

COUNTY COMMISSION- REGULAR SESSION

JULY 17, 2006

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, JULY 17, 2006, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND SHERIFF WAYNE ANDERSON OF SAID BOARD OF COMMISSIONERS,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

GARTH BLACKBURN	LINDA K. BRITTENHAM
JAMES "MOE" BROTHERTON	RAY CONKIN
JOHN CRAWFORD	O. W. FERGUSON
CLYDE GROSECLOSE	LARRY HALL
RALPH P. HARR	JOE HERRON
DENNIS HOUSER	MARVIN L. HYATT
	ELLIOTT KILGORE
BUDDY KING	JAMES L. KING, JR.
R. WAYNE MCCONNELL	JOHN MCKAMEY
RANDY MORRELL	HOWARD PATRICK
JACK SITGREAVES	
MARK VANCE	EDDIE WILLIAMS

22 PRESENT 2 ABSENT (Surgenor in at 10:00-Jones absent)

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. Buddy King to approve the minutes of the June 19, 2006 Regular Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS: JULY 17, 2006

THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:

- 1. Maynard Towner concerning Resolution #4 on today's agenda.**

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Confirmation of Appointment

Whereas Sullivan County Mayor, Richard S. Venable, recommends in favor of reappointing Ms. Anita Long to serve an additional term on the Sullivan County Historic Zoning Commission;

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

Sullivan County Historic Zoning Commission

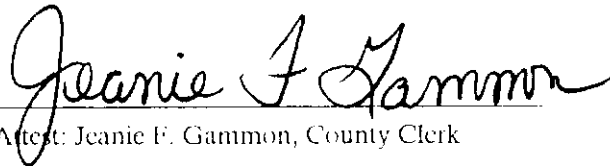
Anita Long

Term: August 2006 - June 2010

Confirmed this 17th day of July 2006.



Richard S. Venable, County Mayor



Attest: Jeanie F. Gammon, County Clerk

Commission Action:

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

AYE	NAY	PASS	ABSENT

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Confirmation of Appointment

Whereas the Sullivan County Library Board recommends the following appointment to their board:

Mr. Glenn E. Calhoun (replacing Larry McKenzie)
357 F.H. Fauver Road
Blountville, TN 37617

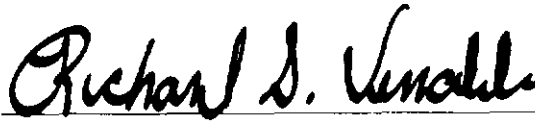
Whereas, Sullivan County Mayor, Richard S. Venable, recommends in favor of the above appointment.

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

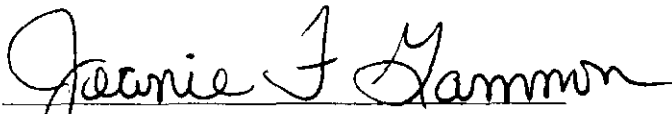
Sullivan County Library Board

Glenn E. Calhoun - Term September 2006 to September 2009

Confirmed this 17th day of July 2006.



Richard S. Venable, County Mayor


Attest: Jeanie F. Gammon, County Clerk

Commission Action:

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

AYE	NAY	PASS	ABSENT

APPOINTMENT TO
SULLIVAN COUNTY LIBRARY BOARD

GLENN E. CALHOUN
BACKGROUND INFORMATION

I WAS BORN AND RAISED IN SULLIVAN COUNTY TENNESSEE.
I PRESENTLY RESIDE APPROXIMATELY TWO MILES NORTH OF BLOUNTVILLE ON J. H.
FAUVER RD.

I ATTENDED SULLIVAN COUNTY SCHOOL SYSTEMS AND GRADUATED FROM
BLOUNTVILLE HIGH SCHOOL WHERE I BELONGED TO THE LIBRARY CLUB.

I AM MARRIED AND HAVE TWO DAUGHTERS.

I GRADUATED FROM THE UNIVERSITY OF TENNESSEE WITH A BS IN MECH.
ENGINEERING AND I HOLD A PROFESSIONAL ENGINEERING LICENSE IN THE STATE OF
TENNESSEE, PRESENTLY IN RETIRED STATUS.

I WORKED WITH THE MEAD CORPORATION IN OHIO, TENNESSEE, AND NORTH CAROLINA
MY ENTIRE CAREER, MOST OF IT IN KINGSPORT, AND AT PRESENT AM RETIRED.

I AM A MEMBER OF THE FOLLOWING;
COLONIAL HEIGHTS METHODIST CHURCH
OUTDOORSMEN, INC., (AN ORGANIZATION DEDICATED TO THE SCIENTIFIC
MANAGEMENT OF WILDLIFE AND NATURAL RESOURCES).
FRIENDS OF THE LIBRARY-BLOUNTVILLE BRANCH

OTHER COMMUNITY ACTIVITIES;

I WAS PROJECT MANAGER FOR THE NEW PLAYGROUND INSTALLATION AT INDIAN
SPRINGS MIDDLE SCHOOL 4-5 YEARS BACK

I WAS A LONG TIME MEMBER OF THE CENTRAL HEIGHTS RURITAN CLUB WHICH IS NOW
DISBANDED.

I WAS ACTIVE IN PROVIDING SCHOOL AND LIBRARY BOOKS TO HANCOCK COUNTY
SCHOOLS SOME YEARS BACK. ALONG WITH MY WIFE KAY, WE ACQUIRED USED BOOKS
(LITERALLY HUNDREDS OF BOOKS) FROM THE KINGSPORT CITY SCHOOLS AND
TRANSPORTED THEM TO INDIVIDUAL SCHOOLS IN HANCOCK COUNTY.

I WAS A MEMBER OF THE GROUP HEADED UP BY DR. EDWIN QUINN THAT RAISED FUNDS
FOR THE NEW LIBRARY BUILDING AT BLOUNTVILLE.

I HAVE BEEN PRESIDENT OF THE PTA AT CENTRAL HEIGHTS ELEMENTARY SCHOOL ON
TWO DIFFERENT OCCASIONS.

SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

Presented By the Mayor of Sullivan County, Richard S. Venable, and The Board of Commissioners of Sullivan County: Garth Blackburn, Linda Brittenham, James "Moe" Brotherton, Ray Conkin, John Crawford, O.W. Ferguson, Clyde Groseclose, Larry Hall, Ralph Harr, Joe Herron, Dennis Houser, Marvin Hyatt, Sam Jones, Elliott Kilgore, James "Buddy" King, James L. King, Jr., Wayne McConnell, John McKamey, Randy Morrell, Howard Patrick, Jack Sitgreaves, Michael Surgenor, Mark Vance, and Eddie Williams.

PROCLAMATION To Recognize Harold Owens For His Dedication To The Sullivan County Sheriff's Office

WHEREAS, the daily operations of the Sullivan County Sheriff's Office require the determination, dedication, and diligence of many people who believe that the work which they perform is an integral component to the success of the Sheriff's Office and Sullivan County as a whole; and

WHEREAS, Major Harold Owens has worked devotedly for the Sheriff's Office from June 20, 1974 until his retirement on June 30, 2006 as a Patrol Officer, Captain, and Major of Patrol; and

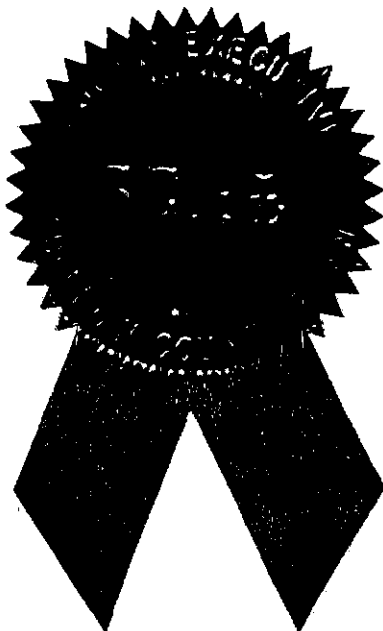
WHEREAS, he is most noted for his years of work in establishing the Sullivan County Mounted Patrol Unit and thereby his efforts have made this one of the most renowned programs in the area.

NOW, THEREFORE BE IT RESOLVED, that I, Richard Venable, Mayor of Sullivan County and the Sullivan County Board of Commissioners do hereby recognize the contributions, work, and devotion of Major Harold Owens to Sullivan County and convey the respect due him for his selfless public service and encourage all the employees of Sullivan County to offer their thanks and appreciation for a job well done.

*In witness whereof I have hereunto set my hand
this 17th day of July 2006.*



Richard S. Venable
Mayor of Sullivan County



Sponsored By: Joe Herron



COUNTY OF SULLIVAN

ELECTION OF NOTARIES

June 19, 2006

DEBORAH A. ADAMS

VICKIE ARMSTRONG

PAULA F. ARNOLD

DIANA BARKER

JAMES HARRISON BEELER

JIM H. BRITTON

PEGGY J. CAMPBELL

JOANNE CAREY

CYNTHIA L. COX

KEN DILLOW

REBA Y. DUNLAP

ANDRA L. DYKES

MARY ANNE FARMEN

NIKKI FRAZIER

TINA L. GODSEY

KELLY R. HARLEY

ALLISON KOTH

TINA R. LEAMON

GREGORY R. LUBRANO

DONALD F. MASON, JR

VALERIE L. MCCOY

VALERIE MCDILDA

LOLA D. MCVEY

MELISSA COPAS NAPIER

NIKKI L. NASH

EMILY A. PATTON

SABRINA M. POWERS

JAMIE PAIGE PRICE

ROBERT E. QUILLEN

VERONICA M. RAMEY

LISA C. RICKER

ALVIN LEE ROBERTS, JR

ELLEN D. ROBERTS

MITCHELL RODRIGUEZ

KRISTI D. RUSEK

MARTHA C. RYAN

JANE L. SHEFFEY

JENNIFER L. SHELTON

KRISTY SHULTZ

FLOYD DAVE SPARKS

JULIANA SPEARS

LARA STAMPER

AMY SUZANNE STEVENS

ANGELA THOMAS

SHELBY H. TOMLINSON

MARSHA S. VANDERPOOL

JENNIFER RAE VAUGHN

BRIAN WALDO

DAVID WELCH

PEGGY J. WELLS

NANCY T. WILLIS

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

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
SURETY BONDS

JULY 17, 2006

APRIL DENISE BROOKS

LAURA L. CANTLEY

DEBORAH N. CARR

NINA JESSEE

LINDA L. JONES

ROBERT E. KERNS, II

KIM T. PARRISH

PHYLLIS M. PIERSON

C. DAVID ROSENBAUM

DANA D. SANDERS

STEPHANIE JANET SMITH

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

IN THE COMING	No. Roll Call		Election Notary App. Bonds		No.	No.	No.	No.	No.	No.	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	
Blackburn ✓			✓																
Brittenham ✓			✓																
Brotherton ✓			✓																
Conlin ✓			✓																
Crawford ✓			✓																
Ferguson ✓			✓																
Groseclose ✓			✓																
Hall ✓			✓																
Harr ✓			✓																
Herron ✓			✓																
Hooser ✓			✓																
Hyatt ✓			✓																
Jones A																			
Kilgore ✓			✓																
Luddy King ✓			✓																
James L King Jr ✓			✓																
McConnell ✓			✓																
McKamey ✓			✓																
Morrell ✓			✓																
Patrick ✓			✓																
Sitgreaves ✓			✓																
Surgenor A																			
Vance ✓			✓																
Williams ✓			✓																
			22 Aye																
			22 Aye																
			22 Aye																
			22 Aye																

