

COUNTY COMMISSION MEETING, REGULAR SESSION

MONDAY MORNING

MARCH 21, 1994

BE IT REMEMBERED THAT:

COUNTY COMMISSISON MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MARCH 21, 1994, 9:00 A. M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE WILLIAM H. 'JOHN' MCKAMEY, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY,

TO WIT:

The meeling was called to order by County Executive, John McKamey. Sheriff Keith Carr opened the Commission meeting. Commissioner Jim King gave the invocation and pledge to the flag was led by County Executive, John McKamey.

Roll was called by County Clerk, Gay Feathers. Commisisoners present and answering roll call are as follows:

ROBERT L. (BOB) AMMONS
CAROL BELCHER
JAMES R. (JIM) BLALOCK
EUGENE CODKENOUR
FRED CHILDRESS
HAROLD CHILDRESS
MARGARET DEVAULT
O. W. FERGUSON
JONES FORTUNE
RITA GROSECLOSE
RALPH P. HARR
EDLEY HICKS

MARVIN HYATT
TERRY JONES
JAMES L. (JIM) KING
CARL KRELL
WAYNE MCCONNELL
PAUL MILHORN
HOWARD PATRICK
RONALD REEDY
CRAIG M. ROCKETT, JR.
MICHAEL RUTHERFORD
MICHAEL SURGENOR
RANDY TRIVETT

Present 24 Absent 0

Motion was made by Commissioner O. W. Ferguson and Seconded by Commissioner Marvin Hyatt, to approve the minutes of the Regular Session held on Febraury 21, 1994. Motion was approved by voice vote of the Commission. Motion was made by Commisisoner Ralph Harr and seconded by Commissioner Harold Childress to approve the personal sureties of the Notary Public Bonds distributed to the Commissioners. The motion was approved by roll call vote of the Commission. 20 Aye - 4 Absent.

The following pages indicates the action taken by the Commission on rezoning requests, election of notaries, approval of personal surety Notary Bonds and resolutions.

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING The Sullivan County Board of Commissioners to Consider Amendments to the Sullivan County Zoning Resolution as Amended

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 1994.

THAT 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; therefore

BE IT RESOLVED, That the Sullivan County Board of Commissioners 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 exist.

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21st day of March, 1994
Attested: Ray B. Feathers Date: 3/21/94 Wm H. "John" McKamey Date: 3/21/94
County Clerk County Executive

INTRODUCED BY COMMISSIONER Jones ESTIMATED COST: _____
SECONDED BY COMMISSIONER Belcher/Trivett FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: Motion by Comm. Trivett and SEconded by: Comm. Rutherford

TO APPROVE - Approved 3/21/94 Voice Vote

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

March 21, 1994

Consider the following:

Motion by:

Comm. Belcher (1)
Seconded by:
Comm. Rutherford

File # 12/93-4 A request by L. J. Mallicote to rezone the property described below from R-1 to PRD:
TO APPROVE PLANNING COMMISSIONS RECOMMENDATION TO DENY - Motion Passed - Roll Call 15 Aye, 2 Nay, 7 Pass

Being a tract of land lying in the 5th Civil District on the west side of Dunfries Road approximately 400 feet north of its intersection with State Route 126 and further described as that part of parcel 36, map 36 of the Sullivan County Tax Maps north of a line extended in a straight line from the northern property line of parcel 35.20, map 36 of the Sullivan County Tax Maps in a westerly direction.

The Planning Commission took the following action:

File No. 12/93-4, L. J. Mallicote Request.

Consider a request to rezone a tract of land located in the 5th Civil District on the west side of Plain View Road approximately 400 feet north of its intersection with State Route 126 from R-1 to R-3 to permit the location of apartments.

The applicant spoke in support of his request and asked that it be amended to PRD in order to allow for site plan review to address potential objections to the development by adjacent property owners. Don Sharin and other adjacent property owners appeared, spoke in opposition to the request and presented a signed petition. Those in opposition cited possible negative impact on adjacent residential property values and potential problems with stormwater drainage, increased noise and traffic volumes and unsafe road conditions at the entrance to the project site. Staff opined that all of the problems cited could be addressed with a site plan review process. Staff noted that recent reports reviewed by the planning commission indicate a need for additional housing in Sullivan County. Staff recommended the request be approved as amended to PRD.

