	MIKE SURGENOR
R. BOB WHITE	EDDIE WILLIAMS

23 PRESENT 1 ABSENT (ABSENT-CALTON)
(CALTON CAME IN AT 10:20-COMMISSION ADJOURNED AT 10:30)

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. White to approve the minutes of the January 22, 2013 Regular Session of County Commission. Said motion was approved by voice vote.

Sullivan County Tennessee

Sponsored By
All Sullivan County Commissioners
& Mayor Steve M. Godsey

Greetings: Be it known that

Commissioner James L. King, Jr.

Is Being Honored For His 41 Years Of Service To Sullivan County As A County Commissioner In The Eleventh Commissioner District Making Him One Of The Longest Serving Commissioners In The History Of Sullivan County.

He was tireless in his resolve to study issues and work for the betterment of those in his district as well as the overall citizenry of Sullivan County. He is a highly respected man of faith, a successful attorney, and is also dedicated to his family.

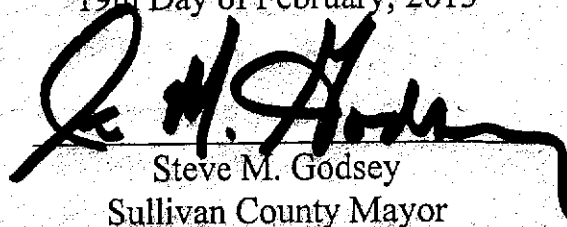
We, in Sullivan County hereby award this

Certificate of Recognition

with our most sincere congratulations and best wishes to James L. King, Jr. declaring him as Sullivan County Commissioner Emeritus and thank him for being faithful in his commitment to Sullivan County.



Given under my hand, this
19th Day of February, 2013


Steve M. Godsey
Sullivan County Mayor

SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

TO HONOR AND RECOGNIZE THE VOLUNTEER FIRE DEPARTMENTS OF AVOCA, BLUFF CITY, HICKORY TREE, AND 421

Whereas, the Tri-Cities area was inundated the week of January 13, 2013 with several days of constant rainfall causing floods in many sections of Sullivan County; and

Whereas, the conditions worsened at the end of the week as runoff from other streams, etc. started to enter the low-lying neighborhoods and waterways causing extremely deep waters in several locations; and

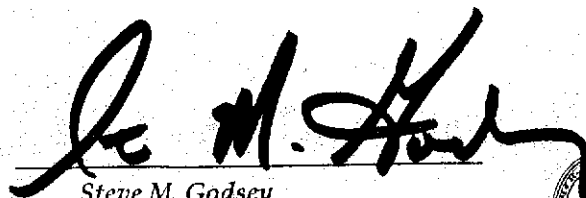
Whereas, On Saturday, January 19, a call came in from a resident of the Chinquapin Grove Community saying that Barnett Road was still covered with six to eight feet of water making it impassable for the residents who had patiently waited for several days hoping the flood waters would recede. Flooding of that type had not occurred on Barnett Road in over 20 years so it was unexpected for the high waters to stay so long. Trapped residents needed to be able to meet the necessities of everyday life such as buying groceries, getting to appointments, and driving to work; and

Whereas, over the next 24 hours volunteer firemen from Avoca, Bluff City, Hickory Tree, and 421 rose to the call, with the assistance of Sullivan County EMA, to pump around 500,000 gallons of water off of Barnett Road. These fire departments do not normally do this type of service and went beyond the call to assist with what was available to them. The willingness and hard work needed to allow residents to travel Barnett Road is a real testimony to the type of volunteers who are a part of these fire departments and honorable citizens of Sullivan County.

Now, therefore, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners, do hereby thank and commend all of the heroes from Hickory Tree, Avoca, 421, and Bluff City Volunteer Fire Departments for their unselfish efforts and commitment to going beyond the call to assist Sullivan County residents in a time of need.

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, 2013.




Steve M. Godsey
Mayor of Sullivan County



PUBLIC COMMENTS FEBRUARY 19, 2013

NONE

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

Notaries to be elected February 19, 2013

GARY WAYNE BLEDSOE
REBECCA MICHELLE BOGART
SUSIE BOWERS
CYNTHIA J. BRADLEY
VELMA F. BRAGG
JACQUELINE MICHELLE BROWN
POLLY R. BURNETTE
LINDA GAIL CHAFIN
VICKIE F CLARK
KAREN BAILEY COMBS
SARAH LINDSEY DILLOW
TERESA F. ESTEP
ARCHIE LEROY FITZGERALD
ANGIE FLEENOR
JOHN DANIEL FLEMING
KAREN JEAN FOX
KATHERINE STONE GRILLS
LEVITA M. HAYNES-MOORE
JUDY C. HELTON
MELISSA ANN HOGUE
STEVEN W. HOLLIFIELD
BRENDA J. HONAKER
BRYAN WAYNE HORNE
CARL A. HOUSER
ANGELA M. KINKEAD
WHITNEY ELAINE LANDRESS