✓
 or in)
 = 10:00)

2

AGENDA

Sullivan County Board of County Commission

July 17, 2006

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, July 17, 2006 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 03/06/03 Paul Bryant
Reclassify R-1 & R-2A property located at 338 Old Stage Trail to R-3A for the purpose of allowing a duplex to be built. Property ID. NO. Tax map 52, Parcel 16.10, 18.50 & Part of 18.00 located in the 5th Civil District.
Sullivan County Planning

- (2) File No. 05/06/01 Carol Osborne
Reclassify three lots of P.M.D. --1 property located on the northeast corner of Evergreen Drive and Hwy 11-W to B-3 for the purpose of allowing for future business. Property ID. No. Tax map 33G, Group A, parcels 20.00, 21.00 and 22.00 located in the 6th Civil District. **Sullivan County Planning**

2

PETITION TO SULLIVAN COUNTY FOR REZONING # 03/06/03

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

Property Owner: Paul Bryant
Address: 338 Old Stage Trail
Bristol, TN 37620
Phone 764-2673 Date of Request 03/15/2006
Property Located in 05 Civil District

Paul Bryant
Signature of Applicant

OFFICE USE ONLY

Meeting Date 06/20/06 Time 7:00pm

Place Old Blountville Courthouse

Planning Commission Approved
Denied

County Commission Approved
Denied

Other Roll Call Vote 7 Aye, 16 Nay,
1 Absent

Final Action Date 07-17-06

PROPERTY IDENTIFICATION

Tax Map No. 52 / Group 1 Parcel 16.10 18.50 out of 19.00

Zoning Map 2 Zoning District R-1 Proposed District R-3A

Property Location : Old Stage Trail

Purpose of Rezoning: to allow a Duplex to be built

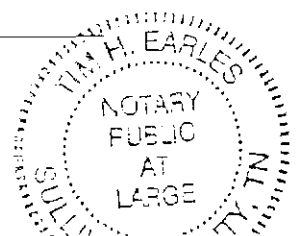
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Paul Bryant

SWORN TO AND SUBSCRIBED before me this 15 day of March, 2006.

Tim H. Earles
Notary Public

My Commission Expires: 1-16-2008



4

PETITION TO SULLIVAN COUNTY FOR REZONING # 05/06/01

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

<p>Property Owner: <u>carol osborne</u></p> <p>Address: <u>384 misty woods pvt dr</u> <u>blountville tn</u></p> <p>Phone <u>279-7160</u> Date of Request <u>5 /8 /06</u></p> <p>Property Located in <u>6th</u> Civil District</p> <p><u>x Carol Osborne</u> Signature of Applicant</p>	<p style="text-align: center;"><u>OFFICE USE ONLY</u></p> <p>Meeting Date <u>6 /20/2006</u> Time <u>7:00 PM</u></p> <p>Place <u>COURTHOUSE</u> <u>BLOUNTVILLE</u></p> <hr/> <p>Planning Commission Approved <input checked="" type="checkbox"/> <u>✓</u> Denied <input type="checkbox"/></p> <p>County Commission Approved <input checked="" type="checkbox"/> <u>x</u> Denied <input type="checkbox"/></p> <p>Other <u>Roll Call</u> Vote <u>21 Aye, 3 Absent</u></p> <p>Final Action Date <u>07-17-06</u></p>
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PROPERTY IDENTIFICATION

Tax Map No. 33-g / Group a / Parcel 20 21 22.00

Zoning Map 7 Zoning District pmd-1 Proposed District B-3

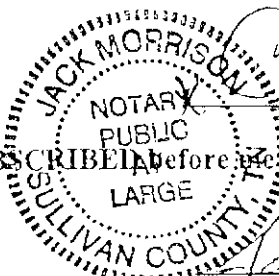
Property Location : HWY 11 W

Purpose of Rezoning: FUTURE BUSINESS

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

Carol Osborne

SWORN TO AND SUBSCRIBED before me this 8th day of MAY 2006.


Jack Morrison
Notary Public

My Commission Expires: 1-16-08

Reasoning Request

Resolutions

RE THE COMM.

MISSIONERS	Reasoning Request										Resolutions					
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn			✓	✓									✓			
Brittenham			✓	✓									✓			
Brotherton			✓	✓									✓			
Conkin			✓	✓									✓			
Crawford	✓			✓									✓			
Ferguson	✓			✓									✓			
Grosclose			✓	A									✓			
Hall			✓	✓									A			
Harr	✓			✓									✓			
Herron	✓			✓									✓			
Houser			✓	✓									✓			
Hyatt			✓	✓									✓			
Jones	A			A									A			
Kilgore			✓	✓									✓			
Buddy King	✓			✓									✓			
Mrs L King Jr.			✓	✓									✓			
McDonnell	✓			✓									✓			
McKamey			✓	✓									✓			
Morrell			✓	✓									✓			
Patrick			✓	✓									✓			
Sitgreaves			✓	✓									✓			
Surgenor			✓	✓									A			
Vance	✓			✓									✓			
Williams			✓	A									✓			

7 Aye 21 Aye
 1 Nay 3 Abs.
 1 Abs.

21 Aye
 3 Abs.

MEMBERS OF THE COMM.	No. 4		No. 5		No. 6		No. 7		To defer #9		No. 9		No. 10		No. 11	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn									✓				✓		✓	
Buttenham									✓				✓		✓	
Brotherton									✓				✓		✓	
Conkin									✓				✓		✓	
Crawford									✓	✓			✓		✓	
Ferguson									✓				✓		✓	
Groseclose									✓	✓			✓		✓	
Hall									✓	✓			✓		✓	
Harr									✓	✓			✓		✓	
Herron									✓	✓			✓		✓	
Houser									✓				✓		✓	
Nyatt									✓				✓		✓	
Jones	A		A		A		A		A		A		A		A	
Kilgore									✓				✓		✓	
Waddy King									✓				✓		✓	
mas & King Jr.									✓				✓		✓	
McDonnell									✓				✓		✓	
McKamey									✓				✓		✓	
Monnell									✓				✓		✓	
Patrick									✓				✓		✓	
Sitgreaves									✓				✓		✓	
Surgenor									✓				✓		✓	
Vance									✓				✓		✓	
Williams									✓				✓		✓	
									12 Aye				23 Aye		23 Aye	
									10 Nay				1 abs		1 abs	
									1 Abs							

E THE COMM.

20 21

MISSIONERS

- Blackburn ✓
- Brittenham ✓
- Brotherton ✓
- Conkin ✓
- Crawford ✓
- Ferguson ✓
- Grosedale ✓
- Hall ✓
- Harr ✓
- Herron ✓
- Houser ✓
- Hyatt ✓
- Gomes A
- Kelgore ✓
- addy King ✓
- mes L King ✓
- McConnell ✓
- McKamey ✓
- Monnell ✓
- Patrick ✓
- Stygreaves ✓
- Surgenor ✓
- Vance ✓
- Williams ✓

23 Aye
1 abs

No. No. 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 Aye Nay

RESOLUTIONS ON DOCKET FOR JULY 17, 2006

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 07-17-06
#2 ADJUST THE PAY SCALE FOR THE DEPUTIES OF SULLIVAN COUNTY SHERIFF'S OFFICE AND SULLIVAN COUNTY JAIL TO BE COMPARABLE AND COMPETITIVE WITH THE PAY SCALES OF THE MUNICIPAL LAW ENFORCEMENT AGENCIES WITHIN SULLIVAN COUNTY	DEFERRED 07-17-06
#3 AUTHORIZE CREATION OF FULL-TIME POSITION OF EXECUTIVE DIRECTOR OF THE SULLIVAN COUNTY ARCHIVES	DEFERRED 07-17-06
#4 APPROVE BUYER'S OPTION TO PURCHASE COUNTY PROPERTY IN THE 6 TH CIVIL DISTRICT	WITHDRAWN 07-17-06
#5 ADOPTING THE PROVISIONS OF TENNESSEE CODE ANNOTATED 68-211-701, ET.SEQ. "LOCAL APPROVAL OF SOLID WASTE FACILITIES"	DEFERRED 07-17-06
#6 AUTHORIZING ADOPTION OF PANEL OF PHYSICIANS FOR WORKERS' COMPENSATION PROGRAM	DEFERRED 07-17-06
#7 TO ENCOURAGE THE STATE TO AFFIRM APPOINTED SUPERINTENDENTS OF SCHOOLS	APPROVED 07-17-06
#8 CORRECT TYPOGRAPHICAL ERROR IN SULLIVAN COUNTY EMPLOYEE HANDBOOK	APPROVED 07-17-06
#9 APPROPRIATING \$21,504.60 TO BLOOMINGDALE VOLUNTEER FIRE DEPT.	DEFERRED 07-17-06
#10 INSTALL SIGNAGE ON U.S. HIGHWAY 11-E DESIGNATING MAIN ENTRANCE TO TRI-COUNTY INDUSTRIAL PARK, PINEY FLATS	APPROVED 07-17-06
#11 TO ADOPT THE STRATEGIC ECONOMIC DEVELOPMENT PLAN UPDATE	APPROVED 07-17-06
#12 TO AUTHORIZE TRAFFIC SIGN CHANGES IN THE 5 TH C.D.	APPROVED 07-17-06
#13 TO AUTHORIZE TRAFFIC SIGN CHANGES IN THE 1 ST C.D.	APPROVED 07-17-06
#14 TO AUTHORIZE TRAFFIC SIGN CHANGES IN THE 10 TH C.D.	APPROVED 07-17-06
#15 TO APPROVE SULLIVAN COUNTY FLOOD DAMAGE PREVENTION PLAN	1 ST READING 07-17-06
#16 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 12 TH C.D.	1 ST READING 07-17-06
#17 SALE COUNTY OWNED DELINQUENT TAX PROPERTY IN THE 17 TH C.D.	APPROVED 07-17-06

#18 ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE SULLIVAN COUNTY LIBRARY - \$22,000	APPROVED 07-17-06
#19 ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE SULLIVAN COUNTY LIBRARY \$2,290	APPROVED 07-17-06
#20 AUTHORIZING EASEMENT TO KINGSPORT POWER CO. TO SERVE FORMER GRAVELY SCHOOL PROPERTY	APPROVED 07-17-06
#21 TO ENTER CONTRACT FOR OPTION TO PURCHASE COUNTY OWNED LAND IN THE 6 TH C.D.	1 ST READING 07-17-06

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2006-07-00

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution

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

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

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

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

Duly passed and approved this **17** day of July 2006.

Attested:


Jeannie Gammon, County Clerk

Approved:


Richard S. Venable, County Mayor

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

2006-07-00	County Commission
ACTION	Approved 7-17-06 21 Aye, 3 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

342986
Item 18
Administrative/Budget
No. 2006-02-17
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of February 2006.

