

COUNTY COMMISSION- REGULAR SESSION

JULY 15, 2002

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, JULY 15, 2002, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, JEANIE F. GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Executive, Gil Hodges. Sheriff Wayne Anderson opened the commission and Comm. Sam Jones gave the invocation. Pledge to the flag was led by County Executive, Gil Hodges.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CAROL BELCHER	JAMES R. BLALOCK
BRYAN K. BOYD	JUNE CARTER
FRED CHILDRESS	O. W. FERGUSON
MIKE GONCE	CLYDE GROSECLOSE, JR.
RALPH P. HARR	
MARVIN HYATT	SAMUEL JONES
ELLIOTT KILGORE	JAMES "BUDDY" KING
	WAYNE MCCONNELL
JOHN MCKAMEY	PAUL MILHORN
RANDY MORRELL	HOWARD PATRICK
ARCHIE PIERCE	MARK A. VANCE
EDDIE WILLIAMS	

21 PRESENT 2 ABSENT  
(ABSENT-HOUSER, JAMES L. KING, JR.)

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. Harr and seconded by Comm. Hyatt to approve the minutes of the June 17, 2002 session of County Commission. Said motion was approved by voice vote.

**PUBLIC COMMENTS JULY 15, 2002**

**THOSE SPEAKING DURING PUBLIC COMMENTS WERE:**

1. Rick Webb regarding tapes of the County Commission.
  2. Barbara Brown concerning the vacant seat in the State House of Representative-District 2.
  3. Rachel Bliss concerning the vacant seat in the State House of Representative-District 2.
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County Executive Gil Hodges presented plaques to Mr. Jerry Hickman, Mr. Scott Barnes, Mr. James Greene, Jr., and Mr. Wade Childress in recognition and appreciation for their service on the Planning Commission.

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Quarterly reports filed for the period of April 2002 through June 2002 : Purchasing Dept., Highway Dept., and Dept. of Education.

BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re:

INTERMONT UTILITY DISTRICT  
OF SULLIVAN COUNTY, TENNESSEE

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CERTIFICATION OF NOMINEES FOR APPOINTMENT  
OF UTILITY DISTRICT COMMISSIONER

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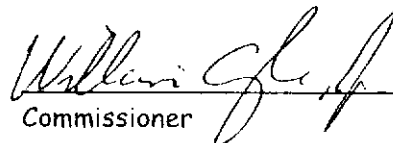
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The undersigned commissioners of Intermont Utility District of Sullivan County, Tennessee do hereby certify that a vacancy does exist on the District's Board of Commissioners by the reappointment of the term of Commissioner on September 01, 2001, and pursuant to T.C.A. 7-82-307(a), the Board of Commissioners hereby certify the nomination of the following qualified individuals for appointment to such vacancy being listed in order of preference:

1. Larry G. Barker
2. Frank Preston
3. Burl Sinks

Wherefore, the District petitions the County Executive to make an appointment from such nominees to fill the said vacancy within 21 days from and after the date of the filing of this certification with the County Executive.

This 1<sup>st</sup> day of July, 2002.

  
Commissioner

  
Commissioner

SEAL

BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re:

INTERMONT UTILITY DISTRICT  
OF SULLIVAN COUNTY, TENNESSEE

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ORDER APPOINTING COMMISSIONER

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Upon certification by the Board of Commissioners of Intermont Utility District of Sullivan County, Tennessee, certifying an upcoming vacancy on said Board of Commissioners by the expiration of the term of Commissioners, and certifying a list of three names nominated for appointment to fill such vacancy in accordance with T.C.A. 7-82-307(a);

It Is Therefore Ordered, Adjudged and Decreed, that the nominee Larry G. Barker is hereby appointed to the Board of Commissioners of the Intermont Utility District of Sullivan County, Tennessee, to serve from September 01, 2001 until September 01, 2005

Entered this the 15<sup>th</sup> day of July, 2002.

*Bill Hodges*

SULLIVAN COUNTY EXECUTIVE

Entered this 15 day of July, 2002 and approved with the minutes of July 15, 2002 by voice vote of the Commission.

BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re:

INTERMONT UTILITY DISTRICT  
OF SULLIVAN COUNTY, TENNESSEE

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CERTIFICATION OF NOMINEES FOR APPOINTMENT  
OF UTILITY DISTRICT COMMISSIONER

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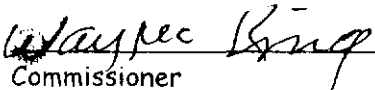
The undersigned commissioners of Intermont Utility District of Sullivan County, Tennessee do hereby certify that a vacancy does exist on the District's Board of Commissioners by the reappointment of the term of Commissioner on July 15, 2002, and pursuant to T.C.A. 7-82-307(a), the Board of Commissioners hereby certify the nomination of the following qualified individuals for appointment to such vacancy being listed in order of preference:

1. William Ogle, Jr.
2. Frank Preston
3. Burl Sinks

Wherefore, the District petitions the County Executive to make an appointment from such nominees to fill the said vacancy within 21 days from and after the date of the filing of this certification with the County Executive.

This 1<sup>st</sup> day of July, 2002.

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

SEAL

BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re:

INTERMONT UTILITY DISTRICT  
OF SULLIVAN COUNTY, TENNESSEE

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ORDER APPOINTING COMMISSIONER

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---

Upon certification by the Board of Commissioners of Intermont Utility District of Sullivan County, Tennessee, certifying an upcoming vacancy on said Board of Commissioners by the expiration of the term of Commissioners, and certifying a list of three names nominated for appointment to fill such vacancy in accordance with T.C.A. 7-82-307(a);

It Is Therefore Ordered, Adjudged and Decreed, that the nominee William Ogle, Jr. is hereby appointed to the Board of Commissioners of the Intermont Utility District of Sullivan County, Tennessee, to serve from July 15, 2002 until July 15, 2006

Entered this the 15<sup>th</sup> day of July, 2002.

  
SULLIVAN COUNTY EXECUTIVE

Entered this 15<sup>th</sup> day of July, 2002 and approved with the minutes of July 15, 2002 by voice vote of the Commission.

I would like to make a motion to nominate Mike Locke to fill the unexpired term of Keith Westmoreland, Tennessee State House of Representatives - District 2.

*Archie Pierce*

Archie Pierce  
July 15, 2002

Motion seconded by Comm. Vance and approved by roll call vote of the Commission 07/15/02. 20 Aye, 2 Absent, 1 Pass.  
Motion entered into the minutes this 15th day of July, 2002.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

JUNE 17, 2002

Paula F. Arnold	Jill Palaske
Margaret K. Baker	John D. Parker, Jr.
Constance L. Blanton	Debra D. Richards
Bonnie J. Blazer	W. P. Sage, III
Randy Dale Bledsoe	Barbara H. Stitt
Ruby W. Blevins	Peggy F. Stout
Russell M. Brogden	Paula D. Sword
Crystal Burnette	Shelby H. Tomlinson
Robin M. Cleary	Nina B. Trivette
Julie Constantinou	Lance A. Weddle
John Curran	Peggy J. Wells
Debbie France	Mary A. Wheeler
Shawn D. Gronlund	Valerie L. Williams
Brenda J. Helbert	Kevin Wysor
Sharleen Y. Hess	
David A. Humphries	
Elizabeth Smith Jones	
Regina L. King	
Terry Kozakevich	
Tina R. Shaw Leamon	
Lola D. McVey	
Emily G. Millwood	
Janilea A. Moulder	
Nikki L. Nash	

UPON MOTION MADE BY COMM. VANCE AND SECONDED BY  
COMM. KING TO APPROVE THE NOTARY APPLICATIONS  
HEREON, SAID MOTION WAS APPROVED BY ROLL CALL  
VOTE OF THE COMMISSION. 19 AYE, 4ABSENT



STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

JULY 15, 2002

Patricia Hernholm

Beverly J. Jones

Robert E. Kerns, II

Timothy E. Scott

John R. Taylor

Karen M. Wofle

Diana R. Snyder

UPON MOTION MADE BY COMM. VANCE AND SECONDED BY COMM. KING TO APPROVE THE  
NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL  
CALL VOTE OF THE COMMISSION. 19 AYE, 4 ABSENT.