KATHY JEAN MATNEY
NANCY C MCCONNELL

LUCINDA J. MCFALLS
ANDRIA MEADE
WILLIAM D. MONEYHUN
ASHLEY JARED MULLENIX
GARY MUNT
AUDREA WILLIAMS NELSON
LARRY W. NELSON
PEGGY LINDA OLIVER
BURTON EUGENE OSBORNE
MARSHA A. PANGELINAN
KERRI CAROL PETERS
DAVID ANDERSON REEL
ROBIN ELIZABETH RICKER
DEBORAH K. RUTLEDGE
SUSAN LYNN SALYER
H. LYNN SHOEMAKER
TAMMIE L. SLUSS
NANCY J. SMITH
SHIRLEY F. SMITH
DIANE PAIGE STAUBUS
ROBIN D. STEDMAN
JACOB DANIEL STRANG
LAURA SWANSON
REBECCA A. THEALL
ROCHELLE DENISE TRENT
ALICIA RENEE TRIVETT
CARL WILLIAM VOGEL
SANDY J. WHITE

PERSONAL SURETY
SURETY BOND
41095758N

UPON MOTION MADE BY COMM. HARKLEROAD AND SECONDED BY
COMM. BOWERY TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION
WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
SURETY BONDS

February 19, 2013

NAME OF NOTARY

ROBERT K. HARRIS
LORI K. KINDLE
LIBBY L. MARCUS
ROSEANN G. WELLS

PERSONAL SURETY

TIM LANE
LIBBY MARCUS
LORI KINDLE
F. STEWART BAGGETT

PERSONAL SURETY

JANE M. HARRIS
JUANITA TUPPER
JUANITA TUPPER
BEVERLY S. JOHNSON

UPON MOTION MADE BY COMM. HARKLEROAD AND SECONDED BY COMM. BOWERY
TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS
APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT.

MEMBERS OF THE COMM.	No. Roll Call		No. Approve Notices		No.		No.		No.		No.		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	✓		✓															
Boomerstine	✓		✓															
Bowery	✓		✓															
Boyd	✓		✓															
Brittenham	✓		✓															
Brotherton	✓		✓															
Calton	A		A															
Gawford	✓		✓															
Jerguson	✓		✓															
Gardner	✓		✓															
Harkleroad	✓		✓															
Hood	✓		✓															
Houser	✓		✓															
Johnson	✓		✓															
Kilgore	✓		✓															
King	✓		✓															
Marsh	✓		✓															
McConnell	✓		✓															
Marrell	✓		✓															
Neal	✓		✓															
Shull	✓		✓															
Sugener	✓		✓															
White	✓		✓															
Williams	✓		✓															

Calton
came in
at 10:20

23 Present 23 Aye
1 Absent 1 Abs

Calton not
present for Roll-Call
came in at 10:20 A.M.

RE THE COMM.

	No.	No.	No.	No.	No.	No.	No.	No.	No.
	7	8	9	10					

MISSIONERS	No. 7		No. 8		No. 9		No. 10		No.		No.		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Bowery					✓		✓											
Boyd					✓		✓											
Brittenham					✓		✓											
Brotherton					✓		✓											
Calton					A		A											
Crawford					✓		✓											
Ferguson					✓		✓											
Gardner					✓		✓											
Hallercap					✓		✓											
Hood					✓		✓											
Houser					✓		✓											
Johnson					✓		✓											
Kilgore					✓		✓											
King					✓		✓											
Marsh					✓		✓											
McConnell						✓		✓										
Norvell					✓		✓											
Neal					✓		✓											
Shull					✓		✓											
Sugener					✓		✓											
White					✓		✓											
Williams					✓		✓											
Armstrong					✓		✓											
Someyhine					✓		✓											