RESOLUTION To Adjust the Pay Scale for the Deputies of Sullivan County Sheriff's Office and Sullivan County Jail to be Comparable and Competitive with the Pay Scales of the Municipal Law Enforcement Agencies within Sullivan County

WHEREAS, the duties of the Sheriff (Sheriff's Department) of Sullivan County are vast and need a necessary number of qualified, well-trained individuals. These employees are required to be loyal honest citizens that are of good moral character and possess an impeccable personal background. It is essential they have the personality, intelligence, integrity, and stamina to execute the diverse obligations. They must have good physical and emotional health to perform the many and varied tasks which occur on a daily basis. The requirements, obligations and procedures required of the Sullivan County Sheriff's Department are mandated by Tennessee Code (Document 8-8-201, Document 5-7-108, Document 38-3-102);

WHEREAS, several Sullivan County Commissioners requested the Sullivan County Sheriff's Department to ascertain pay scales from other law enforcement agencies in the immediate and surrounding area. The Sullivan County Sheriff's Department provided those concerned commissioners with the attached pay scales. (Johnson City Police Department, Hawkins County Sheriff's Department, Kingsport City Police Department, City of Bristol, TN Police Department);

WHEREAS, documents concerning pay scales by the other agencies from immediate and surrounding areas, indicate a discrepancy in like pay when compared to those of Sullivan County (pay scales Johnson City Police Department, Hawkins County Sheriff's Department, Kingsport City Police Department, City of Bristol, TN Police Department);

WHEREAS, efforts for pay raises by the Sullivan County Commission over the past several years have been consistent, comparison of law enforcement pay scales would indicate that Sullivan County's pay is not competitive with other immediate and surrounding law enforcement agencies (Attachment: Pay Raise Scale for Sullivan County);

WHEREAS, recruitment, training, and retaining the best law enforcement personnel has become a competitive market for local law enforcement agencies. All too often, once a deputy has received proper academy training, the lure of a better salaried position entices that officer to seek employment elsewhere for the personal monetary gain;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve and adopt the attached pay scale for the physical year 2006-2007;

FURTHER BE IT RESOLVED that the pay scale for the deputies of the Sullivan County Sheriff's Department be adjusted yearly to match scale increases of the in-county municipal law enforcement agencies.

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.

Hereby approved this _____ day of _____, 2006.

Attest: _____
Jeanie Gammon, County Clerk

Approve: _____
Richard S. Venable, County Mayor

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

2006-02-17	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 02-20-06; Deferred as amended (amendment attached) 03-20-06; Deferred 04-17-06; Deferred 05-15-06; Deferred 06-19-06; Deferred 07-17-06;**

PROPOSED AMENDMENT #1 TO

RES. # 9

AMEND AS FOLLOWS:

TO STATE "The County Mayor contract with an independent experienced professional consulting firm to conduct a regional employee compensation survey for all Sullivan County Employees (Excludes those governed by the Board of Education) and develop a recommended pay plan to be presented back to this body. Funds be appropriated from the 39000 Account of the General Fund not to exceed \$25,000." Amendment also directs the County Mayor to direct the Accounts and Budgets within thirty days to contact Mayor with a contractor to do this survey and prepare a report for the commission prior to the vote on the budget in June or as soon as possible.

Furthermore, it is the intent of this amendment to defer Resolution #9 until the study comes back.

INTRODUCED BY: Harr

SECONDED BY: Sitgreaves, Jones

COMMENTS: Amendment approved as amended (attached) by roll call vote 03-20-06.

PROPOSED AMENDMENT #1 TO

AMENDMENT #1
RES. # 9

AMEND AS FOLLOWS:

THAT the study be done divisionally addressing the Sheriff's Dept. issue only at first and to be done on a comparable basis with entities or governmental bodies that are comparable to Sullivan County where the cost of living factor is similar.

INTRODUCED BY: James King, Jr.
SECONDED BY: Sitgreaves

COMMENTS: Amendment accepted by sponsor and approved with amendment #1.

PROPOSED AMENDMENT #2 TO

AMENDMENT #1
RES. # 9

AMEND AS FOLLOWS:

AT THE TIME the salary survey is submitted back to the Commission that the Accounts and Budgets Director to provide the Commission with a three to five year period for implementation.

INTRODUCED BY: Vance
SECONDED BY: Morell

COMMENTS: Amendment accepted by Sponsor Harr and approved with Amendment #1.

Sullivan County, Tennessee
Board of County Commissioners

3 ~~4~~
Item 10
Executive
No. 2006-05-47

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Sessions this 17th day of April, 2006.

RESOLUTION To Authorize Creation of Full-time Position of Executive Director of the Sullivan County Archives

WHEREAS, Sullivan County has numerous and sundry archival and historic records in offices such as the Office of the County Clerk, the County Trustee, Clerk and Master, Circuit Court Clerk, etc; and

WHEREAS, the aforesaid archival and historic records are in critical need of preservation in the Sullivan County Archives; and

WHEREAS, the Sullivan County Commission approved a resolution in February 2003 for the hiring of a County Archivist on part-time basis; and

WHEREAS, the Honorable Mayor Richard S. Venable, in January 2006, appointed an Ad-Hoc Committee to study the immediate needs of the Sullivan County Archives; and

WHEREAS, the Ad-Hoc Committee aforesaid is comprised of the following members:

Garth Blackburn, Chairman
Dennis Houser
Mary Lou Duncan
Jeannie Gammon
Frances Harrell

Mary F. Carter
Earl L. Feathers
Shelia Hunt
Owen Way

WHEREAS, the Ad-Hoc Committee members have met and studied the immediate needs of the Sullivan County Archives and bring forth this resolution; and

WHEREAS, the County Archivist for Sullivan County is currently employed by the county on a (3) three-day per week basis and the demands upon the Sullivan County Archives are greater than what can be accomplished on a part-time basis;

WHEREAS, the office of the Sullivan County Archives needs to be open to the general public according to state guidelines and to be able to better coordinate the records preservation of the Office of the County Clerk, the County Trustee, Clerk and Master, Circuit Court Clerk, etc.;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby create a full-time position to be known as the "Executive Director of the Sullivan County Archives" beginning with the fiscal year 2006-2007 and that the County Mayor shall be responsible for interviewing and selecting a person for this position.

BE IT FURTHER RESOLVED that the individual selected to serve as the Executive Director of the Sullivan County Archives shall report directly to the County Mayor who shall serve as supervisor of this position. The job description, including purpose, salary, job qualifications and duties and responsibilities of this position are set forth on the attachment hereto.

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.

Hereby approved this _____ day of _____, 2006.

Attested: _____
 Jeanie Gammon, County Clerk

Approved: _____
 Richard S. Venable, County Mayor

Sponsored By: Garth Blackburn
Prime Co-Sponsor(s): Dennis Houser

2006-05-47	Administrative	Budget	Executive	County Commission
ACTION	Approve 5-1-06	Defer to 06-07 Budget 5-4-06	Defer to Budget Cmte 5-3-06	

Notes: **Defer to Budget Process- 1st Reading 05-15-06; Deferred 06-19-06;**
Deferred 07-17-06;

Executive Director of Sullivan County Archives

Necessary Knowledge, Skills, and Ability

- Extensive knowledge of county, city, and state archives and related records management and preservation.
- Knowledge of processing special archival collections and library organizational skills.
- Knowledge of County Technical Assistance Service [CTAS] guidelines regulating the housing and welfare of public records for Sullivan County offices.
- Ability to establish a good relationship and communication with the Tennessee State Library and Archives re historic guidelines for county archives and records management.
- Serve as records advisor to the Sullivan County Public Records Commission and act as liason for the commission and the Tennessee State Library and Archives.
- Possess extensive personal computer skills with ability to create and maintain accessible, retrievable computer archives and databases, incorporating current advances in electronic information storage technology.
- Organize archival records and develop classification systems to facilitate access to archival materials.
- Authenticate and appraise historical documents and archival materials.
- Provide reference services and assistance for users needing archival materials.
- Ability to direct activities of workers who assist in arranging, cataloguing, exhibiting and maintaining collections of valuable materials.
- Prepare archival records, such as document descriptions, to allow easy access to information.
- Preserve records, documents, and objects, copying records to film, videotape, audiotape, disk, or computer formats as necessary.
- Establish and administer policy guidelines concerning public access and use of materials.
- Locate new materials and direct their acquisition and display.
- Research and record the origins and historical significance of archival materials.
- Extensive knowledge of history and genealogy in Sullivan County and surrounding areas.
- Professional image with the ability to exercise initiative, judgment and tact in representing Sullivan County.
- Possess good organizational skills and good communication skills for managing county archives.
- Ability to prepare effective presentations to the public, officials, departments and staff.
- Ability to assist other county officials and department heads in preparing plans for records preservation.
- Ability to organize historic and genealogical events that would generate community interest and public awareness of the Sullivan County Archives.
- Ability to provide leadership in areas of history and genealogy for Sullivan County.
- Ability to design and publish attractive promotional literature.
- Ability to prepare, administer and monitor a budget and to allocate monies in a cost-effective manner.
- Ability to establish and maintain effective working relationship with Sullivan County Commission, department heads, city and state officials, community groups, the general public and media representatives.

Physical Demands and Working Conditions

Physical requirements include visual acuity, effective speech and hearing, hand and eye coordination, and manual dexterity to operate computer keyboard and basic office equipment. Work will be performed mostly in office setting; however, some travel will be required to fulfill the responsibilities of this position.

Education and Experience

Bachelor's degree from accredited college in Archival science, or related field; however, strong consideration will be given to individuals who possess equivalent skills and knowledge acquired through employment or other education experiences in the areas of archives, history, and genealogy.

Estimated Budget

Starting Salary: \$43,000 + benefits { \$20,475 of this amount is already covered in current 2005-06 budget }
Salary shall be commensurate based upon education and/or experience.

Sullivan County, Tennessee
Board of County Commissioners

9 H
Item 3

Administrative/Budget/Executive
No. 2006-05-63
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Special Session this 26th day of May 2006.

RESOLUTION To Approve Buyer's Option to Purchase County Property in the 6th Civil District

WHEREAS, Sullivan County is the owner of a tract of land located in the 6th Civil District of Sullivan County, Tennessee, known as Tax Map 34, Parcel 118.30, being approximately 66.9 acres; and

WHEREAS, Mr. Gary Rader wishes to obtain an option to purchase the above referenced parcel; and

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the execution of the attached agreement between Sullivan County and Mr. Gary Rader for the Option to Purchase land located in the 6th Civil District of Sullivan County, Tennessee, known as Tax Map 34, Parcel 118.30, being approximately 66.9 acres.

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.

Hereby approved this _____ day of _____, 2006.

Attest: _____
Jeanie Gammon, County Clerk

Approve: _____
Richard S. Venable, County Mayor

Sponsored By: Ralph Harr
Prime Co-Sponsor(s): Eddie Williams

2006-05-63	Administrative	Budget	Executive	County Commission
ACTION				

Notes: Motion made by Vance 2nd by Harr and approved by voice vote- Motion attached 05-26-06.

1st Reading 05-16-06; Deferred 06-19-06; Withdrawn 07-17-06.

MOTION ON FLOOR

MOTION AS FOLLOWS:

WE CREATE A COMMITTEE OF PEOPLE IN THE LAND USE DEPT., ENGINEERS AND SO FORTH TO COME UP WITH A SOLID WASTE COMMITTEE TO EXPLORE ALL OF OUR OPTIONS- WOULD LIKE TO SEE SEVERAL COMMISSIONERS SIT ON THAT COMMITTEE- TO LOOK AT OUR OPTIONS, BRING THE OPTIONS TO THE TABLE, GIVE US A GOOD KNOWLEDGEABLE INFORMATION TO MAKE A GOOD KNOWLEDGEABLE DECISION. CHAIR TO APPOINT AD-HOC COMMITTEE AND SUBMIT TO THE COMMISSION NEXT MONTH.