# Agenda

Sullivan County Board of County Commission  
July 15, 2002

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, July 15, 2002 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 05/02/01 Loyd Slaughter  
Reclassify R-1 property on the corner of Fort Henry Drive and Beechwood Drive to B-3 for the purpose of allowing for future commercial development. Property identification No. Tax Map 107, Parcel 150.10 located in the 14<sup>th</sup> Civil District.  
**Sullivan County Planning**
  
- (2) File No. 05/02/03 Robert Combs  
Reclassify A-1 property at 433 Rock Lane to M-1 for the purpose of allowing for future commercial use. Property identification No. Tax map 125, Parcel part of 4.00 located in the 16<sup>th</sup> Civil District. **Sullivan County Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING #05/02/01

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

Property Owner Loyd Maughter  
Address 380 Beechwood Dr  
Kpt. Ln 37663  
Phone 239-3939 Date of Request 4-25-02  
Property Located in 14th Civil District  
[Signature]  
Signature of Applicant

OFFICE USE ONLY  
Meeting Date 6-18-02 Time 7:00 p.m.  
Place 2nd Floor - Courthouse  
.....  
Planning Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_  
County Commission Approved X  
Denied \_\_\_\_\_  
Other Roll Call Vote 19 AYE, 4 ABSENT  
Final Action Date 07/15/02

PROPERTY IDENTIFICATION

Tax Map 107 Group \_\_\_\_\_ Parcel 150.10  
Zoning Map 25 Zoning District R-1 Proposed District B-3  
Property Location Fort Henry Dr / Beechwood Dr.  
Purpose of Rezoning For future commercial development

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 25th day of April 2002.  
[Signature]  
Notary Public

My Commission Expires: 12-20-03

**Sullivan County  
Board of County Commissioners  
Staff Comments – July 15, 2002**

**AGENDA ITEM # 1**

**File No.** 03/02 #1  
**Property Owner:** Loyd Slaughter- *Midway Auto & Sales*  
**Tax ID:** Map 107, Parcel 150.10  
**Reclassify:** R-1 to B-3  
**Civil District:** 14<sup>th</sup>  
**Location:** Fort Henry Drive and Beechwood Drive, Kingsport  
**Purpose:** For future commercial development/expansion  
**Surrounding Zoning:** B-3, R-1, R-2  
**PC 1101 Zone:** Sullivan County Planned Growth Area

**Neighborhood Opposition/Support:**

Staff did not receive any opposition prior to the meeting; however Mr. Dixon, neighbor, called staff and wanted to make sure the land would not become a night club. Ms. Torbett explained that the ordinance limits and prohibits land uses that create objectionable noise and vibrations. Late night noises should be controlled. Moreover, this use was not the objective of the applicant.

**Staff Field Notes/Recommendation:**

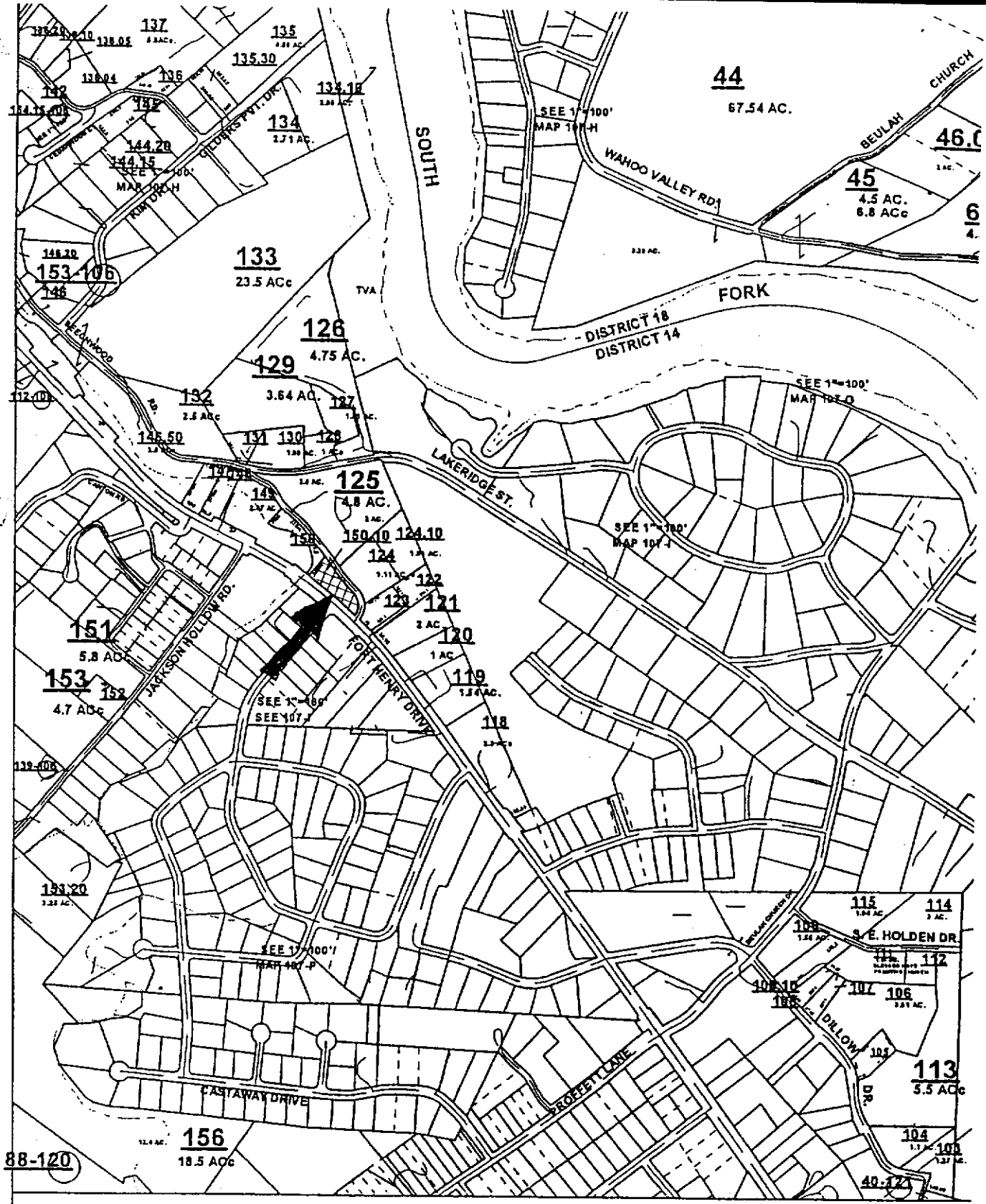
According to the property assessor's records, the commercial building has been on site prior to the adoption of county zoning. The auto shop building dates back to 1986. The site is about ½ acre +/- and the building and site does not meet the current setbacks and requirements of a commercial district. However, even with a rezoning to the appropriate district for the use, the property improvements would be still classified as legal but non-conforming (grandfathered in). Staff recommends approval of this rezoning as the property is located in the planned growth area, public utilities are available, the site is on a major arterial road, and it is contiguous with an existing and established B-3 district. Any expansion of the site would have to conform to current B-3 zoning requirements.

**Comments at Planning Commission Meeting:**

Mr. Slaughter was present.