22 Aye 21 Aye
 14 Nay 21 Nay
 1 Aye 1 Aye

RESOLUTIONS ON DOCKET FOR FEBRUARY 19, 2013

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	NO RE-ZONING NO ACTION NEEDED
#2 AUTHORIZE LEASE AGREEMENT WITH ROCKY SPRINGS BAPTIST CHURCH FOR USE OF FORMER ROCKY SPRINGS VOTING LOCATION	APPROVED 02-19-13
#3 REQUESTING THAT ALL DEPARTMENTS IN SULLIVAN COUNTY SUBMIT A 2013/2014 FY BUDGET THAT REDUCES THEIR BUDGET BY 5%	WITHDRAWN 02-19-13
#4 AMEND THE 2012-2013 GENERAL PURPOSE SCHOOL BUDGET BY \$99,750.00 TO ALLOW FOR THE TRANSFER OF FUNDS TO THE EDUCATION CAPITAL PROJECTS FUND THAT ARE NEEDED TO FUND A PORTION OF THE EESI SCHOOL IMPROVEMENT PROJECT	1 ST READING 02-19-13
#5 UPDATE THE SULLIVAN COUNTY OCCUPATIONAL SAFETY AND HEALTH PROGRAM	1 ST READING 02-19-13
#6 TO SELL COUNTY OWNED DELINQUENT TAX PROPERTY ON PINEY FLATS ROAD IN THE 9 TH CIVIL DISTRICT	1 ST READING 02-19-13
#7 TO REDUCE THE SPEED LIMIT FROM 35 MPH TO 25 MPH ON EGYPT ROAD IN THE 4 TH COMMISSIONER DISTRICT	1 ST READING 02-19-13
#8 TO PLACE A STOP SIGN ON LAKESHORE ROAD WHERE IT INTERSECTS WITH EGYPT ROAD IN THE 4 TH COMMISSIONER DISTRICT	1 ST READING 02-19-13
#9 ACCEPT AND APPROPRIATE DONATION FUNDS FOR THE SULLIVAN COUNTY LIBRARY	APPROVED 02-19-13
#10 REQUESTING THAT STATE LAWMAKERS CLOSELY PERUSE THE DETAILS OF THE AFFORDABLE CARE ACT SO AS NOT TO REDUCE THE AMOUNT OF MEDICARE FUNDS COMING INTO TENNESSEE AND ITS ADDITIONAL EFFECTS ON HOSPITALS AND MEDICAID PATIENTS	APPROVED 02-19-13

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2013-02-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of February 2013.

**RESOLUTION To Consider Amendment(s) To The SULLIVAN COUNTY ZONING PLAN:
Zoning Map Or The Zoning Resolution**

WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.

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

Duly passed and approved this 18th day of February 2013.

Attested: _____
 Jeanie Gammon, County Clerk

Approved: _____
 Steve M. Godsey, County Mayor

Sponsor: John Crawford
Prime Co-Sponsor(s): John Gardner

2013-02-00	County Commission
ACTION	No Re-zoning 02-19-13 No Action Taken

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Budget/Executive
No. 2013-01-06
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, 2013

RESOLUTION Authorizing Lease Agreement With Rocky Springs Baptist Church For Use Of Former Rocky Springs Voting Location

WHEREAS, Sullivan County previously leased to the Rocky Springs Ruritan Club certain property generally known as the former Rocky Springs voting location to be used for community purposes; and

WHEREAS, the Rocky Springs Ruritan Club has ceased to exist since June, 2010; and

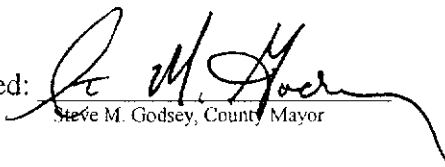
WHEREAS, Rocky Springs Baptist Church has requested that Sullivan County lease said property to it for use by the church as well as the Rocky Springs community.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee hereby authorize the attached Lease Agreement between Sullivan County and Rocky Springs Baptist Church for use of the former Rocky Springs voting location as set forth in the Lease Agreement for a period of ten (10) years. The County Mayor is hereby authorized to execute the Lease Agreement on behalf of Sullivan County.

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 2013.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Ty Boomershine
Prime Co-Sponsor(s): Dwight King

2013-01-06	Administrative	Budget	Executive	County Commission
ACTION	Deferred 2-4-13	Approved 1-10-13	Deferred 2-5-13	Approved 02-19-13 21 Aye., 2 Nay., 1 Absent

Notes: 1st Reading 01-22-13;

LEASE AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2013, by and between COUNTY OF SULLIVAN, TENNESSEE, hereinafter called "Lessor", and ROCKY SPRINGS BAPTIST CHURCH, hereinafter called "Lessee";

WITNESSETH:

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

I. Lessor does hereby demise, let and lease a certain parcel of property generally known as the former Rocking Springs voting location and previously leased by Rocky Springs Ruritan Club, located in the 20th Civil District of Sullivan County, said property being more particular described as follows:

Beginning at an iron pin 200 feet, more or less, from the southwest corner of the Rocky Springs Baptist Church, said point being the corner for Sullivan County Voting Place and Rocky Springs Baptist Church and in the right-of-way of Rocky Springs Road; thence leaving said right-of-way with the boundary line of Rocky Springs Baptist Church S. 27° 45' E., a distance of 103.42 feet to an iron pin corner for Sullivan County Voting Place; thence N. 60° 16' E. a distance of 149.58 feet to a point and iron pin; thence with a line N. 29° 17' W., a distance of 105.30 feet to a point and iron pin in the right-of-way of Rocky Springs Road; thence with said right-of-way S. 59° 32' W., a distance of 146.84 feet to the Point of Beginning, containing .355 acres, more or less; and being the same property conveyed to Sullivan County, Tennessee by deed dated February 1, 1978 from B. H. Dougherty and wife, Nannie Lee Dougherty of record in the Register's Office for Sullivan County at Blountville, Tennessee in Deed Book 152C, at Page 736, to all of which reference is hereby made.