INTRODUCED BY: VANCE
SECONDED BY: HARR

COMMENTS: APPROVED BY VOICE VOTE

MOTION ON FLOOR

MOTION AS FOLLOWS:

UPON MOTION BY COMM. VANCE ON MAY 16, 2006, CHAIRMAN VENABLE RECOMMENDED TO THE COMMISSION AN AD-HOC COMMITTEE CONSISTING OF COMMISSIONERS WILLIAMS, VANCE, HERRON, SURGENOR, THE DIRECTOR OF SANITATION- LUCIAN LAWSON WITH THE AUTHORIZATION TO CONTACT CTAS TO APPOINT A PROFESSIONAL ENGINEER TO ADVISE THAT COMMITTEE. THE SAID COMMITTEE TO MEET ONE TIME BETWEEN NOW AND THE NEXT COMMISSION MEETING.

MOTION MADE TO APPROVE THE CHAIRMAN'S RECOMMENDATION OF SAID COMMITTEE.

INTRODUCED BY: HARR
SECONDED BY: BLACKBURN, FERGUSON

COMMENTS: APPROVED BY VOICE VOTE 06-19-06

OPTION AGREEMENT

Whereas, Sullivan County (hereinafter Seller) is the owners of a tract of land located in the 6th Civil District of Sullivan County, Tennessee, being that property shown on Sullivan County Tax Map 34 Parcel 118.30 and encompasses 66.9 acres, more or less, and

Whereas, the aforementioned tract of land adjoins a closed landfill and is currently utilized by the county for a rifle range, a dog training facility and a riding facility, and

Whereas, Mr. Gary Rader (hereinafter Buyer) wishes to obtain an option to purchase the aforementioned land, and

Whereas, the parties have reached an agreement regarding the terms of an option agreement,

Now Therefore, they agree as follows:

1. **PRICE**--Upon execution of this agreement, Buyer shall have the option to purchase the aforementioned property from Seller for a total cost of one million dollars (\$1,000,000.00). This purchase option may be exercised at any time within three (3) years after the execution of this document.

2. **ADDITIONAL COMPENSATION**--In addition to the purchase price set out above, Buyer will pay to Seller the sum of five million dollars (\$5,000,000.00) within the first ten years after a landfill permit is received by Buyer from the State of Tennessee.

3. **CONDITIONS OF SALE**--If Buyer exercises his option to purchase the property, he will be responsible for all of the following: (a) Moving the contents of the old landfill to a new location approved by the State of Tennessee, and (b) Any environmental damage or damages of any kind which occur in, on or about the new location.

4. **BINDING EFFECT**--Upon the execution of this option agreement, it shall be binding upon all parties, their heirs and assigns or successors in interest.

5. **TESTING**--Upon execution of this option, Buyer shall have the right to come onto the property and to bring with him or allow to come any and all experts who may be needed to perform tests on the land to ascertain its use for particular purposes. Prior to said testing, Seller shall be given notice of same, and, Buyer shall be responsible for returning the land, as closely as possible, to the same condition it was in prior to the testing. In addition, Buyer agrees to indemnify and hold Seller harmless from any claim which might be made as a result of any injury or property damage which occurs during any testing.

6. **ADDITIONAL CONSIDERATION**--In addition to the land which Sullivan County is going to transfer to the Buyer in return for the purchase price set out above, Sullivan County agrees and, commits itself, to use its best efforts and influence to assist Buyer in obtaining all necessary permits or licenses from the State of Tennessee, and local approval, so as to open and operate a private land fill, and agrees to issue all permits or licenses which the County must issue for operation of a landfill once the State of Tennessee has issued a land fill permit. In addition, Sullivan County agrees that it will use its best efforts to convince the State of Tennessee to transfer to Buyer that fund (approximately 1.2 million dollars) which the State of Tennessee is presently holding for the cost of cleanup of the old landfill.

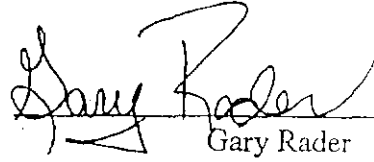
PREPARED BY:
KERRY A. MUSICK
1699 BLOUNTVILLE BLVD.
SUITE A
BLOUNTVILLE, TN. 37617
TEL: (423)-323-7179
BPR#005127

This ____ day of _____, 2006.

Approved and agreed to by:

Sullivan County, Tennessee

By: Richard Venable, Mayor
Seller



Gary Rader
Purchaser

Sworn to and subscribed before me, a Notary Public, on this ____ day of _____, 2006.

Notary Public

My Commission Expires: _____

Sullivan County, Tennessee
Board of County Commissioners

5
Item 12
Executive/Administrative/Budget
No. 2006-06-64

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of June, 2006.

**RESOLUTION Adopting the Provisions of Tennessee Code Annotated §68-211-701, et seq.
“Local Approval of Solid Waste Facilities”**

WHEREAS, Tennessee Code Annotated §68-211-707 allows counties to adopt the provisions of Tennessee Code Annotated §68-211-701, et seq. to require local review and approval for any new landfill for solid waste disposal or for solid waste processing; and

WHEREAS, adoption of the provisions of Tennessee Code Annotated §68-211-701, et seq. requires approval by a two-thirds vote of the county legislative body;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby adopt the provisions of Tennessee Code Annotated §68-211-701, et seq. “Local Approval of Solid Waste Facilities”, said provisions to become effective immediately upon passage of this Resolution by a two-thirds vote.

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.

Hereby approved this _____ day of _____ 2006.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Sponsored By: McKamey

Prime Co-Sponsor(s): Crawford, Jim King

2006-06-64	Administrative	Budget	Executive	County Commission
ACTION	No Action 6-5-06	Defer 6-8-06	Defer 6-7-06	

Notes: **1st Reading 06-19-06; Deferred 07-17-06;**

Sullivan County, Tennessee
Board of County Commissioners

6
Item 13
Executive/Administrative/Budget
No. 2006-06-65

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of June, 2006.

RESOLUTION Authorizing Adoption of Panel of Physicians for Workers' Compensation Program

WHEREAS, Tennessee workers' compensation law Tennessee Code Annotated §50-6-204(4)(A) requires employers to designate a group of three (3) or more reputable physicians or surgeons not associated together in practice from which an injured employee shall have the privilege of selecting an operating surgeon or attending physician relative to their work-related injury; and

WHEREAS, in an effort to ensure cooperation between the physicians and/or surgeons and Sullivan County and to control the costs associated with workers' compensation claims, Sullivan County should exercise its power to adopt such a panel and should limit the panel to the minimum number of three (3) physicians and surgeons as allowed by statute;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby directs the County Attorney, with assistance from the Risk Manager, Crawford & Company and a representative from the School Department, to select and designate a panel of only three (3) physicians and/or surgeons, as allowed by statute, for use hereafter in all workers' compensation claims.

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.

Hereby approved this ____ day of _____ 2006.

Attested: _____ Approved: _____
Jeane Gammon, County Clerk Richard S. Venable, County Mayor

Sponsored By: McKamey
Prime Co-Sponsor(s): Vance

2006-06-65	Administrative	Budget	Executive	County Commission
ACTION	No Action 6-5-06	No Action 6-8-06	Approve 6-7-06	

Notes: **1st Reading 06-19-06; Deferred 07-17-06;**

Sullivan County, Tennessee
Board of County Commissioners

7
Item 14

Administrative/Budget/Executive
No. 2006-06-66

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of June 2006.

RESOLUTION To Encourage the State to Affirm Appointed Superintendents of Schools

WHEREAS, the appointment of school superintendents was the cornerstone of the Education Improvement Act of 1992, patterning school governance after the business model, with elected school boards responsible for setting policy and board-appointed chief executive officers in charge of day-to-day administration of schools; and

WHEREAS, the Education Improvement Act and the appointment of superintendents have provided greater flexibility at the local level to operate schools and make school systems more accountable for results; and

WHEREAS, the appointment of superintendents provides a broader pool of qualified candidates and removes residency limitations, allowing the selection to be based solely on professional qualifications and leadership skills rather than the political savvy of only those individuals living in a particular district and willing to run for office; and

WHEREAS, the appointed superintendent is accountable to the board of education and may be replaced for failure to achieve the standards and goals established by the local and the state; and

WHEREAS, the appointment of the superintendent ensures cooperation and a common vision with the board of education to improve student achievement and overall school performance; and

WHEREAS, history in Tennessee has shown that most elected superintendents are voted out of office after one term – just around the time school systems, students and the community can begin to benefit from their increased knowledge and experience; and

WHEREAS, only three states in the entire country (Alabama, Florida, and Mississippi) continue to participate in the outdated practice of electing school superintendents, electing less than one percent of the more than 15,000 superintendents in the United States; and

WHEREAS, the Tennessee General Assembly will undoubtedly continue to face pressure to revert to elected superintendents, particularly from some local funding bodies reluctant to increase education funding and improve school system budgets and frustrated with the lead advocacy roles of appointed superintendents;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby encourages the Tennessee General Assembly to place the interest of students above any other by recognizing the value of appointed superintendents and rejecting any attempt to revert to superintendent elections.

BE IT FURTHER RESOLVED that upon passage of this resolution that the County Mayor shall forward copies of this resolution to our local state legislators.

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.

Hereby approved this 17th day of July, 2006.

Attest: 
Jeanie Gammon, County Clerk

Approve: 
Richard S. Venable, County Mayor

Sponsored By: Joe Herron

Prime Co-Sponsor(s): James "Buddy" King, John Crawford, James L. King, Jr.

2006-06-66	Administrative	Budget	Executive	County Commission
ACTION	No Action 6-5-06	No Action 6-8-06	Motion to Approve Failed 6-7-06	Approved Voice Vote 07-17-06

Notes: **1st Reading 06-19-06;**

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Executive
No. 2006-06-76

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of June 2006.

RESOLUTION To Correct Typographical Error in Sullivan County Employee Handbook

WHEREAS, the Sullivan County Commission passed Resolution No. 2005-12-110 approving the *Sullivan County Employee Handbook – Revised October 2005* on December 19, 2005; and,

WHEREAS, a typographical error was made in the portion of the handbook referring to Life Insurance;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the correction of the error so that the paragraph reads as follows:

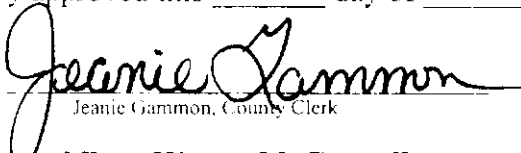
LIFE INSURANCE

The County has procured a group life insurance policy and will pay the premium for each individual full-time and salary employee of the County. Part-time employees may purchase life insurance through the County's plan at their own expense. Employees may choose to increase the standard coverage amount and/or add dependents at their own expense. This is a term life insurance policy. If your employment is terminated with the county, either by yourself or by the county, you will no longer be insured.

~~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.

Hereby approved this 17th day of July 2006.