<b>Sullivan County Regional Planning Commission Action: June 18, 2002</b>	
Approval: Mullins, Selby – staff recommendation – passed unanimously	
Denial:	Reason for denial:
Defer:	Reason for deferral:

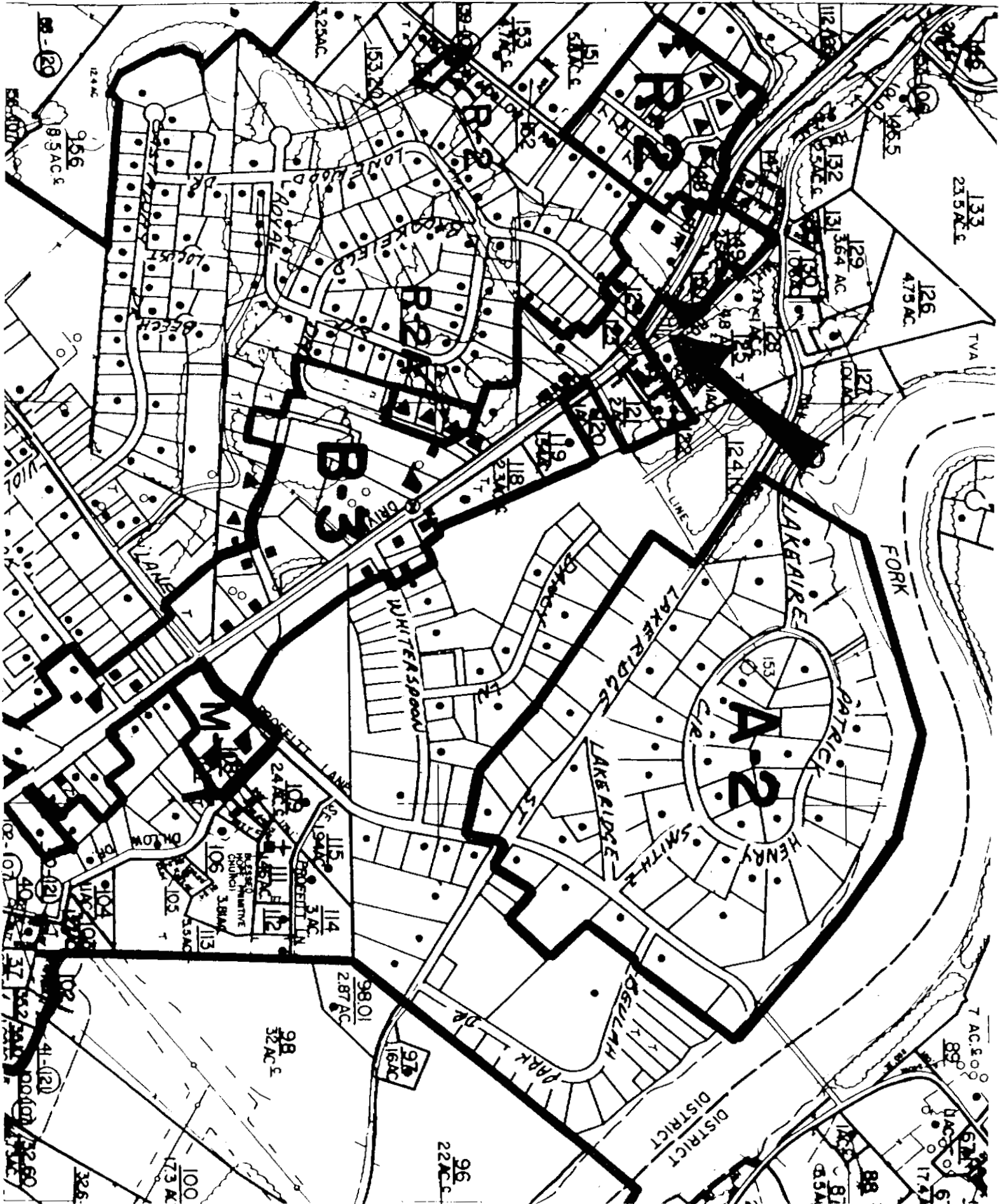
<b>Sullivan County Board of County Commission Action: July 15, 2002</b>	
Approval: Roll Call Vote 19 AYE, 4ABSENT	
Denial:	Reason for denial:
Defer:	Reason for deferral:



printed by  
**Courthouse Retrieval System, Inc.**

<http://www.crsdata.net>  
 print date: 07/13/2000

**S**



PETITION TO SULLIVAN COUNTY FOR REZONING #05/02/03

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

Property Owner Robert Combs  
Address 433 Rock Lane  
Piney Flats, TN 37686  
Phone 423-391-0300 Date of Request 5/14/02  
Property Located in 16th Civil District  
+ Robert Combs  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 6-18-02 Time 2:00 PM  
Place 2nd Floor - Courthouse  
Main St.  
Planning Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_  
County Commission Approved X  
Denied \_\_\_\_\_  
Other Roll Call Vote 19AYE, 4ABSENT  
Final Action Date 07/15/02

PROPERTY IDENTIFICATION

Tax Map 125 Group \_\_\_\_\_ Parcel 4.00 (Part 9)  
Zoning Map 27 Zoning District A-1 Proposed District M-1  
Property Location Rock Lane

Purpose of Rezoning Future commercial use

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.

+ Robert Combs

Sworn to and subscribed before me this 14th day of May, 2002.

Debbie K. Glaser  
Notary Public

My Commission Expires: 12-20-03



**Sullivan County  
Board of County Commissioners  
Staff Comments – July 15, 2002**

**AGENDA ITEM # 2**

**File No.** 03/02 #3  
**Property Owner:** Robert Combs  
**Tax ID:** Map 125, Parcel 4.00 – part of – 2 tracts  
**Reclassify:** A-1 to M-1  
**Civil District:** 16<sup>th</sup>  
**Location:** Rock Lane, adjacent to established Tri-County Industrial Park  
**Purpose:** Future Commercial Use  
**Surrounding Zoning:** A-1, M-1  
**PC 1101 Zone:** Sullivan County Planned Growth Area

**Neighborhood Opposition/Support:**

Staff did not receive any opposition prior to the meeting.

**Staff Field Notes/Recommendation:**

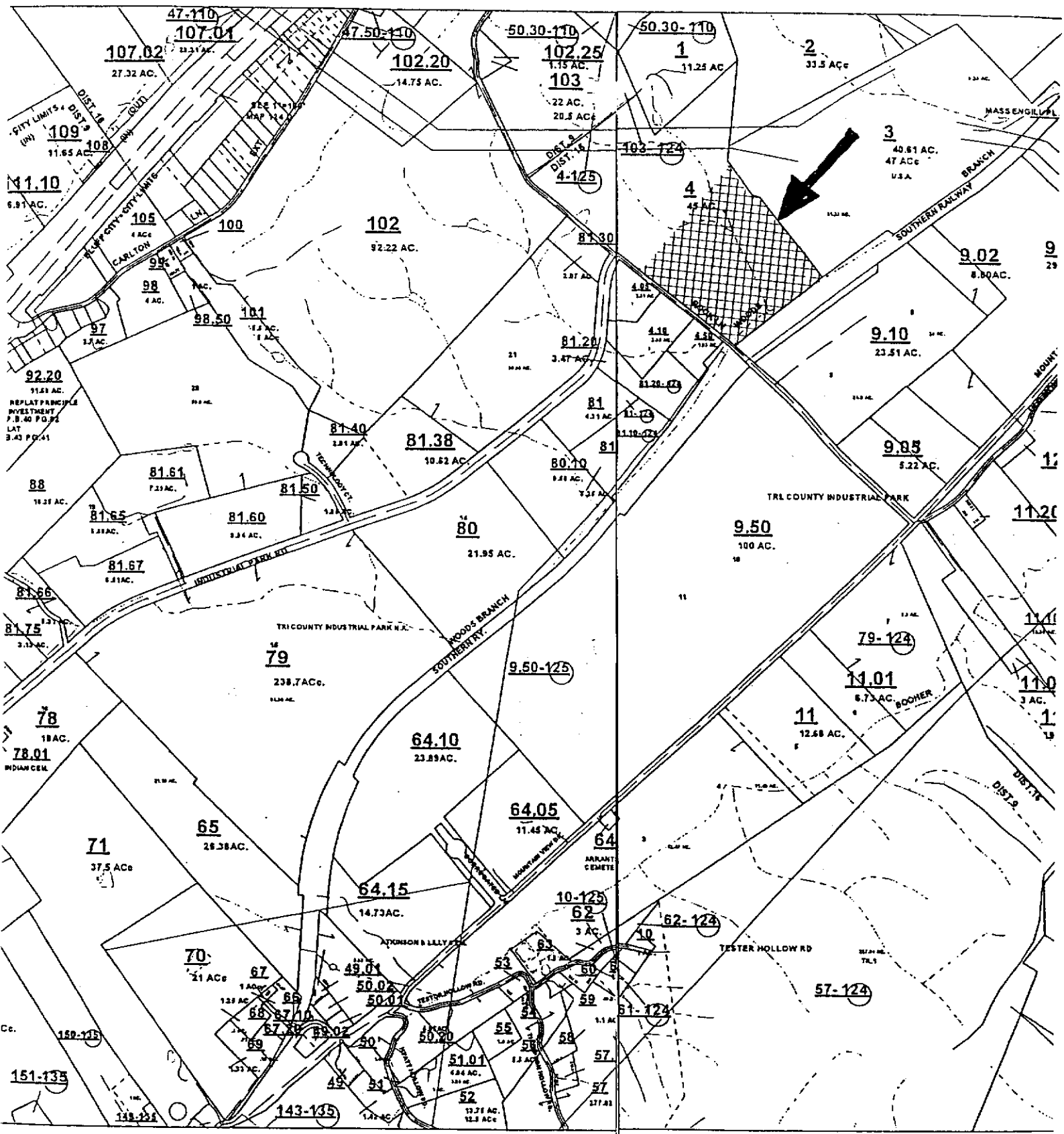
The site is approximately 10 acres or more, based upon a survey by Holbrook. The site is bounded by the TVA substation to the rear (NE), the Norfolk Southern Railroad to the right (SE), the Bristol Sewer pump station to the front ((SW) and other industrial sites as part of the park. The other tracts of land, part of this Goodman Heirs Survey, will remain as A-1 at this time. The site is wooded along the property lines with an existing abandoned dwelling. Staff recommends approval of this rezoning as the property is within the county planned growth area, necessary infrastructure and sewer are provided to meet potential manufacturing and commercial land uses, the site is contiguous with an existing and established M-1 zoning district, and no opposition was expressed. All permitted uses within the M-1 district are restricted against noxious fumes and odor, obnoxious or unsafe noise and vibrations, smoke, gases, dust, fire hazard or other objectionable conditions.