The property herein leased is subject to any and all covenants, conditions, restrictions and reservations contained in former deeds and other instruments of record applicable to said property, insofar as same is presently binding thereon, and to any easements apparent from an inspection of

said property.

2. The term of this Lease shall be for a period of ten (10) years beginning _____, 2013 and ending at midnight on _____, 2023. Lessor may terminate this Lease Agreement for any or no cause at any time upon sixty (60) days notice as set forth herein in Paragraph 13.

3. Lessee shall pay rent at the rate of \$1.00 per year, nonproratable in the event of termination of this Lease Agreement as provided herein, said rent payable at the end of each year. Said rent shall be paid to the Lessor at the Office of Sullivan County Mayor, Courthouse, 3411 Highway 126, Suite 206, Blountville, Tennessee 37617.

4. The premises demised herein shall be used by Lessee for purposes ordinarily and customarily associated with churches and their service to the community. The aforesaid covenant of the Lessee is an essential condition, term, and covenant of this Lease Agreement and a non-discretionary obligation of the Lessee to perform. In the event the Lessee should fail to carry out its' activities in accordance with the aforesaid covenant such breach of Lessee's covenant shall be good cause for this Lease Agreement to be terminated upon thirty (30) days written notice to Lessee by Lessor.

5. Lessee shall not assign this Lease nor sub-let the premises without written consent of Lessor.

6. All additions, fixtures or improvements which may be made by Lessee during the term of this Lease Agreement or any extension thereof shall, unless otherwise agreed upon, become the property of Lessor and remain upon the premises as a part thereof and shall be surrendered with the premises at the termination of this Lease Agreement as provided herein at no cost or additional expense to Lessor.

7. All personal property placed or moved upon or into the above described premises shall be at the sole risk of Lessee and/or owner of such personal property and the Lessor shall not be liable for any damages to such personal property. Further, Lessor shall not be liable to Lessee or third parties for damages received by bursting or leaking of water pipes, roof leaks, fire or any other casualty to any improvement or personal property presently located on the premises or hereinafter located or constructed; or for other casualty or for damages resulting from any negligence of Lessee or any third party, or any occupant, invitee or user of the premises, or from any spectator or any other person whomsoever.

8. (a) Lessee shall save harmless and indemnify Lessor from and against all loss, liability, claim and/or expense due to injury to person or property that may be incurred by Lessee or any third party by reason of any accident or from any damage, neglect, or misadventure arising from or in any way growing out of the use, misuse or abuse of the premises demised herein, and Lessee will maintain adequate insurance for such purposes, including general public liability insurance in the minimal amounts set forth in subsection (b) of this paragraph. Lessee shall also maintain adequate insurance to cover the contents of any building or structure presently existing or hereafter constructed on the aforescribed premises utilized by Lessee or third parties, or for their purposes. Lessor shall not be liable to Lessee or to any other person for injury, claim, loss or damage to any property or to any person, for which loss Lessee shall insure and save harmless Lessor from any and all loss and/or liabilities whatsoever.

(b) Lessee agrees to maintain at all times during the term of this Lease Agreement general public liability insurance in the minimal amount of One Million Dollars (\$1,000,000) per person and One Million Dollars (\$1,000,000) per occurrence and shall list Sullivan County as an additional insured on the policy.

(c) Lessee shall have no obligation to maintain fire insurance on buildings existing at the time of this Agreement, such insurance may be provided at the sole discretion of Lessor as Lessor deems necessary in the name of Lessor. Lessor shall not be required to insure any building, addition or structure constructed by or at the instance of Lessee.

(d) Lessee agrees to furnish to Lessor Certificates of Insurance demonstrating that the Lessee has complied with the terms of this section of this Lease Agreement.

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

10. Lessee accepts the premises as is. Lessee shall bear all expenses and obligation to maintain the property during the term of the lease, and all extensions thereof, including, but not limited to, maintenance of utility service, ingress/egress, maintenance of any and all buildings, structures located upon the premises, and maintenance of the grounds. Lessor shall bear no obligation to maintain the premises or make any improvements to the premises in any way.