Attest: 
Jeanie Gammon, County Clerk

Approve: 
Richard S. Venable, County Mayor

Sponsored By: Wayne McConnell
Prime Co-Sponsor(s): Linda Brittenham

2006-06-76	Administrative	Budget	Executive	County Commission
ACTION	Approve 7-3-06	Approve 7-6-06	Approve 7-5-06	Approved 7-17-06 Voice Vote

Notes: 1st Reading 6-19-06;

EMPLOYEE BENEFITS

LIFE INSURANCE

The County has procured a group life insurance policy and will pay the premium for each individual full-time, salary, and part-time employee of the County. The employee may choose to increase the standard coverage amount and/or add dependents at his/her own expense. This is a term life insurance policy. If your employment is terminated with the county, either by yourself or by the county, you will no longer be insured.

MEDICAL AND DENTAL INSURANCE

Medical and Dental Insurance benefits are available to all full-time and salary employees. Individual and family coverage options are available to help you protect your family, as well as, yourself. Employees must enroll in the medical plan within thirty (30) days of employment. Changes in marital status or adding a new dependent must be made within thirty (30) days of the event. To enroll or make changes in insurance plans, the employee must fill out the appropriate forms in the Payroll & Personnel Office.

Employees are required to pay the appropriate premium by payroll deduction in order to maintain insurance. The employee is responsible for all charges not covered, including, but not limited to, co-pays and/or deductibles. The County may retain a third party to administer the day to day aspects of the plan.

EASTMAN CREDIT UNION

All employees are eligible to become members of the Eastman Credit Union. The credit union offers full banking resources (checking and savings accounts, loans, Christmas clubs, etc.).

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Administrative/Budget
No. 2006-06-79

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of June, 2006.

RESOLUTION Appropriating \$21,504.60 to Bloomingdale Volunteer Fire Department

WHEREAS, the Bloomingdale Volunteer Fire Department has secured two federal grants totaling the sum of \$215,046.00, said grants being subject to Bloomingdale Volunteer Fire Department providing funds equal to ten percent (\$21,504.60); and

WHEREAS, the grant funds will be used toward the operating expenses of Bloomingdale Volunteer Fire Department and the cost to purchase new equipment; and

WHEREAS, the Bloomingdale Volunteer Fire Department has requested Sullivan County to appropriate funds equal to the ten percent match required; and

WHEREAS, it is in the best interest of Sullivan County to support the volunteer fire departments located within the county who provide a valuable service to the citizens and businesses of Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby appropriate the sum of \$21,504.60 from Account No. _____ to Bloomingdale Volunteer Fire Department. Account codes to be assigned by the Director of Accounts and Budgets.

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

Approved this _____ day of _____ 2006.

Attested: _____
Jeame Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Sponsored By: Crawford

Prime Co-Sponsor(s): Kilgore; Herron; Surgenor; Hall; Patrick

2006-06-79	Administrative	Budget	Executive	County Commission
ACTION	Approve 7-3-06	No Action 7-6-06	No Action 7-5-06	

Notes: 1st Reading 06-19-06; **Deferred by Roll Call Vote 7-17-06;**

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Executive
No. 2006-06-80

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of June 2006.

RESOLUTION To Install Signage on U.S. Highway 11-E Designating Main Entrance to Tri-County Industrial Park, Piney Flats

WHEREAS, on a daily basis semi-truck drivers traveling from Johnson City unfamiliar to the area rely on various maps to access the Tri-County Industrial Park via Piney Flats Road and are unable to reach their destination resulting in lost time for the trucking companies and traffic hazards to local residents; and


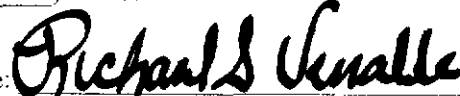
WHEREAS, proper signage should be installed along U.S. Highway 11-E informing semi-truck drivers of the proper entrance to the Tri-County Industrial Park;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize Sullivan County to work with the proper entities (TDOT, Sullivan County Highway Department, City of Johnson City, etc.) to ensure proper signage is placed along U.S. Highway 11-E designating the proper route to the main entrance of the Tri-County Industrial Park.

BE IT FURTHER RESOLVED that in the event any costs are due Sullivan County, that funds be appropriated from Account 39000 as necessary to complete this project.

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.

Hereby approved this 17th day of July, 2006.

Attest:  Approve: 
Jeanie Gammon, County Clerk Richard S. Venable, County Mayor

**Sponsored By: John McKamey
Prime Co-Sponsor(s): Marvin Hyatt**

2006-06-80	Administrative	Budget	Executive	County Commission
ACTION	Approve 7-3-06	Approve 7-6-06	Approve 7-5-06	Approved 7-17-06 23 Aye, 1 Absent

Notes: 1st Reading 06-19-06;

Amendment #1 Made by McConnell, 2nd By Harr that "FUNDS BE APPROPRIATED FROM THE INDUSTRIAL PARK ACCOUNT INSTEAD OF ACCOUNT 39000 AS STATED IN RESOLUTION". Amendment accepted by Sponsor and approved with Resolution.

We, the residents living adjacent to Piney Flats Road, humbly request your vote and support for Commissioners Marvin Hyatt and John McKamey resolution number 2006-06-80. Hopefully, signage will correct a very dangerous situation on Piney Flats Road, when large trucks try to negotiate the narrow roadway and sharp curves, (two ninety degree curves and a narrow roadway without shoulders) creates very dangerous situations on this road. COPY OF RESOLUTION ATTACHED.

ANGIE GUNN

Patrick Silver

Killard Wolfe

Shirley C. Messingill

Chuck W. Bratters

Roger C. Feathers

Viki Laughton

Betty Hodsey

Brenda Dye

Donna Dye

Donald Dye

Paul N. Carty Jr

Leily Jacobs

Aron Jacobs

John T. Sundlett

John N. Hayes

Kathy R. Jones

Gene Souda

Lewis C. Cass

Helen Houston

Mark Houston

Mary Ann Hager

Helen Scott

Wallace Scott

Eddie Frye

Ada L. Frye

Dorothy Denton

Jeffery Denton

Herbert Denton

Lain Wash

Patry Cole

Judy Bondt

Judy Baird

Sam Baird

We, the residents living adjacent to Piney Flats Road, humbly request your vote and support for Commissioners Marvin Hyatt and John McKamey resolution number 2006-06-80. Hopefully, signage will correct a very dangerous situation on Piney Flats Road, when large trucks try to negotiate the narrow roadway and sharp curves, (two ninety degree curves and a narrow roadway without shoulders) creates very dangerous situations on this road. COPY OF RESOLUTION ATTACHED.



Comer A. Leban

Faye Arnett

Lera Arnett

Ann Linn

Cody Shinn

Julie Hays

Connie Sedreth

Randa Smith

Spencer Hamilton

Ronald Hickman

Sharon McKinney

Jim Payne

Jeffrey Payne

We, the residents living adjacent to Piney Flats Road, humbly request your vote and support for Commissioners Marvin Hyatt and John McKamey resolution number 2006-06-80. Hopefully, signage will correct a very dangerous situation on Piney Flats Road, when large trucks try to negotiate the narrow roadway and sharp curves, (two ninety degree curves and a narrow roadway without shoulders) creates very dangerous situations on this road. COPY OF RESOLUTION ATTACHED.

Mary S. Cross

Sally Wiggins

John W. King

Kenya J. King

Vivian Johnson

Evelyn Gates

Clara Persinger

A. R. Casley

Geraldine Casley

Louise Trivett

Pamela Clark

Elizabeth Kay Wilson

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Administrative/Budget/Executive
No. 2006-07-81
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Adopt The Strategic Economic Development Plan Update

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking recertification as a Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan;

NOW, THEREFORE BE IT RESOLVED by the county legislative body of Sullivan County, Tennessee, meeting in regular session at Blountville, Tennessee that:

SECTION 1: The legislative body of Sullivan County declares that the county has adopted the 2006 Strategic Economic Development Plan.

SECTION 2: The strategic economic development plan includes the county's economic priorities in promoting economic growth, and action plans to accomplish those priorities.

SECTION 3: The strategic economic development plan addresses the county's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment.

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.

Hereby approved this 17th day of July, 2006.

Attest: Jeanie Gammon Approve: Richard S. Venable
Jeanie Gammon, County Clerk Richard S. Venable, County Mayor

Sponsored By: Ralph Harr
Prime Co-Sponsor(s): Marvin Hyatt

2006-07-81	Administrative	Budget	Executive	County Commission
ACTION		Approve 7-6-06	Approve 7-5-06	Approved 7-17-06 23 Aye, 1 Absent

Notes:

Executive Summary
Economic Development Strategic Plan Update

NETWORKS Sullivan Partnership

(Sullivan County Joint Economic and Community Development Board)

Sullivan County, Bluff City, Bristol and Kingsport is participating jointly in the Tennessee Three-Star Communities Program administered by the Tennessee Department of Economic and Community Development (ECD). NETWORKS is the local organization responsible for documenting the criteria and requirements established by ECD for community participation in the program. In addition to the status of being recognized as a community ready for economic development, the county and cities receive a 5% reduction in the local match dollars for state grant programs.

One of the requirements of the program is an Economic Development Strategic Plan updated annually. This year's update provides a listing of priorities adopted by the Board of Directors of NETWORKS. They are not intended to be exclusive of other community or economic development priorities but are established primarily to aid in the development of an annual program of action for the organization. The following is a summary of those priorities:

Priority 1: Develop a county-wide Road Plan which coordinates the efforts of the Regional Rural Transportation Planning Organization, the Kingsport Metropolitan Planning Organization and the Bristol Metropolitan Planning Organization.

Priority 2: Implement program for county-wide aerial photography and the establishment of a coordinate County "GIS" organization.

Priority 3: Establish a county-wide committee to promote income enhancement through the recruitment of "Boomer Retirees".

Priority 4: Establish a workforce recruitment effort aimed at former residents and natives of the area. Such program to list jobs available and job skill needs in the county.

Priority 5: Evaluate the hydraulic water capacity and potential of the utility districts and municipal systems of the county.

Priority 6: Promote regional cooperation through the recruitment of aviation-related industries. This effort will be directed toward securing a location for businesses on Properties in and around the Tri-Cities Regional Airport. (The airport is owned jointly by six area governments.)

The Sullivan County Commission is being asked to adopt the Strategic Plan (a Three-Star criteria) and the above priorities.

2006-07-81

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Executive
No. 2006-07-82
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Authorize Traffic Sign Changes in the 5th Civil District

WHEREAS, Commissioner Garth Blackburn requested the Sullivan County Highway Department to make traffic sign changes on roads in the 5th Civil District (4th Commission District); and,

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

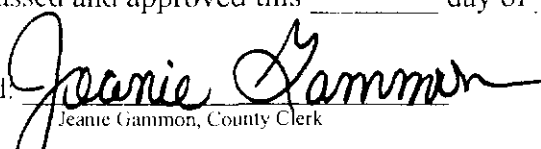
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

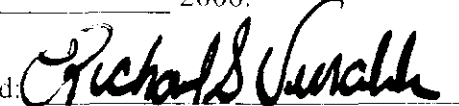
5th Civil District (4th Commission District)

To place 15 MPH Speed Limit signs on Adams 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.

Duly passed and approved this 17th day of July 2006.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Sponsor: Blackburn

Prime Co-Sponsor(s): Brittenham, Houser

2006-07-82	Administrative	Budget	Executive	County Commission
ACTION		Approve 7-6-06	Approve 7-5-06	Approved 7-17-06 23 Aye, 1 Absent

Notes:

RESOLUTION REQUEST REVIEW

DATE: June 29, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Garth Blackburn

SUBJECT: To place a 15 MPH SPEED LIMIT on Adams Road.