Motion Brown, second Trivette to deny the request for PRD based on the concerns expressed by the adjacent property owners. Vote in favor of the motion: unanimous.

Motion by: (2)
Comm. Trivette
Seconded by:
Comm. Rutherford

File # 2/94-3 A request by Nelda Stigall to rezone the property described below from R-1 to R-2:
FO APPROVE REQUEST Motion Approved - Roll Call 24 Aye

Being a tract of land lying in the 3th Civil District on the west side of Sharps Hollow Road approximately 1500 feet north of its intersection with Riverside Road and further described as parcel 86 map 83 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 2/94-3, Nelda Stigall Request.

Consider a request to rezone a tract of land located in the 3th Civil District on the west side of Sharps Hollow Road approximately 1500 feet north of its intersection with Riverside Road from R-1 to R-2 to permit the location of a single-wide mobile home.

Applicant was present. No opposition was presented. Staff stated the request was compatible with existing land use patterns and recommended approval.

Motion Brown, second Belcher to approve the request as recommended by staff. Vote in favor of the motion: unanimous.

(3) Consider the following proposed amendment to the Zoning Resolution :

AMEND ARTICLE V GENERAL PROVISIONS OF THE SULLIVAN COUNTY ZONING RESOLUTION SECTION 502. OFF-STREET AUTOMOBILE PARKING PARAGRAPH 1 THEREOF AND ADD A PARKING DESIGN STANDARDS TABLE TO READ AS FOLLOWS:

"502. Off-Street Automobile Parking. Off-street automobile parking space shall be provided at the time of the erection of any building or structure or at the time any main building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, or before conversion from one zoning use or occupancy to another. The number of automobile parking spaces provided shall be at least as great as the number specified for the various uses. Each parking space shall have at least one hundred and sixty-two (162) square feet in area, and shall be provided so that no vehicle will be required to back into a street except for residential uses. The parking shall have vehicular access to a public street and shall be in accordance with the minimum dimensions specified by the following Design Standards table and the following requirements:

AUTOMOBILE PARKING SPACE DESIGN STANDARDS

Parking Angle (Degree)	Minimum Space Width (Feet)	Minimum Space Depth Perpendicular to aisle (Feet)	Minimum Space Width Parallel to Aisle (Feet)	Minimum Aisle Width (1 Way Drives) (Feet)	Minimum Aisle Width (2-Way Drives) (Feet)
30	9	16.8	18.0	15	24
45	9	19.1	12.7	17	24
60	9	20.0	10.4	20	24
90	9	18.0	9.0	24	24

Motion by: Comm. Trivett
 Seconded by: Comm. Belcher

TO APPROVE THE ABOVE AMENDMENT

APPROVED 3/21/94 ROLL CALL ___ 24 Aye

APPROVAL OF NOTARY PUBLIC

MARCH 21, 1994

SURETY BONDS

Janice Addington

Judith B. Ainsco

Anna D. Bacon

Donna C. Bateman

Cynthia Bledsoe

J. N. Bragg

Craig H. Caldwell, Jr.

Katharine Carrier

Elaine Cox

Mary Ruth Feathers

Peggy Good

Dora Anna Johnson

Linda L. Jones

Mildred F. Kestner

Ruth H. Lawson

Lisa Doran Lee

Ann P. Miller

Donna Faye Miller

Robert Parker

Rena C. Pickel

Linda C. Rochester

Shelia A. Simpson

Darlene S. Taylor

Harvey J. Webb

MOTION BY: Comm. Harry

SECONDED BY: Comm. H. Childress

BONDS

TO APPROVE THE PERSONAL SURETY/OF THE ABOVE NAMED INDIVIDUALS.