11. Lessee agrees not to make any alterations, additions, improvements or changes to the premises, interior or exterior, or to the equipment and fixtures provided by Lessor or to install any major appliances in the premises without first obtaining the written consent of Lessor.

12. Lessor shall have the right to enter the premises at all times which are necessary and this right shall exist whether or not Lessee shall be on the premises at such time.

13. (a) Lessor reserves the right to terminate this Lease Agreement for any reason or for no reason by giving notification to Lessee in writing sixty (60) days prior to the date when such termination becomes effective and the parties stipulate that the mailing of notice to the hereinafter stated address shall constitute compliance with this article of this Lease Agreement.

(b) Lessee reserves the right to terminate this Lease Agreement by giving written notification to Lessor in writing sixty (60) days prior to the date when such termination becomes effective, such notice to be sent to Lessor at the address hereinafter stated.

(c) Upon termination or expiration of this Lease Agreement, Lessee shall peacefully surrender said property to Lessor in as good a condition as it is now, ordinary wear and tear excepted.

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

To Lessor At: Office of the County Mayor
Courthouse
3411 Highway 126, Suite 206
Blountville, Tennessee 37617

To Lessee At: Rocky Springs Baptist Church
3297 Rocky Springs Road
Piney Flats, Tennessee 37686

15. Lessee covenants and agrees with Sullivan County, Tennessee that it does not discriminate on the basis of race, sex, color, religion, national origin, age, disability or veteran's status in the provision of opportunity for service and benefits provided by the undersigned.

16. Lessee acknowledges, understands, covenants and agrees with Sullivan County as follows:

- a. Lessee is not in any way a part of Sullivan County government;
- b. Lessee is factually and legally independent and distinct from Sullivan County, Tennessee;
- c. No agency, partnership, association, joint venture, or other business relationship of

any kind or nature is hereby created or intended;

- d. The officers, employees, and/or agents of Lessee shall not be deemed or construed to be the employees or agents of Sullivan County, Tennessee for any purpose whatsoever;
- e. Nothing herein is intended to allow either party to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services; and
- f. Lessee will never represent or portray itself in any way which could contradict, appear to contradict, or be perceived by anyone or any entity as contradicting the terms set forth above, and Lessee will immediately correct any known representation, portrayal, and/or perception to the contrary.

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

SULLIVAN COUNTY, TENNESSEE

BY: _____
Steve Godsey, County Mayor

Lessor

ROCKY SPRINGS BAPTIST CHURCH

BY: _____
Printed Name: _____
Title: _____

Lessee

STATE OF TENNESSEE)
) SS
COUNTY OF SULLIVAN)

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Steve Godsey, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainer, and who, upon oath, acknowledged himself to be the County Mayor of Sullivan County, Tennessee, one of the within named bargainors, a political subdivision of the State of Tennessee, and that he as such County Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of said political subdivision by himself as County Mayor.

WITNESS my hand and official seal this ____ day of _____, 2013.

Notary Public

My commission expires: _____

STATE OF TENNESSEE)
) SS
COUNTY OF SULLIVAN)

Before me, the undersigned authority, of the state and county aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the _____ of Rocky Springs Baptist Church, one of the within named bargainors, and that he/she as such _____, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of Rocky Springs Baptist Church by himself/herself as _____.

WITNESS my hand and seal, this ____ day of _____, 2013.

Notary Public

My commission expires: _____

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Administrative/Budget/Executive
No. 2013-02-07

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, 2013

RESOLUTION Requesting That All Departments In Sullivan County Submit A 2013/2014 FY Budget That Reduces Their Budget By 5%

WHEREAS, in keeping with Sullivan County's determination to be fiscally responsible in managing all offices under their care these additional cuts are being requested.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves requesting that all departments reduce their FY 2013/2014 budget requests by 5%.

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 _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Dwight King
Prime Co-Sponsor(s): Ed Marsh

2013-02-07	Administrative	Budget	Executive	County Commission
ACTION		No Action 2-7-13	Approved 2-5-13	

Notes: **Withdrawn 02-19-13.**

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Administrative/Budget/Executive
No. 2013-02-08

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 2013

RESOLUTION To Amend The 2012 – 2013 General Purpose School Budget By \$99,750.00 To Allow For The Transfer Of Funds To The Education Capital Projects Fund That Are Needed To Fund A Portion Of The EESI School Improvement Project

WHEREAS, the Sullivan County Department of Education Board, in a continuing effort to improve energy efficiency in schools, approved by vote to complete a system wide facilities improvement project; and

WHEREAS, \$99,750 of the project cost was to be paid for with incentives funds from TVA's CEAI program; and

WHEREAS, the these incentives are to be paid to the Department of Education upon completion of the project and the project materials must be purchased beforehand; and

WHEREAS, this has created the need for an appropriation from the General Purpose School Fund to be funded with the receipt of the TVA incentives; and

WHEREAS, the Sullivan County Board of Education and Tennessee Department of Education have approve the use of these funds for this purpose.