**Comments at Planning Commission Meeting:**

Steve Leonard and Robert Combs were present, explaining that the proposed use will be Municipal Industrial Services Incorporation. A facility that cleans out drains at other businesses.

<b>Sullivan County Regional Planning Commission Action: June 18, 2002</b>	
<b>Approval: Mullins, Settle, staff recommendation – passed unanimously</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for deferral:</b>

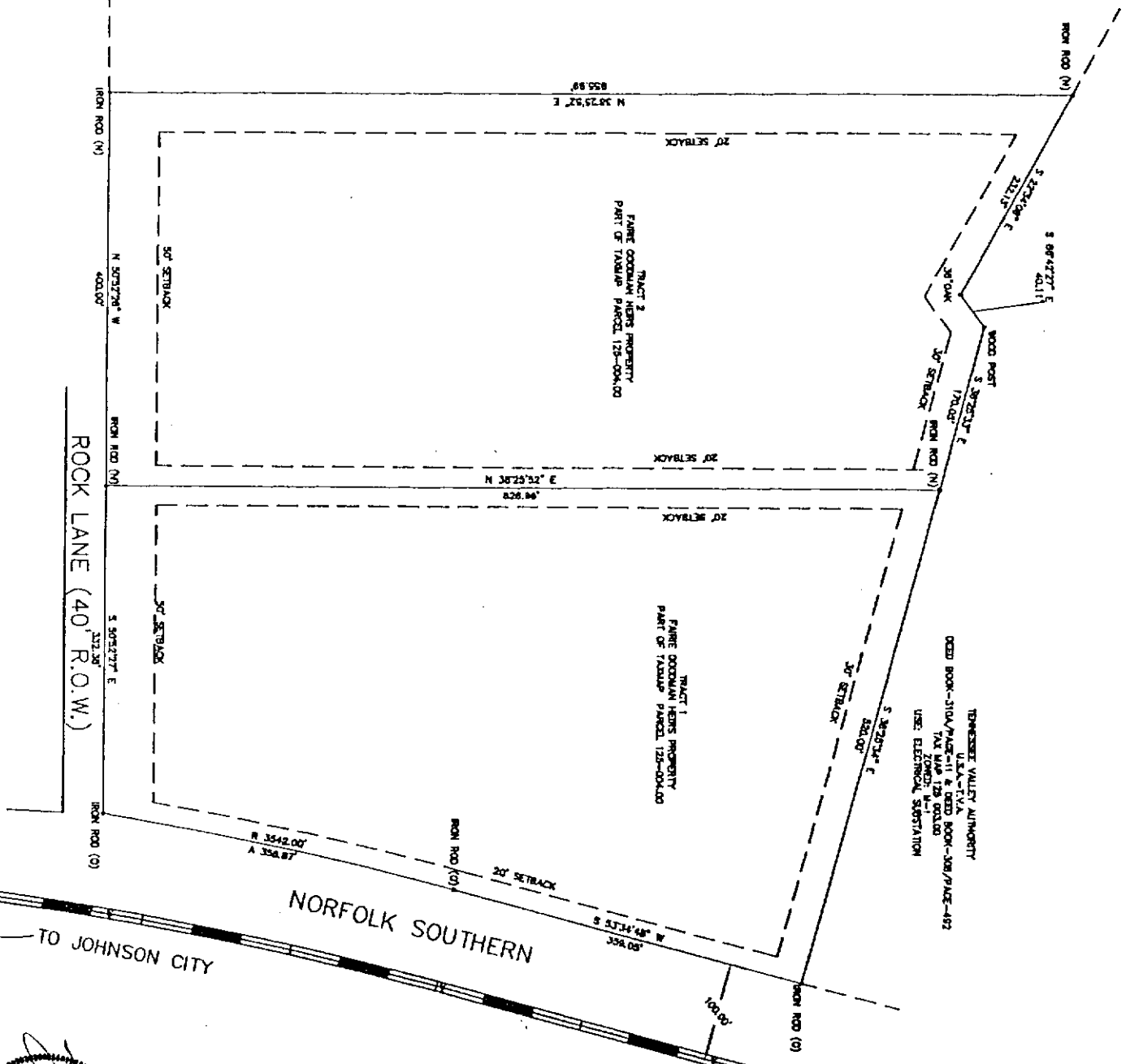
<b>Sullivan County Board of County Commission Action: July 15, 2002</b>	
<b>Approval: Roll Call Vote 19 AYE, 4 ABSENT</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for deferral:</b>



109	110	111
123	124	125
134	135	136

**MAP No.**  
**124**

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**Courthouse Retrieval System**  
<http://www.crsdata.net>  
print date: 07/13/2000



TENNESSEE VALLEY AIRPORT  
 OLD BOOK-3104 PLAT 1 & 2 BOOK-308 PAGE-482  
 T&E VIA BOOK-308 PAGE-482  
 ZONED M-1  
 USE: ELECTRONIC STATION

TRACT 2  
 FARM OGDUM HENS PROPERTY  
 PART OF TADDAH PARCEL 125-004.00

TRACT 1  
 FARM OGDUM HENS PROPERTY  
 PART OF TADDAH PARCEL 125-004.00

ROCK LANE (40' R.O.W.)

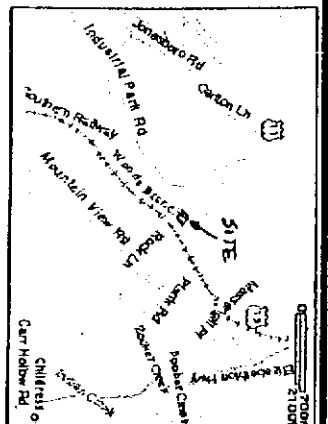
NORFOLK SOUTHERN

TO JOHNSON CITY

TO BRISTOL



LOCATION MAP (N.T.S.)