5 CIVIL DISTRICT
4 COMMISSIONER DISTRICT Garth Blackburn
Linda Brittenham
Dennis Houser

X RECOMMENDED BY HIGHWAY DEPARTMENT
____ NOT RECOMMENDED BY HIGHWAY DEPARTMENT

COMMENT: _____



TRAFFIC COORDINATOR



HIGHWAY COMMISSIONER

2006-07-82

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Executive
No. 2006-07-83
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Authorize Traffic Sign Changes in the 1st Civil District

WHEREAS, Commissioner Randy Morrell requested the Sullivan County Highway Department to make traffic sign changes on roads in the 1st Civil District (1st Commission District); and,

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

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

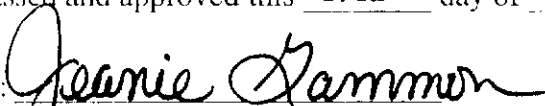
1st Civil District (1st Commission District)

**To place a 15 MPH Speed Limit sign on Offield Hollow Road
from Hickory Tree Road west to the dead-end.
Also from Hickory Tree Road east to Beidleman Creek Road.**

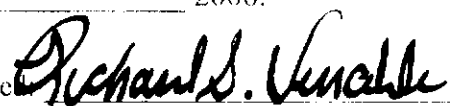
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 17th day of July 2006.

Attested:


Jeanie Gammon, County Clerk

Approved:


Richard S. Venable, County Mayor

Sponsor: Morrell

Prime Co-Sponsor(s): Hyatt

2006-07-83	Administrative	Budget	Executive	County Commission
ACTION		Approve 7-6-06	Approve 7-5-06	Approved 7-17-06 23 Aye, 1 Absent

Notes:

RESOLUTION REQUEST REVIEW

DATE: June 21,2006

TO: Sullivan County Commission

REQUEST MADE BY: Randy Morrell

SUBJECT: To place a 15 MPH SPEED LIMIT on Offield Hollow Road.
From Hickory Tree Road west to the Dead-End .
Also from Hickory Tree Road east to Beidleman Creek Road.

 1 CIVIL DISTRICT

 1 COMMISSIONER DISTRICT

 X APPROVED BY HIGHWAY DEPARTMENT

 DENIED BY HIGHWAY DEPARTMENT

COMMENT:



TRAFFIC COORDINATOR

6/21/2006



HIGHWAY COMMISSIONER

6/21/2006

2006-07-83

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Executive
No. 2006-07-84
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Authorize Traffic Sign Changes in the 10th Civil District

WHEREAS, Commissioner Howard Patrick requested the Sullivan County Highway Department to make traffic sign changes on roads in the 10th Civil District (6th Commission District); and,

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

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

10th Civil District (6th Commission District)

**To place 25 MPH Speed Limit signs on Ollis Bowers Hill Road
from Highway 11W to Highridge Drive.**

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.

Duly passed and approved this 17th day of July 2006.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

Approved: Richard S. Venable
Richard S. Venable, County Mayor

Sponsor: Patrick

Prime Co-Sponsor(s): Hall, Surgenor

HWY

2006-07-84	Administrative	Budget	Executive	County Commission
ACTION		Approve 7-6-06	Approve 7-5-06	Approved 7-17-06 23 Aye 1 absent

Notes:

RESOLUTION REQUEST REVIEW

DATE: June 21, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Howard Patrick

SUBJECT: To place 25 MPH SPEED LIMITS on Ollis Bowers Hill Road,
from HWY 11W to Highridge Dr.

10 **CIVIL DISTRICT**

6 **COMMISSIONER DISTRICT**

Howard Patrick
Larry Hall
Michael Surgenor

X **APPROVED BY HIGHWAY DEPARTMENT**

 DENIED BY HIGHWAY DEPARTMENT

COMMENT:


6/21/2006
TRAFFIC COORDINATOR


6/21/2006
HIGHWAY COMMISSIONER

Sullivan County, Tennessee
Board of County Commissioners

Item 15
Executive
No. 2006-07-85

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION TO APPROVE SULLIVAN COUNTY FLOOD DAMAGE PREVENTION PLAN

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, Tennessee Code Annotated delegated the responsibility to the county legislative body to adopt floodplain regulations designed to minimize danger to life and property and to allow its citizens to participate in the National Flood Insurance Program. Therefore, the Board of County Commissioners of Sullivan County, Tennessee, does resolve as follows:

Section B. Findings of Fact

1. The Sullivan County Board of County Commissioners wishes to maintain eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-04 Edition).
2. Areas of Sullivan County are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Resolution to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This Resolution is designed to:

1. Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including County facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion, and;

5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Resolution are:

1. To protect human life, health and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodable areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodable area; and
8. To maintain eligibility for participation in the National Flood Insurance Program.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted as to give them the meaning they have in common usage and to give this Resolution its most reasonable application given its stated purpose and objectives.

"Accessory Structure" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
5. Service facilities such as electrical and heating equipment shall be elevated or floodproofed.

"Act" means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered **"New Construction"**.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Resolution or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow.)

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

"Building", means any structure built for support, shelter, or enclosure for any occupancy or storage (See "Structure")

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of landmasses. This peril is not per se covered under the Program.

"Exception" means a waiver from the provisions of this Resolution which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Resolution.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the first floodplain management code or Resolution adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP)).

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or Resolution adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP)).

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Elevation Determination" means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or "Flood-prone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that has been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system, which consists of a levee, or levees, and associated structures, such as closure, and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Resolution.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term **"Manufactured Home"** does not include a **"Recreational Vehicle"**, unless such transportable structures are placed on a site for 180 consecutive days or longer.

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Resolution, the term is synonymous with National Geodetic Vertical Datum (NGVD) or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced after the effective date of this Resolution or the effective date of the first floodplain management Resolution and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after the effective date of this Resolution or the effective date of the first floodplain management Resolution and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" as corrected in 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AF, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" The Tennessee Department of Economic and Community Development's, Local Planning Assistance Office as designated by the Governor of the State of Tennessee at the request of the Administrator to assist in the implementation of the National Flood Insurance Program for the state.

"Structure", for purposes of this section, means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any repairs, reconstruction's, rehabilitation's, additions, alterations or other improvements to a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure before the "start of construction" of the improvement. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.

For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Resolution which permits construction in a manner otherwise prohibited by this Resolution where specific enforcement would result in unnecessary hardship.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Resolution is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Resolution shall apply to all areas within the incorporated area of Sullivan County, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Sullivan County, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47018C-0020¹, 47018C-0030, 47018C-0035, 47018C-0040, 47018C-0045, 47018C-0055, 47018C-0060, 47018C-0065, 47018C-0070, 47018C-0080, 47018C-0081¹, 47018C-0082¹, 47018C-0083, 47018C-0084¹, 47018C-0089, 47018C-0090, 47018C-0091, 47018C-0092, 47018C-0093, 47018C-0094, 47018C-0101, 47018C-0103, 47018C-0108, 47018C-0109, 47018C-0111, 47018C-0112, 47018C-0113, 47018C-0114, 47018C-0116, 47018C-0117, 47018C-0118, 47018C-0119, 47018C-0126¹, 47018C-0127¹, 47018C-0128, 47018C-0129¹, 47018C-0135, 47018C-0140, 47018C-0145, 47018C-0175, 47018C-0200¹, 47018C-0205¹, 47018C-0210, 47018C-0215¹, 47018C-0220¹, 47018C-0230, 47018C-0235, 47018C-0240, 47018C-0245, 47018C-0255, 47018C-0260, 47018C-0265¹, 47018C-0270, 47018C-0277, 47018C-0280, 47018C-0281, 47018C-0282, 47018C-0283, 47018C-0284, 47018C-0290, 47018C-0295, 47018C-0305, 47018C-0310, 47018C-0325¹, 47018C-0350, 47018C-0375¹, dated September 29, 2006, along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Resolution prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Resolution and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Resolution conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Resolution, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Resolution does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of Sullivan County, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Sullivan County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Resolution Administrator

The Building Commissioner is hereby appointed as the Administrator to implement the provisions of this Resolution.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where BFE's are available, or to the highest adjacent grade when applicable under this Resolution.
- b. Elevation in relation to mean sea level to which any non-residential building will be flood-proofed where BFE's are available, or to the highest adjacent grade when applicable under this Resolution.
- c. Design certificate from a registered professional engineer or architect that the proposed non-residential flood-proofed building will meet the flood-proofing criteria in Article IV, Section B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record the elevation of the lowest floor on the development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the regulatory floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing. Within unnumbered A zones, where flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a registered land surveyor and certified by same. When floodproofing is utilized for a non-residential building said certification shall be prepared by or under the direct supervision of, a professional engineer or architect and certified by same.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to:

1. Review of all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.
3. Notification to adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse, and submission of evidence of such notification to the Federal Emergency Management Agency.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
5. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable of the lowest floor including basement of all new or substantially improved buildings, in accordance with Article IV. Section B.
6. Record the actual elevation; in relation to mean sea level or the highest adjacent grade, where applicable to which the new or substantially improved buildings have been flood-proofed, in accordance with Article IV. Section B.
7. When flood proofing is utilized for a structure, the Administrator shall obtain certification of design criteria from a registered professional engineer or architect, in accordance with Article IV. Section B.
8. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.
9. When base flood elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community FIRM meet the requirements of this Resolution.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Resolution). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Article IV. Section B.

10. All records pertaining to the provisions of this Resolution shall be maintained in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all flood prone areas the following provisions are required:

1. New construction and substantial improvements to existing buildings shall be anchored to prevent flotation, collapse or lateral movement of the structure;
2. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
3. New construction and substantial improvements to existing buildings shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction or substantial improvements to existing buildings shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution; and,
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced.

Section B. Specific Standards

These provisions shall apply to ALL Areas of Special Flood Hazard as provided herein:

1. Residential Construction. Where base flood elevation data is available, new construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls and to ensure unimpeded movement of floodwater shall be provided in accordance with the standards of Article V. Section B.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Resolution). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Article IV. Section B.

2. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building, when BFE data is available, shall have the lowest floor, including basement, elevated or floodproofed no lower than one (1) foot above the level of the base flood elevation.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Resolution). All applicable data including elevations or flood-proofing certifications shall be recorded as set forth in Article IV. Section B.

Buildings located in all A-zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV. Section B.

3. Elevated Building. All new construction or substantial improvements to existing buildings that include ANY fully enclosed areas formed by foundation and other exterior walls below the base flood elevation, or required height above the highest adjacent grade, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
 - a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria.
 - 1) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one foot above the finish grade; and
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - b. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the elevated living area (stairway or elevator); and
 - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms in such a way as to impede the movement of floodwaters and all such petitions shall comply with the provisions of Article V. Section B. of this Resolution.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction, including elevations and anchoring.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) When base flood elevations are available the lowest floor of the manufactured home is elevated on a permanent foundation no lower than one (1) foot above the level of the base flood elevation; or,
 - 2) Absent base flood elevations the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements) at least three (3) feet in height above the highest adjacent grade.
- c. Any manufactured home which has incurred "substantial damage" as the result of a flood or that has substantially improved must meet the standards of Article V. Section B. 4 of this Resolution.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed on identified flood hazard sites must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions.
 - 3) The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of this section above if on the site for longer than 180 consecutive days.