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

Account Number	Account Description	Amount
Appropriation 99100.590	Transfers to Other Funds	\$99,750
Source 48130.000	Contributions -- TVA Incentives	\$99,750

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 _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): John Gardner

2013-02-08	Administrative	Budget	Executive	County Commission
ACTION		Approved 2-7-13	Approved 2-5-13	

Notes: **1st Reading 02-19-13;**

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Executive
No. 2013-02-09

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, 2013

RESOLUTION To Update The Sullivan County Occupational Safety And Health Program

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee the Sullivan County Commission previously established the Occupational Safety and Health Program for the Employees of the Sullivan County government; and

WHEREAS, such program was established in the year of 1975 and the State of Tennessee has requested that all counties update their plans.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following amendments to the Occupational Safety and Health Program for the Employees of the Sullivan County Government as follows:

TITLE: This section shall provide authority for continuing and administering the Occupational Safety and Health Program for the employees of Sullivan County.

PURPOSE: The County Commission in electing to update their established program plan will mandate an effective occupational safety and health program for its employees and shall:

1. Provide a safe and healthful place and condition of employment that includes:
 - a) Top Management Commitment and Employee Involvement;
 - b) Continually analyze the worksite to identify all hazards and potential hazards;
 - c) Develop and maintain methods for preventing or controlling existing or potential hazards; and,
 - d) Train managers, supervisors, and employees to understand and deal with worksite hazards.
2. Acquire, maintain, and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.
3. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development of the State of Tennessee, his designated representatives, or persons within the Tennessee Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
4. Consult with the State Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

5. Consult with the State Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
6. Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.
7. Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program.

COVERAGE: The provisions of the Occupational Safety and Health Program for the Employees of Sullivan County Government shall apply to all employees of each administrative department, commission, board, division, or other agency of Sullivan County whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED: The occupational and health standards adopted by the County Commission are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 5).

VARIANCES FROM STANDARDS AUTHORIZED: Sullivan County may, upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, Chapter 0800-1-2, as authorized by T.C.A., Title 5. Prior to requesting such temporary variance, Sullivan County shall notify or serve notice to employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main building board as designated by Sullivan County shall be deemed sufficient notice to employees.

ADMINISTRATION: For the purposes of this resolution, the Risk Manager is designated as the Director of Occupational Safety and Health to perform duties and to exercise powers assigned so as to plan, develop, and administer said plan. The Director shall develop a plan of operation for the program and said plan shall become a part of this resolution when it satisfies all applicable sections of the Tennessee Occupational Safety and Health Act of 1972 and Part IV of the Tennessee Occupational Safety and Health Plan.

FUNDING THE PROGRAM: Sufficient funds for administering and staffing the program pursuant to this resolution shall be made available as authorized by the County Commission.

SEVERABILITY: That if any section, sub-section, sentence, clause, phrase, or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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 _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: John Gardner
Prime Co-Sponsor(s): John Crawford

2013-02-09	Administrative	Budget	Executive	County Commission
ACTION		Approved 2-7-13		

Notes: **1st Reading 02-19-13;**

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Budget/Executive
No. 2013-02-10
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 2013

RESOLUTION To Sell County Owned Delinquent Tax Property On Piney Flats Road In The 9th Civil District

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding; and

WHEREAS, the current amount owed against the property is \$1,397.08 for this parcel; and

WHEREAS, a bid in the amount of \$550.00 has been received from Johnny M. Smith for this parcel of land located in the 9th Civil District identified as Tax Map 135, Parcel 111.20; and

WHEREAS, in accordance with T.C.A. §67-5-2507 a legal notice has been published in a newspaper of general circulation in Sullivan County advising the public of such bid and potential sale of land; and

WHEREAS, during the ten day period after publication, the Office of the County Mayor received only one raised bid on such property. Johnny Smith won the bid off; and

WHEREAS, the Sullivan County Delinquent Tax Committee has reviewed the delinquency period, location, condition, and value of the property and took into consideration the bid placed upon the property; and the Committee has recommended that the County accept the bid.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the sale of property located in the 9th Civil District identified as Tax Map 135, Parcel 111.20 to Johnny M. Smith for the amount of \$500.00 for the parcel in accordance with T.C.A. § 67-5-2507.