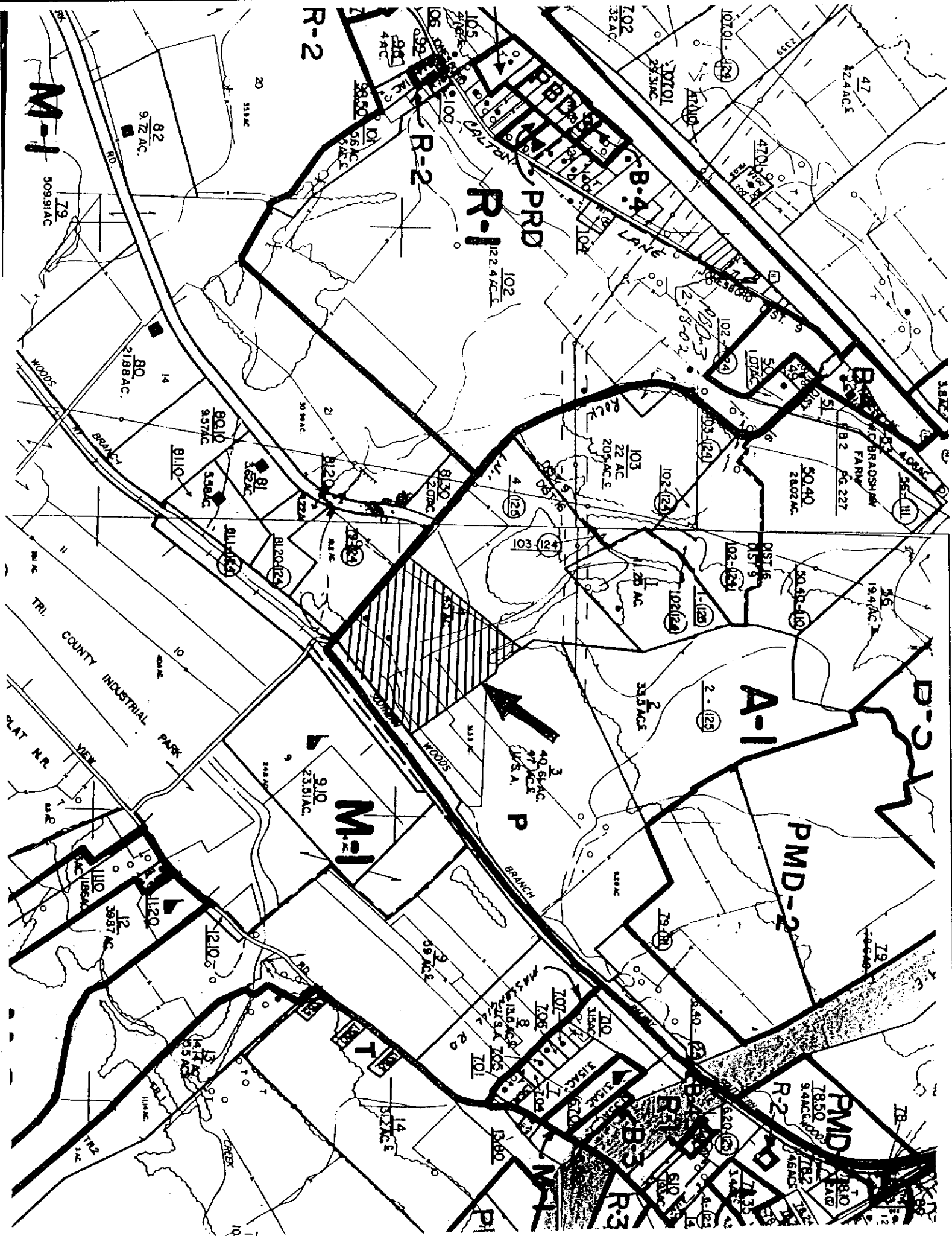


**BACKGROUND:**  
 SABBATH & SPOON EYAL, CONNECTED TO ROBERT COATES  
 BY DEED DATED JANUARY 20, 1922 RECORDED IN  
 BOOK 100 PAGE 100  
 REFERENCE PLAT  
 PLAT OF SURVEY BY GAMER LAND SURVEYING  
 DATED 11-2-2001  
 TITLED: FARM OGDUM HENS PROPERTY

**HOLBROOK SURVEYORS**

118 SOLAN STREET  
 BRISTOL, TENNESSEE 37620  
 PHONE: (778) 688-4050 FAX: (778) 688-4818  
 MUNICIPAL INDUSTRIES SUPPORT SERVICES, LLC

DATE	04/29/02	LOCATED ON THE NORTH SIDE
DATE	04/29/02	OF ROCK LANE
DATE	04/29/02	SULLYVA COUNTY, TENNESSEE
DATE	04/29/02	18TH CIVIL DISTRICT



RESOLUTIONS ON DOCKET FOR JULY 15, 2002

RESOLUTIONS	ACTION
#1 THE SULL. CO. BOARD OF COMM. TO CONSIDER AMENDMENTS TO THE SULL. CO. ZONING RESOLUTIONS AS AMENDED	APPROVED 07/15/02
#2 IMPLEMENTING FULL PARTICIPATION IN DIRECT DEPOSIT	DEFERRED 07/15/02
#3 AUTHORIZING THE SULLIVAN COUNTY EDUCATE AND GROW SCHOLARSHIP PROGRAM AT N.E. STATE TECHNICAL COMMUNITY COLLEGE	APPROVED 07/15/02
#4 RESCINDING RES. #2 APPROVED MAY 20, 2002 RE-ESTABLISHING BOARD OF PUBLIC UTILITIES	DEFERRED 07/15/02
#5 ACCEPTING & APPROPRIATING A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT	APPROVED 07/15/02
#6 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 22 <sup>ND</sup> C.D.	APPROVED 07/15/02
#7 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 15 <sup>TH</sup> C.D.	APPROVED 07/15/02
#8 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 10 <sup>TH</sup> C.D.	APPROVED 07/15/02
#9 AMENDING BUDGET FOR STATE FUNDS ACCEPTED THROUGH THE TENN. EMERGENCY MANAGEMENT AGENCY	APPROVED 07/15/02
#10 AMENDING SHERIFF'S APPROP. FOR FEDERAL FUNDS	APPROVED 07/15/02
#11 AUTHORIZING DISPOSITION OF EAST CHEROKEE SCHOOL PROPERTY	1 <sup>ST</sup> READING 07/15/02
#12 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 21 <sup>ST</sup> C.D.	1 <sup>ST</sup> READING 07/15/02
#13 AUTHORIZING THE COUNTY EXECUTIVE TO NEGOTIATE A LEASE FOR A SULLIVAN COUNTY E.M.S. BASE OF OPERATIONS	APPROVED 07/15/02
#14 APPROPRIATING FUNDING FOR A GROUP TERM LIFE INSURANCE PLAN FOR SULLIVAN COUNTY RETIREES	1 <sup>ST</sup> READING 07/15/02
#15 AUTHORIZING SULLIVAN COUNTY TO RETAIN SERVICES OF OUTSIDE LEGAL COUNSEL RELATIVE TO COLLECTION OF MONIES DUE FROM FEDERAL GOVERNMENT (MEDICARE)	1 <sup>ST</sup> READING 07/15/02



QUESTIONS BEFORE THE COMM.

No 1/2 No 2 No 3 Appt. Mike Roche

NAMES OF COMMISSIONERS	No 1/2		No 2		No 3		Appt. Mike Roche		No 4		No 5		No 6	
	Aye	Day	Aye	Day	Aye	Day	Aye	Day	Aye	Day	Aye	Day	Aye	Day
CAROL J. BELCHER	✓				✓		✓							
JAMES R. "JIM" BLALOCK	✓				✓		✓							
BRYAN K. BOYD	✓				✓		✓							
JUNE CARTER	✓				✓		P							
FRED CHILDRESS	✓				✓		✓							
O. W. FERGUSON	✓				✓		✓							
MIKE GONCE	✓				✓		✓							
CLYDE GROSECLOSE, JR.	A				✓		✓							
RALPH P. HARR	✓				✓		✓							
DENNIS HOUSER	A				A		A							
MARVIN HYATT	✓				✓		✓							
SAMUEL JONES	✓				✓		✓							
ELLIOTT KILGORE	✓				✓		✓							
JAMES "BUDDY" KING	✓				✓		✓							
JAMES L. KING, JR.	A				A		A							
WAYNE MCCONNELL	✓				✓		✓							
WILLIAM H. "JOHN" MCKAMEY	✓				✓		✓							
PAUL MILHORN	✓				✓		✓							
RANDY MORRELL	✓				✓		✓							
HOWARD PATRICK	✓				✓		✓							
ARCHIE PIERCE	✓				✓		✓							
<del>MICHAEL B. SURGENOR</del>														
MARK A. VANCE	✓				✓		✓							
EDDIE WILLIAMS	✓				✓		✓							

20 Aye  
3 absent

20 Aye  
1 may  
2 abs

20 Aye  
1 may  
1 abs





QUESTIONS BEFORE THE COMM.