5. Standards for Subdivisions

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty lots and/or five acres in area.

Section C.

Standards for Areas of Special Flood Hazard with Established Base Flood Elevations and With Floodways Designated

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other developments within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, shall not result in ANY increase the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.
2. New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of Article V.

Section D.

Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Areas of Special Flood Hazard established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated, (Zones AE) the following provisions apply:

1. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
2. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article V, Section B.

Section E. Standards for Streams without Established Base Flood Elevations or Floodways (A Zones)

Located within the Areas of Special Flood Hazard established in Article III, where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

1. When base flood elevation data or floodway data have not been provided in accordance with Article III, then the Administrator shall obtain, review and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State or other source, in order to administer the provisions of Article V. ONLY if data is not available from these sources, then the following provisions (2 & 3) shall apply:
2. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering

certification should be supported by technical data that conforms to standard hydraulic engineering principles.

3. In special flood hazard areas without base flood elevation data, new construction or substantial improvements of existing shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Article V, Section B, and "Elevated Buildings".

Section F. Standards For Areas of Shallow Flooding (AO and AH Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1') foot above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Article V, Section B, and "Elevated Buildings".
2. All new construction and substantial improvements of nonresidential buildings may be flood-proofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be flood proofed and designed watertight to be completely flood-proofed to at least one (1') foot above the specified FIRM flood level, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified, the lowest floor, including basement, shall be flood proofed to at least three (3) feet above the highest adjacent grade. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Resolution and shall provide such certification to the Administrator as set forth above and as required in Article IV, Section B.
3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.
4. The Administrator shall certify the elevation or the highest adjacent grade, where applicable, and the record shall become a permanent part of the permit file.

Section G. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the areas of special flood hazard established in Article III. Are areas of the 100-year floodplain protected by a flood protection system but where base flood elevations and flood hazard factors have not been determined. Within these areas (A-99 Zones) all provisions of Article IV, and Article V, Section A, shall apply.

Section H. Standards for Unmapped Streams

Located within Sullivan County, Tennessee are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams the following provisions shall apply:

1. In areas adjacent to such unmapped streams, no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When new elevation data is available, new construction or substantial improvements of buildings shall be elevated or flood proofed to elevations established in accordance with Article IV.

ARTICLE VI. VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to Areas of Special Flood Hazard within the unincorporated areas of Sullivan County, Tennessee.

Section A. Board of Appeals

1. Creation and Appointment

A Board of Appeals is hereby established which shall consist of five (5) members appointed by the Chief Executive Officer. The term of membership shall be four (4) years except that the initial individual appointments to the Board of Appeals shall be terms of one, two, and three years respectively. Vacancies shall be filled for any unexpired term by the Chief Executive Officer.

2. Procedure

Meetings of the Board of Appeals shall be held at such times as the Board shall determine. All meetings of the Board of Appeals shall be open to the public. The Board of Appeals shall adopt rules of procedure and shall keep records of applications and actions thereon, which shall be a public record. Compensation of the members of the Board of Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Board of Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Board of Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of fifty (\$50.00) dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Board of Appeals all papers constituting the record upon which the appeal action was taken. The Board of Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than fifteen (15) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Board of Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the

Administrator or other administrative official in the carrying out or enforcement of any provisions of this Resolution.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The Sullivan County Board of Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- 2) Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the County;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Resolution, the Board of Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum relief necessary so as not to destroy the historic character and design of the building.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Resolutions

In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Sullivan County, Tennessee, the most restrictive shall in all cases apply.

Section B. Validity

If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Resolution shall become effective immediately after its passage, by Sullivan County, Tennessee, the public welfare demanding it.

Recommended by the Sullivan County, Tennessee Regional Planning Commission.

Hereby approved this _____ day of _____, 2006.

Attest: _____
Jeanie Gammon, County Clerk

Approve: _____
Richard S. Venable, County Mayor

Sponsored By: Ralph Harr
Prime Co-Sponsor(s): Eddie Williams

2006-07-85	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 07-17-06;**

Sullivan County, Tennessee
Board of County Commissioners

Item 16
Executive
No. 2006-07-86
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Authorize Traffic Sign Changes in the 12th Civil District

WHEREAS, Commissioner Wayne McConnell requested the Sullivan County Highway Department to make traffic sign changes on roads in the 12th Civil District (9th Commission District); and,

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

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

12th Civil District (9th Commission District)

To place 25 MPH Speed Limit signs on Flanders Street.

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.

Duly passed and approved this _____ day of _____ 2006.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Sponsor: McConnell

Prime Co-Sponsor(s): Ferguson

2006-07-86	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 07-17-06;**

RESOLUTION REQUEST REVIEW

DATE: July 10, 2006

TO: Sullivan County Commission

REQUEST MADE BY: Wayne McConnell

SUBJECT: To place a 25 MPH SPEED LIMIT on Flanders Street.

12 **CIVIL DISTRICT**

9 **COMMISSIONER DISTRICT** Wayne McConnell
O. W. Ferguson

X **RECOMMENDED BY HIGHWAY DEPARTMENT**

_____ **NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

COMMENT: _____

Roger Cooper 07/10/2006
TRAFFIC COORDINATOR

J.R. RZ... 07/10/2006
HIGHWAY COMMISSIONER

**SULLIVAN COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS**

Item 17
Administrative/Budget
No. 2006-07-87

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Sale County Owned Delinquent Tax Property in the 17th Civil District

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

WHEREAS, as of January 2005 the current amount owed against the property was \$2,475.18; and,

WHEREAS, a bid in the amount of \$500.00 has been received from Thomas Agnew on a parcel of land located in the 17th Civil District identified as Tax Map 20G, Group J, Parcel 8.00; 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 no raised bids on such property; 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 17th Civil District identified as Tax Map 20G, Group J, Parcel 8.00 to Thomas Agnew for the amount of \$500.00 in accordance with T.C.A. § 67-5-2507.

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

Duly passed this 17th day of July 2006.

Attested: Jeanie F. Gammon Approved: Richard S. Venable
Jeanie F. Gammon, County Clerk Richard S. Venable, County Mayor

**Introduced by Commissioner: James "Buddy" King
Seconded by Commissioner(s): Ralph Harr**

at

2006-07-87	Administrative	Budget	Executive	County Commission
ACTION				Approved 7-17-06

Comments:

19Aye, 4Nay, 1Absent

CITY OF TENNESSEE REAL ESTATE APPRAISAL CARD

CITY ANDERSON ST 5 OF
PROPERTY ADDRESS SUBDIV 1
OWNER'S NAME AND MAILING ADDRESS SULLIVAN COUNTY
BLOUNTVILLE TN 37617

PG BK PG BK
 BLOCK BLOCK
 LCT LDT

TAX YEAR 2006
COUNTY OF SULLIVAN
DBO BRISTOL

17 **020G** **J** **020G** **008.00** **000**
MAP **CONTROL MAP** **PARCEL** **PI** **SA**
DATE UPDATED 03/7/05
DATE PRINTED 06/09/06
CARD NO 01 OF 1

TOTAL LAND UNITS 2.00 **APPROX VALUE RECAP**
DEED ACRES 0.00 **IMPROVEMENTS** 0
DATE ACRES 2.0 **LAND** 10,800
TOTAL APPRAISAL 10,800

ASSESSMENT 0
PROPERTY TYPE 02 **0%**

GENERAL PARCEL DATA
 LAND APPRAISED BY 11/1/04
 E.D.I. 07
 ROAD NO. 0
 BLOCK 0
 FACE 0
 AREA 0
 MAP 0
 OPTIONAL 0
 INTEREST CODE
 BLDG APPRAISAL BY SOURCE 1 1 1 0
 PERMIT NO. F.H.A. NUMBER 0
 LAND USE CODE 0
 ZONING 0
 CONVD 0

CMAS LOCAL ASSESSOR SYSTEM
 PERCENT CONDITION
 ANNUAL DEPR RATE
 EFF YR BUILT
 UNITS
 UNIT PRICE
 SIZE
 DIMENSION
 SOB CLASS
 APR BY

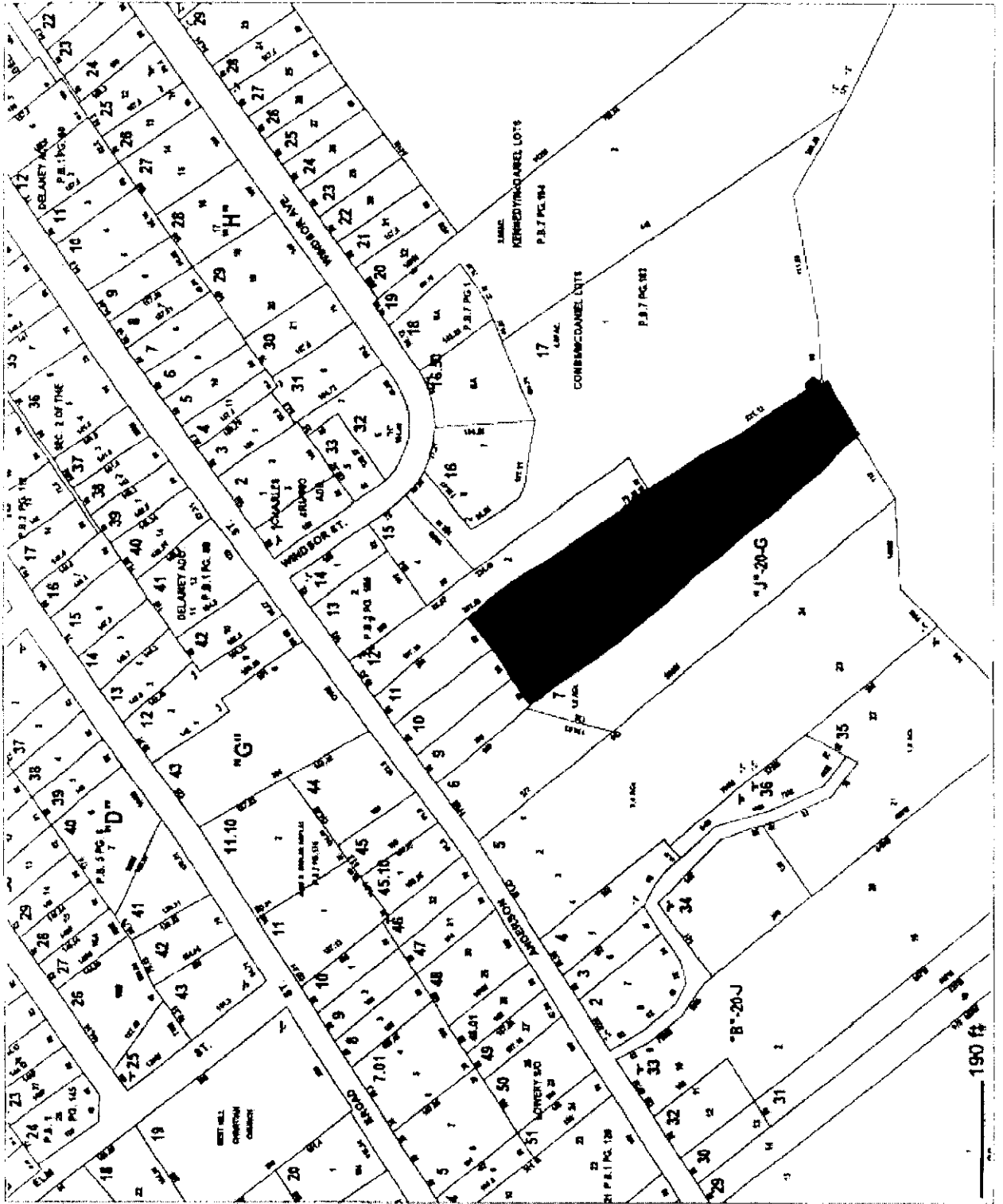
EX FEATURE BLDG APPR DATE
 DISK CODE 70
 SIZE DIMENSION 20 100 100 100
 SOB CLASS 60
 APR BY

ADJUSTED VALUE 5,400.00
UNIT PRICE 9,000.00
UNIT LAND 60
ADJUSTED UNIT PRICE 5,400.00
LAND VALUE 10,800

EX	FEATURE	BLDG	APPR	DATE	DISK	CODE	SIZE	DIMENSION	SOB	CLASS	APR	BY
1.	EXEMPT				70		20	100	100	100	100	
2.												
3.												
4.												
5.												
6.												