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 _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Dwight King, Ty Boomershine

2013-02-10	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 02-19-13;**

RAISED BID

OFFER TO PURCHASE
COUNTY OWNED TAX PROPERTY

I, Johnny M. Smith (Bidder's Name), on this the 13th day of November, 2012, hereby submit this RAISED BID to the Office of the County Mayor of Sullivan County located in Blountville, Tennessee, and hereby raise the bid and offer to purchase a particular piece of property located at:
Piney Flats Road (street address) in Piney Flats, TN
Sullivan County, Tennessee, for the sum of \$ 550.00.

This property is identified by the Sullivan County Property Assessor's Office as:
Civil District 9th, Tax Map 135, Group _____, Parcel 111.20.

I understand that I must raise the bid by a minimum of ten percent. I have enclosed a deposit of \$ 55.00 on the raised bid hereby submitted. (Deposit must be 10% of the raised bid.) I further understand that the county will be depositing these funds into their general account. In the event, I withdraw my bid I understand that my bid may be refunded less the cost of any legal notice publication costs.

Bidder: Johnny M. Smith 11-13-12
Signature Date

Address: 283 New Bethel Rd

Piney Flats, Tenn 37686

Phone: 423-202-8905

Name(s) as they should appear on deed: Johnny M. Smith

RECEIVED BY: Office of the County Mayor [Signature] 11-13-12 10:10 a.m.
Signature Date/Time



SULLIVAN COUNTY
Steve M. Godsey
County Mayor

3411 Hwy 126, Ste 206
Blountville, TN 37617
(423) 323-6417

Tuesday, October 30, 2012
Kingsport Times News
ATTN: Legal Notices
ablevins@timesnews.net
(423) 392-1311 FAX: 423-392-1398

ACCT #: 53933

Please send tear sheet and bill to the above address.

If additional information is needed, contact Wanda Bartee at 323-6417.

Please place the following ads in your legal notice section (standard column ad).

Requested date of publication: Monday, November 5, 2012 (one time publication)

NOTICE OF PROPOSED SALE

Pursuant to TCA 67-5-2507(b), notice is hereby given that Nodaway River Land & Cattle placed the following bid: \$500.00 for real property located in the 9th Civil District, acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 135, Parcel 111.20. Raised bids will be accepted at the Office of the County Mayor, Sullivan County Courthouse, 3411 Hwy 126, Ste 206, Blountville, Tennessee, for ten days after publication of this notice; however, raised bids must exceed the amount of the bid herein by a minimum of ten percent (10%); Said property to be sold without warranties. Steve Godsey, County Mayor

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Executive
No. 2013-02-11
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 2013

RESOLUTION To Reduce The Speed Limit From 35 MPH To 25 MPH On Egypt Road In The 4th Commissioner District

WHEREAS, Commissioner Linda Brittenham requested the Sullivan County Highway Department to make this change; and

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

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

4th Commission District

**To Reduce The Speed Limit From 35 MPH To 25 MPH
On Egypt Road**

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

Approved this _____ day of _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Linda Brittenham
Prime Co-Sponsor(s): Dennis Houser

2013-02-11	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 02-19-13;**

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

Terry A. Shaffer
Highway Commissioner

147 County Hill Road • Blountville, TN
Phone (423) 279-2820 • Fax (423) 276-2876

RESOLUTION REQUEST REVIEW

DATE: 2-13-2013

TO: Sullivan County Commission

REQUEST MADE BY: LINDA Brittenham

SUBJECT: To Reduce the Speed Limit
From 35 MPH to 25 MPH
ON Egypt RD

4th COMMISSIONER DISTRICT

Dennis Houser

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

Regan Cooper 2/13/2013
TRAFFIC COORDINATOR DATE

Terry Shaffer 2-13-2013
HIGHWAY COMMISSIONER DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Executive
No. 2013-02-12
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 2013

RESOLUTION To Place A Stop Sign On Lakeshore Road Where It Intersects With Egypt Road In The 4th Commissioner District

WHEREAS, Commissioner Linda Brittenham requested the Sullivan County Highway Department to make this change; and

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

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

4th Commission District

**To Place A Stop Sign On Lakeshore Road
Where It Intersects With Egypt Road**

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

Approved this _____ day of _____ 2013.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2013-02-12	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 02-19-13;**

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



Terry A. Shaffer
Highway Commissioner

147 County Hill Road • Blountville, TN
Phone (423) 279-2820 • Fax (423) 276-2876

RESOLUTION REQUEST REVIEW

DATE: 2-13-2013

TO: Sullivan County Commission

REQUEST MADE BY: LINDA Brittenham

SUBJECT: To place a stop sign on
Lakeshore Rd that intersects
with Egypt Rd.