13

NAME(S) OF COMMISSIONERS	Do		Do		Do		Do		Do		Do		Do	
	Apr	May	Apr	May	Apr	May	Apr	May	Apr	May	Apr	May	Apr	May
CAROL J. BELCHER	✓													
JAMES R. "JIM" BLALOCK	✓													
BRYAN K. BOYD	✓													
JUNE CARTER	✓													
FRED CHILDRESS	✓													
O. W. FERGUSON	✓													
MIKE GONCE	✓													
CLYDE GROSECLOSE, JR.	✓													
RALPH P. HARR	✓													
DENNIS HOUSER	✓													
MARVIN HYATT	✓													
SAMUEL JONES	✓													
ELLIOTT KILGORE	✓													
JAMES "BUDDY" KING	✓													
JAMES L. KING, JR.	✓													
WAYNE MCCONNELL	✓													
WILLIAM H. "JOHN" MCKAMEY	✓													
PAUL MILHORN	✓													
RANDY MORRELL	✓													
HOWARD PATRICK	✓													
ARCHIE PIERCE	✓													
<del>MICHAEL B. SURGENOR</del>														
MARK A. VANCE	✓													
EDDIE WILLIAMS	✓													

21  
215

Sullivan County, Tennessee  
Board of County Commissioners

No. 1  
2002-07-00

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15<sup>th</sup> day of July 2002.

**RESOLUTION AUTHORIZING the Board of County Commissioners 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 15<sup>th</sup> day of July 2002.

Attested: Jeannie Gammon 7/15/02 Approved: Gil Hodges 07-15-02  
County Clerk Date County Executive Date

Introduced By: Commissioner: Belcher  
Seconded By: Commissioner(s): Ferguson

2002-07-00	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02 Voice Vote

Comments: Motion made by Comm. Blalock and seconded by Comm. Hyatt to approve.

Sullivan County, Tennessee  
Board of County Commissioners

No. 2  
AMENDED  
Budget Committee  
2002-05-51

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 20<sup>th</sup> day of May 2002.

**RESOLUTION Implementing Full Participation in Direct Deposit**

WHEREAS, in 1999, Sullivan County initiated the direct deposit system of payroll for employees, since that time approximately 85% of full-time employees have opted to participate; and,

WHEREAS, at present, many of the county departments are at 100% participation in the direct deposit payroll system; and,

WHEREAS, it would be more efficient and serve the remainder of county employees better to discontinue the issuance of payroll checks and implement full participation in the direct deposit payroll system.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the payroll department to discontinue the issuance of payroll checks (for all employees not currently participating in the Direct Deposit program) under the supervision of the Highway, General, Solid Waste and Health Funds, effective the first pay period 30 days after the passage of this resolution.**

**[BE IT FURTHER RESOLVED that this policy is to cover all employees including the County Commission effective September 1, 2002.]**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

Attested: \_\_\_\_\_ Date \_\_\_\_\_ Approved: \_\_\_\_\_ Date \_\_\_\_\_  
County Clerk County Executive

**Introduced By Commissioner: Gonce**

**Seconded By Commissioner(s): Harr**

alt

2002-05-51	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Deferred 5-9-02		

Comments: Deferred 05/20/02; Amendment made 06/17/02 by Comm. Harr "that employees be able to withdraw their funds from the bank that same day at no charge to the employee"; Motion made 06/17/02 by Hyatt, second by Belcher to defer- motion to defer approved by voice vote.; Deferred 07/15/02;

Sullivan County, Tennessee  
Board of County Commissioners

3  
No. 10  
Budget Committee  
2002-06-80

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 17<sup>th</sup> day of June 2002.

**RESOLUTION Authorizing the Sullivan County Educate and Grow Scholarship Program at Northeast State Technical Community College**

WHEREAS, costs of tuition are increasing and there are students from Sullivan County's high schools (including city schools and home school graduates) enrolling annually at Northeast State Technical Community College; and,

WHEREAS, Sullivan County wishes to offer these students an incentive for obtaining additional education by attending Northeast State Technical Community College; and ,

WHEREAS, providing an educated workforce will assist in the economic development endeavors of Sullivan County;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby appropriate two hundred thousand dollars (\$200,000.00) in funding to provide education incentives for all students graduating from Sullivan County high schools, including city schools and home school graduates, attending Northeast State Technical Community College. Said funding to be appropriated in the FY 2002-2003 Budget.**

**BE IT FURTHER RESOLVED that the students must meet all criteria/requirements for the "Sullivan County Educate and Grow Scholarship Program" defined by Northeast State Technical Community College including parental residency requirements.**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this 15th day of July 2002.

Attested: Joanie Cannon 7/15/02 Approved: Gil Hodges 7-15-02  
County Clerk Date County Executive Date

Introduced By Commissioner: Jones  
Seconded By Commissioner(s): Blalock, Patrick, Vance

2002-06-80	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02 20 - AYE, 1 - NAY, 2 - ABSENT

Comments: 1st Reading 06/17/02;

Sullivan County, Tennessee  
Board of County Commissioners

4  
No. 24

Administrative/Executive Committee  
2002-06-88

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 17<sup>th</sup> day of June, 2002.

**RESOLUTION Rescinding Resolution No. 2 Approved May 20, 2002 Re-Establishing Board of Public Utilities**

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2 on May 20, 2002 reestablishing the Board of Public Utilities for Sullivan County;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby rescind Resolution No. 2 approved by the Board of Commissioners on May 20, 2002 and further direct that all matters pertaining to sewer issues be addressed to the Sullivan County Administrative Committee who shall forward any recommendations to the County Executive.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists. Duly passed and approved this \_\_\_\_ day of \_\_\_\_\_ 2002.

Attested: \_\_\_\_\_  
County Clerk Date

Approved: \_\_\_\_\_  
County Executive Date

**Introduced By: Commissioner: Vance**  
**Seconded By: Commissioner(s): Boyd**

tr

2002-06-88	Administrative	Budget	Executive	County Commission
ACTION				

Comments: Waiver of Rules Requested  
1st Reading 06/17/02; Motion made to defer by Hyatt, 2nd by Morrell-motion failed by roll call vote 07/15/02; Amendment made by Gonce, 2nd by Blaiock and accepted by sponsor as follows "To adopt the powers of TCA relative to Public Utilities and that these powers and duties be assigned to the administrative committee" this 15th day of July '02. Motion was then made by Harr and 2nd by Patrick to defer-Motion to defer was approved by voice vote of Commission 07/15/02;

Sullivan County, Tennessee  
Board of County Commissioners

No. 5  
Budget Committee  
2002-07-90

To the Honorable Gil Hodges, County Executive, and the Members of the Sullivan County Board of Commissioners in Regular Session this 15th day of July, 2002.

**RESOLUTION Accepting and Appropriating a Federal Emergency Management Agency (FEMA) Grant**

WHEREAS, Sullivan County has recently been awarded a FEMA grant in the amount of \$43,700 to prepare and maintain a Flood Hazard Mitigation Plan through the cooperation of the Sullivan County Land Use Department and the Sullivan County Emergency Management Agency; and

WHEREAS, said grant is funded with seventy-five (75%) or (\$32,775) being provided by FEMA and twenty-five (25%) or (\$10,925) being the local share which will be funded through existing funds with **no new money being requested.**

**NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the acceptance of said grant for the establishment and maintenance of a Flood Hazard Mitigation Plan and appropriates the \$32,775 to the following General Fund account:**

**54430.700 pgm 131**

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

Duly passed and approved this 15th day of July, 2002.