LAND USE CODES
 1. 2. 3. 4. 5. 6.
 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

TEXT_100FT
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 PARCELS



190 呎

Sullivan County, Tennessee
Board of County Commissioners

Item 18
Administrative/Budget
No. 2006-07-88

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Accept and Appropriate Grant Funds for the Sullivan County Library

WHEREAS, a grant has become available through the Tennessee State Library and Archives in an amount of \$22,000.00 for the purchase of computers and other various peripheral equipment for programs for the disadvantaged;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves accepting and appropriating funds in an amount up to \$22,000.00 from the Department of State, Tennessee State Library and Archives.

BE IT RESOLVED that the Sullivan County Library will provide no matching funds per grant guidelines from their current budget – no county money involved. Account codes assigned by the Office of Accounts & Budgets as follows:

Revenue 101.46990.Pgm 141
Appropriation 101.56500.700. Pgm 141
 101.56500.300 Pgm 141
 101.56500.400 Pgm141

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 17th day of July 2006.

Attested: Jeanie Gammon Approved: Richard S. Venable
Jeanie Gammon, County Clerk Richard S. Venable, County Mayor

Sponsored By: Brittenham
Prime Co-Sponsor(s): Jones

| | | | | |
|------------|----------------|--------|-----------|--------------------------------------|
| 2006-07-88 | Administrative | Budget | Executive | County Commission |
| ACTION | | | | Approved 7-17-06
23 Aye. 1 Absent |

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 19
Administrative/Budget
No. 2006-07-89

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Accept and Appropriate Grant Funds for the Sullivan County Library

WHEREAS, a grant has become available through the Tennessee State Library and Archives in an amount of \$2,990.00 for the purchase of computers;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves accepting and appropriating funds in an amount up to \$2,990.00 from the Department of State, Tennessee State Library and Archives.

BE IT RESOLVED that the Sullivan County Library will provide no matching funds per grant guidelines from their current budget – no county money involved. Account codes assigned by the Office of Accounts & Budgets as follows:

Revenue 101.46990.Pgm 141
Appropriation 101.56500.700. Pgm 141

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 17th day of July 2006.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

Approved: Richard S. Venable
Richard S. Venable, County Mayor

Sponsored By: Brittenham
Prime Co-Sponsor(s): Crawford

| 2006-07-89 | Administrative | Budget | Executive | County Commission |
|------------|----------------|--------|-----------|--------------------------------------|
| ACTION | | | | Approved 7-17-06
23 Aye, 1 Absent |

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 20
Executive
No. 2006-07-90

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July, 2006.

RESOLUTION Authorizing Easement to Kingsport Power Company to Serve Former Gravely School Property

WHEREAS, Sullivan County, Tennessee owns a portion of the property generally known as the Gravely School Property; and

WHEREAS, Sullivan County by Resolution No. 2006-02-18 approved March 20, 2006 authorized leasing the portion of the Gravely School Property owned by Sullivan County to Gravely Baptist Church; and

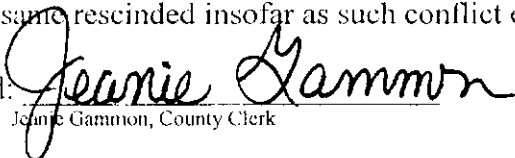
WHEREAS, Gravely Baptist Church has requested Kingsport Power Company to supply electrical power to the property owned by Sullivan County such that it may use a modular unit located on the property; and

WHEREAS, in order to provide electrical service to the property, Kingsport Power Company has requested an easement from Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the County Mayor to execute on behalf of Sullivan County an easement to Kingsport Power Company across the portion of the former Gravely School Property owned by Sullivan County.

[WAIVER OF RULES REQUESTED]

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

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Sponsored By: Kilgore
Prime Co-Sponsor(s): Crawford

| | | | | |
|------------|----------------|--------|-----------|--------------------------------------|
| 2006-07-90 | Administrative | Budget | Executive | County Commission |
| ACTION | | | | Approved 7-17-06
23 Aye, 1 Absent |

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 21
Administrative/Budget/Executive
No. 2006-07-91

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of July 2006.

RESOLUTION To Enter Contract for Option to Purchase County Owned Land in the 6th Civil District

WHEREAS, Sullivan County is the owner of a tract of land located in the 6th Civil District of Sullivan County, Tennessee, known as Tax Map 34, Parcel 118.30, being approximately 66.9 acres; and

WHEREAS, Eco-Safe, LLC., wishes to obtain an option to purchase the above referenced parcel; and

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the execution of the attached agreement between Sullivan County and Eco-Safe, LLC. for the Option to Purchase land located in the 6th Civil District of Sullivan County, Tennessee, known as Tax Map 34, Parcel 118.30, being approximately 66.9 acres.

BE IT RESOLVED that during the time period when Eco-Safe, LLC is exercising their Option to Purchase or during the Permitting Process, Sullivan County will not enact the Jackson Law.

BE IT FURTHER RESOLVED that Sullivan County will abide by all statutory requirements in the sale of this parcel.

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.

Hereby approved this _____ day of _____, 2006.

Attest: _____
Jeanie Gammon, County Clerk

Approve: _____
Richard S. Venable, County Mayor

Sponsored By: Ralph Harr
Prime Co-Sponsor(s): Eddie Williams, Joe Herron, Mark Vance

| 2006-07-90 | Administrative | Budget | Executive | County Commission |
|------------|----------------|--------|-----------|-------------------|
| ACTION | | | | |

Notes: **Amendment #1 made by Williams and accepted by Sponsor as follows "THAT COUNTY WILL TAKE THE NECESSARY STEPS TO PROVIDE THE SHERIFF'S DEPT. WITH FACILITIES EQUAL TO THE PRESENT FACILITIES."**

1st Reading 07-17-06;

OPTION AGREEMENT

Whereas, Sullivan County (hereinafter Seller) is the owner of a tract of land located in the 6th Civil District of Sullivan County, Tennessee, being that property shown on Sullivan County Tax Map 34 Parcel 118.30 and encompasses 66.9 acres, more or less, and

Whereas, the aforementioned tract of land adjoins a closed landfill and is currently utilized by the county for a rifle range, a dog training facility and a riding facility, and

Whereas, Eco-Safe Systems L.L.C. (hereinafter Buyer) wishes to obtain an option to purchase the aforementioned land, and

Whereas, the parties have reached an agreement regarding the terms of an option agreement,

Now Therefore, they agree as follows:

1. **TERM** – The option to purchase shall be for a term of 3 years from date of execution of this Agreement.
2. **CONSIDERATION** - Upon execution of this Agreement and upon payment by Buyer of the sum of Ten Thousand Dollars (\$10,000.00), non-refundable earnest money, Buyer shall have the option to purchase the aforementioned property from Seller for the following consideration: One Million Five Hundred Thousand Dollars (\$1,500,000.00) paid at the time option is exercised at which time Seller shall deliver a Warranty Deed to Buyer and as additional consideration, Buyer shall allow Seller to dispose of a maximum of 120 tons of waste per day, 5 days per week, with the exception of holidays, for a period of 10 years beginning 90 days after commencement of the operation of the landfill. The current value of these services are estimated to be Five Million Nine Hundred Twenty Eight Thousand Dollars (\$5,928,000.00). The aforementioned additional consideration, i.e. allowing Seller to dispose of waste as referenced above shall be secured by performance bond furnished by Buyer at closing. Seller acknowledges that no landfill will be operated by Buyer until properly permitted by the State of Tennessee and therefore, the commencement date of operation of the landfill is undetermined, therefore, Buyer will notify both the County Mayor and the County Attorney in writing at the time of the commencement of the operation of the landfill.
3. **CONDITIONS OF SALE** – If Buyer exercises its option to purchase the property, it will be responsible for all of the following: (a) Moving the contents of the old landfill to a new location approved by the State of Tennessee, and (b) Any environmental damage or damages of any kind which occur in, on or about the new location.
4. **BINDING EFFECT** – Upon the execution of this option agreement, it shall be binding upon all parties, their heirs and assigns or successors in interest.
5. **TESTING** – Upon execution of this Option, Buyer or its agents shall have the right to come onto the property and allow any and all experts who may be needed

to perform tests on the land to ascertain its use for particular purposes. Prior to said testing, Seller shall be given notice of same, and, Buyer shall be responsible for returning the land, as closely as possible, to the same condition it was in prior to the testing. In addition, Buyer agrees to indemnify and hold Seller harmless from any claim which might be made as a result of any injury or property damage which occurs during any testing.

- 6. **ADDITIONAL CONSIDERATION** – In addition to the land which Sullivan County is going to transfer to the Buyer in return for the purchase price set out above, Sullivan County agrees and, commits itself, to use its best efforts and influence to assist Buyer in obtaining all necessary permits or licenses from the State of Tennessee, and local approval, so as to open and operate a private landfill, and agrees to issue all permits or licenses which the County must issue for operation of a landfill once the State of Tennessee has issued a landfill permit.

This ____ day of _____, 2006.

Approved and agreed to by:

Sullivan County, Tennessee, Seller
By: Richard Venable, Mayor

Eco-Safe Systems L.L.C., Buyer
By: Gary Rader

STATE OF TENNESSEE
COUNTY OF SULLIVAN

Sworn to and subscribed before me, a Notary Public, by **Richard Venable** on this the ____ day of _____, 2006.

Notary Public

My commission expires: _____

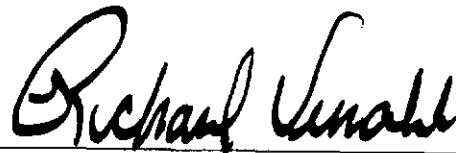
STATE OF TENNESSEE
COUNTY OF SULLIVAN

Sworn to and subscribed before me, a Notary Public, by **Gary Rader** on this the ____ day of _____, 2006.

Notary Public

My commission expires: _____

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION AUGUST 21, 2006.

A handwritten signature in cursive script, reading "Richard Venable". The signature is written in black ink and is positioned above a horizontal line.

RICHARD VENABLE

COMMISSION CHAIRMAN