4th COMMISSIONER DISTRICT

Dennis Houser

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

Roger Coyne 2/13/2013
TRAFFIC COORDINATOR DATE

Terry Shaffer 2-13-2013
HIGHWAY COMMISSIONER DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Administrative/Budget
No. 2013-02-13

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 2013

RESOLUTION To Accept And Appropriate Donation Funds For The Sullivan County Library

WHEREAS, funds have become available through United Fund of Bluff City, in the amount of \$2,500 in support of Thomas Memorial Library; and

WHEREAS, the Sullivan County Library has anticipated and planned for this project.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting and appropriating funds in the amount of \$2,500 from United Fund of Bluff City

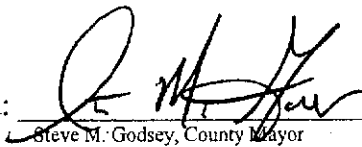
BE IT RESOLVED that the Sullivan County Library requires no matching funds for this grant. Account Codes will be assigned by the Office of Accounts & Budgets.

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 2013.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Bob White
Prime Co-Sponsor(s): Mark Bowery
All Commissioners Voting "Aye"

2013-02-13	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-13 22 Aye, 1 Nay, 1 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Administrative/Budge/Executive
No. 2013-02-14

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 2013

Resolution Requesting That State Lawmakers Closely Peruse The Details Of The Affordable Care Act So As Not To Reduce The Amount Of Medicare Funds Coming Into Tennessee And Its Additional Effects On Hospitals And Medicaid Patients

Whereas, the Affordable Care Act (ACA) and subsequent federal legislation have reduced the amount the federal government reimburses Tennessee hospitals to care for Medicare patients by \$5.6 billion over the next 10 years; and

Whereas, hospitals agreed to accept these cuts in exchange for expanded health insurance coverage that would reduce the hospital cost of bad debt and charity care now being provided; and

Whereas, in 2011 alone, the cost of uncompensated care in Tennessee hospitals was \$2.5 billion; and

Whereas, other measures being considered in Washington would raise the Medicare hospital cuts to \$7.4 billion; and

Whereas, many hospitals will not be able to function as a full service acute care hospital and some may be forced to close altogether; and

Whereas, the hospitals in Sullivan County would be negatively impacted by a total of \$327 million dollars over ten years (\$227 million in approved cuts plus \$100 million in further cuts under consideration) and if these proposed Medicare cuts occurred, would have a substantial negative impact to the community of Sullivan County in terms of lay off of employees and cuts in medical services.

Whereas, these cuts not only will impact hospitals, but also the communities where they are located; and

Whereas, Tennessee stands to lose 90,000 jobs (over 3,600 jobs in Sullivan County alone) in a 10-year period with the cuts already in law and others currently pending; and

Whereas, rural hospitals are especially vulnerable to the ACA cuts; and

Whereas, the federal government would pay the full cost of the expansion for the first three years, followed by a decline in the federal share to 95 percent, 94 percent, 93 percent and 90 percent in subsequent years; and

Whereas, while the cost to the state to expand coverage for 5.5 years would be \$199.1 million, Tennessee would receive \$6.4 billion from the federal government to fund expansion; and

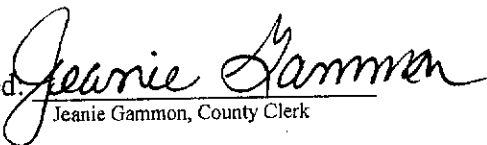
Whereas, the cuts to hospitals are unsustainable without the expansion of Medicaid coverage in Tennessee.

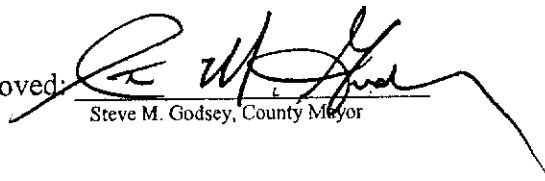
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby requests that Tennessee Lawmakers carefully examine the details of the Affordable Care Act and make decisions that do not damage hospitals, Medicare and Medicaid patients in the State

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 2013.

Attested: 
Jeanie Gammon, County Clerk

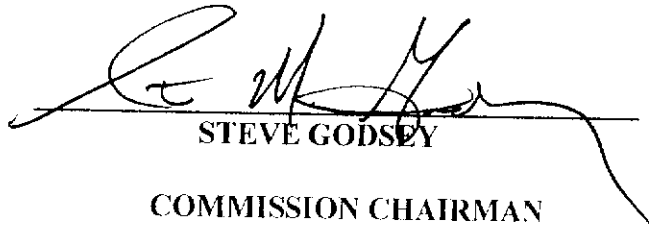
Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): John Crawford

2013-02-14	Administrative	Budget	Executive	County Commission
ACTION				Approved 02-19-13 21 Aye, 2 Nay, 1 Absent

Notes:

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION MARCH 18, 2013.



STEVE GODSEY
COMMISSION CHAIRMAN