Motion Passed - Roll call of the Commission 20A 4 Absent

ELECTION OF NOTARIES

Sandra D. Angeles
 Sharon W. Bailey
 Ellen Sue Belcher
 Kathy Bellamy
 Lisa K. Burluson
 Burletta F. Conkin
 Steven Todd Cope
 Jerry Lynn Cotter
 Sherry Davis
 Ruth O. Dotson
 Elizabeth C. Eads
 David T. Falin
 Shelburne Ferguson, Jr.
 Della M. Flanary
 Gale K. Flanary
 Sarah Lee Frost
 Susan T. Gamble
 Traci Ann Hensley
 Shari Hillman
 Louis D. Hyde
 Shirley W. Jarvis
 Marvin Johnson
 Sherry C. Kestner
 Mitchell L. King
 Charlene D. Knicely
 Marcella Knox
 Hazel M. Louthen
 James H. Lumpkins, Jr.
 Patsy G. Marlowe
 Christina N. McCane
 Margie S. McKinney
 George W. McFee
 Barbara A. Medley
 Robin G. Miller
 Sue Million

Charles Mark Orfield
 Linda K. Patterson
 Phyllis M. Pierson
 E. H. Richmond, III
 Rhonda A. Roberts
 Patricia Tunnell Rock
 M. Susan Shipley
 Connie Stufflestreet
 Carol J. Vaughn
 Mimi D. Vest
 Don E. White
 Betty S. Wilder
 John M. Wolford
 Kelli L. Young

MOTION BY: COMM. HARR
 SECONDED BY: COMM. H. CHILDRESS

TO APPROVE THE ABOVE NAMED APPLICANTS FOR NOTARY PUBLIC.

Motion passed - Roll call Vote of the Commission.

20 Aye 4 Absent

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21ST DAY OF February 19 94.

RESOLUTION AUTHORIZING Setting Guidelines Applicable to Employee Insurance Plans (Except Medical, Dental and Workers Compensation Insurance Provided by the County)

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of February 19 94.

THAT BE IT RESOLVED, That the following guidelines be observed relevant to employee insurance plans (other than medical, dental and workers compensation and life insurance which are provided through the County's Employee Benefit Program):

1. All insurance proposals offering coverage for which employees will be responsible for payment of the premium shall be reviewed by the Insurance Committee prior to being offered to employees.

2. Insurance plans currently in effect may be modified October 1 through October 31 of each year to become effective January 1 of the following calendar year for the purpose of:

- a. Upgrading present coverage
- b. Applying for coverage through payroll deduction
- c. Cancellation of present coverage

3. Insurance Providers shall not be permitted to contact employees while they are in their workplace or while in performance of their job duties.

4. Bids shall be requested by the Sullivan County Purchasing Agent for proposed insurance plans for which the employee is responsible for premiums through payroll deduction.

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of March 1994.

Attested: _____ Date: 3/21/94 Wm. H. "John" McKamey Date: 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER Trivett ESTIMATED COST: _____
SECONDED BY COMMISSIONER Patrick FUND: _____

RESOLUTION NO. A 3
 Page Two

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	X			2/7/94
Budget	X			3/3/94
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: FIRST READING 2/21/94 APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF February, 1994.

RESOLUTION AUTHORIZING Resolving the Question of Allocation of Funds for Worker's Compensation as it pertains to the School Systems of Sullivan County and Bristol, Tennessee

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of February 19 94.

THAT BE IT RESOLVED, That since the city and county disagree on the legality of the method used by county government in accounting for workers' compensation coverage for school system employees; and, both parties seek to avoid expensive and protracted litigation, the city and county together, request local legislators to seek a legal opinion from the State Attorney General [this opinion to be accepted as binding on both parties], and

FURTHER BE IT RESOLVED, That should the Attorney General's opinion be found to uphold the county's position on the manner in which workers' compensation coverage is handled, the city shall cease any further claims to a local funding share to be paid to the Bristol school system; should the Attorney General's opinion be found to reject the county's position on workers' compensation funding for school system employees, the county shall correct the discrepancy, calculate a reimbursement to be paid to the Bristol school system; and make payment to the Bristol school system within thirty (30) days of which such opinion is rendered in an amount corresponding to that withheld from the city's school system, based on county expenditures and the appropriate statutory funding allocation formulas.

AMEND: Comm. DeVault - DELETE LAST SENTENCE IN FIRST PARAGRAPH AND ALL OF 3/21/94 SECOND PARAGRAPH.