Attested: Jeannie Gammara County Clerk 7/15/02 Gil Hodges County Executive 7/15/02

**Introduced By Commissioner: Williams**  
**Seconded By Commissioner(s): Harr**

2002-07-90	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02 20A, 3Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

No. 6  
Executive Committee  
2002-07-91

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15 day of July, 2002.

**RESOLUTION authorizing Traffic Sign Changes in the 22<sup>nd</sup> Civil District**

WHEREAS, the Sullivan County Highway Department has been requested that the following changes be made to traffic signs;

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

Civil District: 22<sup>nd</sup>

**Place a STOP Sign and a 25 MPH Speed Limit Sign on Austin Drive at V.I. Ranch Road.**

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

Duly passed and approved this 15th day of July, 2002.

Attested: Janie Hammon 7/15/02 Approved: Gil Hodges 7-15  
County Clerk Date County Executive Date

Introduced By Commissioner: Morrell

Seconded By Commissioner(s): Hyatt

2002-07-91	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02
				20 Aye, 3 Absent

Comments

Sullivan County, Tennessee  
Board of County Commissioners

No. 7  
Executive Committee  
2002-07-92

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15<sup>th</sup> day of July, 2002.

**RESOLUTION Authorizing Traffic Sign Changes in the 15<sup>th</sup> Civil District**

WHEREAS, the Sullivan County Highway Department has been requested that the following changes be made to traffic signs;

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

Civil District: 15<sup>th</sup>

**Place a 35 MPH Speed Limit Sign on Murrell Road.**

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

Duly passed and approved this 15<sup>th</sup> day of July, 2002.

Attested: Janie Hammon 7/15/02 Approved: Gil Hodges 07-15-02  
County Clerk Date County Executive Date

**Introduced By Commissioner: Williams**  
**Seconded By Commissioner(s): Childress**

2002-07-92	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02

20 Aye, 3 Absent

Comments



Sullivan County, Tennessee  
Board of County Commissioners

No. 8  
Executive Committee  
2002-07-93

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15<sup>th</sup> day of July, 2002.

**RESOLUTION Authorizing Traffic Sign Changes in the 10<sup>th</sup> Civil District**

WHEREAS, the Sullivan County Highway Department has been requested that the following changes be made to traffic signs;

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

Civil District: 10<sup>th</sup>

**Place a NO PARKING Sign on Morsby Court.**

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

Duly passed and approved this 15<sup>th</sup> day of July, 2002.

Attested:

*Janie Damma*  
County Clerk  
Date: 7/15/02

Approved:

*Gil Hodges*  
County Executive  
Date: 07-15-02

Introduced By Commissioner: Patrick

Seconded By Commissioner(s): Gonce; Blalock

all

2002-07-02	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02 20A, 3Absent

Comments

Sullivan County, Tennessee  
Board of County Commissioners

No. 9  
Budget Committee  
2002-07-94

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15<sup>th</sup> day of July 2002.

**RESOLUTION Amending Budget for State Funds Accepted Through the Tennessee Emergency Management Agency**

WHEREAS, on April 15, 2002, the Sullivan County Board of County Commissioners approved Resolution No. 2002-03-39 accepting a grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency in the amount of \$102,016.85.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve appropriating the state funds accepted through the Tennessee Emergency Management Agency in the amount of \$102,016.85 to be used for equipment purchases. Account codes as follows:

From: 46290 \$ 102,016.85  
To: 54430.700 \$ 102,016.85

**WAIVER OF THE RULES REQUESTED**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists. Duly passed and approved this 15<sup>th</sup> day of July 2002.

Attested: Jeanie Gammon 7/15/02 Approved: Gil Hodges 7/15/02  
County Clerk Date County Executive Date

Introduced By Commissioner: Houser  
Seconded By Commissioner(s): Williams

2002-07-94	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02, 21A, Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

No. 10  
Budget Committee  
2002-07-95

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15<sup>th</sup> day of July 2002.

**RESOLUTION Amending Sheriff's Appropriation for Federal Funds**

WHEREAS, the Sullivan County Sheriff's Office shares in certain Federal Forfeiture Funds and has received checks in Cases 2-92-426-1-2 in the amount of \$6,037.50 and 2-92-426 in the amount of \$5,953.70 from the U.S. Marshals Service; and,

WHEREAS, the Sheriff's Office desires to spend these funds in accordance with federal guidelines.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the appropriation of said funds to the Sullivan County Sheriff's Office to be used in accordance with federal guidelines. Account codes assigned by the Director of Accounts and Budgets are as follows:**

From: 47990 PGM 912  
To: 54110.700 PGM 912

**WAIVER OF THE RULES REQUESTED**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this 15th day of July 2002.

Attested: Jeanie Hammon 7/15/02 Approved: Gil Hodges 07-15-02  
County Clerk Date County Executive Date

Introduced By Commissioner: Harr  
Seconded By Commissioner(s): McKamey

2002-07-95	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02, 21A, Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

No. 11  
Executive Committee  
2002-07-96

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15<sup>th</sup> day of July, 2002.

**RESOLUTION Authorizing Disposition of East Cherokee School Property**

WHEREAS, the Sullivan County Board of Education previously voted to close East Cherokee School effective at the end of the 2001-2002 school year; and

WHEREAS, the property upon which East Cherokee School is located is titled in the name of Sullivan County, Tennessee by virtue of Deed dated March 29, 1950 from T.J. Stewart and wife, Lillie E. Stewart to Sullivan County, Tennessee of record in the Register's Office for Sullivan County at Bristol, Tennessee in Deed Book 92, at Page 36; and

WHEREAS, the aforesaid Deed conveying the subject property to Sullivan County contains language as follows: "It is understood and agreed that the parties of the first part shall have the right to repurchase said property, in the event it should cease to be used for school purposes, at a price of \$382.50."; and

WHEREAS, T.J. Stewart and wife, Lillie E. Stewart subsequently sold the remainder of their property together with the right to repurchase the property previously sold to Sullivan County to Arnold H. Noe and wife, Pauline Noe who subsequently sold said remaining property and right to repurchase to Earl R. Thacker and wife, Mary Ellen Thacker who subsequently sold same, including the right to repurchase the property sold by the Stewarts to Sullivan County, to Cleveland William Potter and wife, Malonda Bertha Potter in 1962. Cleveland William Potter is deceased; however, Malonda Bertha Potter, widow, still holds the right to repurchase the East Cherokee School Property for the sum of \$382.50 pursuant to the terms of the Deeds; and

WHEREAS, although members of the community have discussed the possibility of maintain the property as a community center, it has been determined that the community would be unable to keep the property up over the years; and

WHEREAS, it would be in the best interest of Sullivan County to dispose of this property such that it will be placed back on the tax rolls;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the sale of the East Cherokee School Property to Malonda Bertha Potter for the sum of \$382.50 pursuant to the terms of the option language contained in the original Deed to Sullivan County. In the event Malonda Bertha Potter chooses to repurchase said property, said sale shall be effective as of January 1, 2003.**

**BE IT FURTHER RESOLVED that upon receipt by Sullivan County of the sum of \$382.50 from Malonda Bertha Potter, the Sullivan County Executive is hereby authorized to execute a Deed on behalf of Sullivan County conveying said property to Malonda Bertha Potter.**

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

Duly passed and approved this \_\_\_\_ day of \_\_\_\_\_ 2002.

Attested: \_\_\_\_\_  
County Clerk Date

Approved: \_\_\_\_\_  
County Executive Date

**Introduced By: Commissioner: R. Morrell**  
**Seconded By: Commissioner(s): M. Hyatt**

ut

2002-07-96	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 07/15/02;

Sullivan County, Tennessee  
Board of County Commissioners

No. 12  
Executive Committee  
2002-07-97

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15<sup>th</sup> day of July 2002.

**RESOLUTION Authorizing Traffic Sign Changes in the 21<sup>st</sup> Civil District**

WHEREAS, the Sullivan County Highway Department has been requested that the following changes be made to traffic signs;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following traffic sign changes in the 21<sup>st</sup> Civil District:

Place a 25 MPH Speed Limit Sign on Boyd Lane in Quailfield Subdivision.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

Attested: \_\_\_\_\_  
County Clerk Date

Approved: \_\_\_\_\_  
County Executive Date

**Introduced By Commissioner: Morrell**

**Seconded By Commissioner(s): Hyatt**

all

2002-07-97	Administrative	Budget	Executive	County Commission
ACTION				

Comments 1st Reading 07/15/02;

**SULLIVAN COUNTY  
HIGHWAY DEPARTMENT**

P.O. BOX 590  
BLOUNTVILLE, TENNESSEE 37617

*Attachment  
2002-07-97*

**John R. LeSueur, Jr.**  
*Commissioner of Highways*

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

July 11, 2002

COMMISSIONER: Randy Morrell

Dear Commissioner:

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

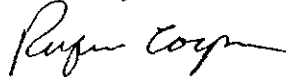
To place a 25 MPH SPEED LIMIT on Boyd Lane in Quailfield Subdivision.

Request made by Commissioner Randy Morrell.

This is in the 21<sup>st</sup> Civil District.

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

Sincerely,



Rufus Cooper  
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee  
Board of County Commissioners

No. 13  
Administrative/Budget Committee  
2002-07-98

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15<sup>th</sup> day of July 2002.

**RESOLUTION Authorizing the County Executive to Negotiate a Lease for a Sullivan County E.M.S. Base of Operations**

WHEREAS, in May 2002, the Board of County Commissioners approved Resolution No. 2002-03-38 authorizing the County Executive to expend funds and negotiate a lease with the Bluff City Rescue Squad to house a base of operations for the Sullivan County E.M.S.; and,

WHEREAS, the E.M.S. Department has experienced delays in occupying the space and to date no funds have been expended on the renovation project; and,

WHEREAS, a building has become available which would be more viable than the renovation project within the Bluff City Rescue Squad building; and,

WHEREAS, the Sullivan County E.M.S. Department wishes to pursue obtaining a minimum three year lease of this building.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Executive and Purchasing Agent to negotiate and sign a Lease with the buildings current owner to secure the building for use by the Sullivan County E.M.S. to house a base of operations.

**BE IT RESOLVED** that the terms of the negotiated lease shall be a minimum of three years at a cost of \$1,000.00 per month with all utility expenses and general maintenance being the responsibility of the Sullivan County E.M.S. Department and all major repairs and exterior building maintenance being the responsibility of the building owner.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed and approved this 15<sup>th</sup> day of July 2002.

Attested: *Jeannie Sammons* 7/15/02 Approved: *Gil Hodges* 07-15-02  
County Clerk Date County Executive Date

Introduced By Commissioner: McKamey

Seconded By Commissioner(s): Hyatt

ah

2002-07	Administrative	Budget	Executive	County Commission
ACTION				Approved 07/15/02 21A, Absent

Comments 07/15/02- Let the records reflect, per County Attorney Dan Street, "if we haven't signed the other lease (May 2002), not to sign it and if we have, give them 60 day notice".

Sullivan County, Tennessee  
Board of County Commissioners

No. 14  
Budget/Executive Committee  
2002-07-99

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15<sup>th</sup> day of July 2002.

**RESOLUTION Appropriating Funding for a Group Term Life Insurance Plan for Sullivan County Retirees**

WHEREAS, at this time upon retirement, county employees cease to be eligible for life insurance benefits under the county's basic and voluntary life insurance plans; and,

WHEREAS, the county would like to be able to provide retirees with a group term life insurance plan in the amount of ten thousand dollars (\$10,000) per retiree at an estimated annual cost to the county of \$142.50 per retiree; and,

WHEREAS, in the FY 2001-2002, Sullivan County had 15 employees retire; and based upon those numbers, Canada Life Insurance has estimated an annual cost of \$1,710.00 for \$10,000 worth of coverage per retiree.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Purchasing Agent to solicit or negotiate bids for a Group Term Life Insurance Policy for retirees with a minimum of \$10,000 coverage per retiree. Not to exceed an annual cost of \$150.00 per retiree.**

**BE IT RESOLVED that the costs of insurance benefits will be appropriated from the Employee Benefit Fund with the individual departments being charged back costs for their respective retirees.**

**BE IT RESOLVED that the County Executive and Purchasing Agent be authorized to execute any contracts regarding this matter.**

**BE IT FURTHER RESOLVED that this policy shall apply to all employees retiring after July 1, 2002.**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

Attested: \_\_\_\_\_  
County Clerk Date

Approved: \_\_\_\_\_  
County Executive Date

**Introduced By Commissioner: King (Buddy)**  
**Secunded By Commissioner(s): Ferguson, Kilgore, McConnell, Pierce**

2002-07-99	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 07/15/02;



Sullivan County, Tennessee  
Board of County Commissioners

No. 15  
Budget Committee  
2002-07-100

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15<sup>th</sup> day of July, 2002.

**RESOLUTION Authorizing Sullivan County to Retain Services of Outside Legal Counsel Relative to Collection of Monies Due from Federal Government (Medicare)**

WHEREAS, a lawsuit styled Quality Care Ambulance Service, Inc., et al v. United States of America, et al currently pending in the United States District Court for the Western District of Tennessee, Western Division, has preliminarily ruled that the federal government owes additional monies to ambulance services in the State of Tennessee; and

WHEREAS, Sullivan County is in a similar situation and can make the same claim as the Plaintiffs in the above-reference pending litigation; and

WHEREAS, based on rough figures compiled by the Sullivan County Emergency Medical Service, Sullivan County could recover as much as \$250,000; and

WHEREAS, the attorney representing the Plaintiffs in the above-referenced pending litigation is offering to represent all ambulance services who find themselves in a similar situation;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the County Executive to retain the services of G. Christopher Kelly, Attorney at Law, to represent Sullivan County in this matter and the County Executive is hereby authorized to execute on behalf of Sullivan County the attached Agreement for Legal Representation.**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

Attested: \_\_\_\_\_ Date \_\_\_\_\_ Approved: \_\_\_\_\_ Date \_\_\_\_\_  
County Clerk County Executive

Introduced By: Commissioner: J. Carter  
Seconded By: Commissioner(s): M. Vance

tr

2002-07-100	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 07/15/02;

AGREEMENT FOR LEGAL REPRESENTATION

The undersigned does hereby employee G. Christopher Kelly, Attorney at Law, for all services and representation to pursue payments for damages caused by the failure to timely implement the National Ambulance Fee Schedule (including all payments for mileage and increased base rates from January 1, 2000 to March 31, 2002) in the following legal matter: \_\_\_\_\_ v. Department of Health & Human Services/CMS (your company)

I understand that Christopher Kelly has previously initiated suits for this issue in the States of Tennessee and North Carolina, and I agree that at his discretion Mr. Kelly may include me in these suits, may bring separate suit on my behalf, and/or may pursue my claims for damages through administrative or other avenues of recourse including litigation or settlement.

In consideration of said legal representation the undersigned client hereby agrees that G. Christopher Kelly is entitled to and will be paid a contingent fee of:

- 1) 35 % of the net amount recovered for client in the above referenced matter with client being responsible for all costs of litigation; or
 2) 40% of the net amount recovered for client in the above referenced matter with Mr. Kelly being responsible for all costs of litigation; (net amount is the total gross client recovery minus expenses/costs of litigation. Any statutory attorney's fees or other attorney fees awarded by the Court in addition to any judgment and/or settlement shall be included in the gross recovery of client).

The client agrees to notify Christopher Kelly of any change in address or phone number. Mr. Kelly may withdraw or client may discharge Mr. Kelly at any time upon giving reasonable notice. Should client discharge Mr. Kelly without good cause, client agrees to pay him a reasonable attorney fee for services actually rendered at the billing rate of \$200 per hour. Client shall pay all costs of collection of any unpaid fee or expense, including a reasonable attorney fee.

\_\_\_\_\_  
Title
\_\_\_\_\_  
Company
Address: \_\_\_\_\_
\_\_\_\_\_  
County: \_\_\_\_\_

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

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

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

G. Christopher Kelly, Attorney at Law
(901) 337-6844
(800) 342- 5460 (EMS Consultants, Ltd.)

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR  
SESSION AUGUST 19, 2002.



GIL HODGES

COMMISSION CHAIRMAN