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of March, 1994
Attested: Gay B. Feathers Date: 3-21-94 John H. "John" McKamey Date: 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER DeVault ESTIMATED COST: _____
SECONDED BY COMMISSIONER Rockett/Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative No Action				2/7/94
Budget No Action				3/3/97
Executive No Action				3/2/94

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: FIRST READING 2/21/94 APPROVED 3/21/94 AS AMENDED VOICE VOTE

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Request Traffic Study at Intersection of Moreland Drive and Rock Springs Road

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT BE IT RESOLVED, That the Department of Transportation be requested to conduct a traffic study at the intersection of Moreland Drive and Rock Springs Road to determine the feasibility of installing a traffic light at this location.

AMEND: Request study if this area is not inside the city limits or forward this resolution to Kingsport BMA for action by that Board if inside city.

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of Mar h _____, 1994

Attested: Gay B. Teague Date 3-21-94 Wm. H. "John" McKamey 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER F. Childress ESTIMATED COST: _____
SECONDED BY COMMISSIONER Ammons FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative			X	3/7/94
Budget				
Executive	X			3/2/94

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: APPROVED 3/21/94 AS AMENDED Voice Vote

0493

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Amending Resolution Number 6 passed on February 21, 1994.

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 1994.

THAT Whereas, the Sullivan County Commission on February 21, 1994 approved the hiring of a clerk and the transfer of funds for this clerk position and the Health Officer position and Whereas, funds for benefits were inadvertently put in the salary account. So therefore be it resolved, that the Sullivan County Commission approve the amending of Resolution Number 6, passed on February 21, 1994 as follows:

Salary from March 1, 1994 through June 30, 1993.

Clerk - 55110-100	Salary - \$4,446.40
55110-200	Benefits - \$1,111.60
	Total \$5,558.00

Salary from January 1, 1994 through June 30, 1994.

Health Officer - 55110-100	Salary - \$38,760.00
55110-200	Benefits - \$9,690.00
	Total \$48,450.00

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of March 1994

Attested: *Gay B. Feather* County Clerk Date: *3/21/94* *Wm. H. John McKamey* County Executive Date: *3-21-94*

INTRODUCED BY COMMISSIONER *BELCHER* ESTIMATED COST: _____

SECONDED BY COMMISSIONER *HICKS* FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	X			3/7/94
Budget	X			3/3/94
Executive	X			3/2/94

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: Ask for Waiver of Rules.

WAVER OF RULES APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF March, 1994.

RESOLUTION AUTHORIZING Election of Members to The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March, 1994.

THAT Pursuant to the provisions of Tennessee Code Annotated §48-3-307 and the hereinafter named individuals having previously served on the Board of Directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee, the individuals' willingness to serve an additional term and said individuals being residents of Sullivan County, Tennessee and living within the limits thereof;

NOW, THEREFORE, BE IT RESOLVED as follows:

(1) That the Sullivan County Board of Commissioners elects the following individuals to serve an additional six year term without compensation on The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee except that they shall be reimbursed for their reasonable expenses incurred in the performance of their duties; Fred R. Thornton of Kingsport, Tennessee; and Randy M. Kennedy of Bristol, Tennessee.

(2) That these Directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee are each hereby authorized to perform all statutory duties and as set out in the corporate charter and bylaws of the said corporation.

(3) That this Resolution reflects a finding by the County Commission that the election of the aforesaid members of the Board of Directors is necessary and advisable, and this Resolution is a true and correct record of the action taken and authorized by the County Commission of the County of Sullivan, Tennessee at its duly called meeting on March 21, 1994.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21st day of March, 1994.

Attested: [Signature] County Clerk Date: 3-21-94 Wm H. "John" McKamey County Executive 3-21-94

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER McConnell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 19 94.

RESOLUTION AUTHORIZING Appeal to the Tennessee Supreme Court the Appellate Court Decision on the I-81/Exit 66 Annexation Case and Appeal to the Next Appropriate Level All Other Annexation Cases Dismissed on the Basis of Lack of Sullivan County's Standing.

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT WHEREAS, A Tennessee Court of Appeals has ruled against Sullivan County (and Knox County) and held that ownership of county roads does not give Sullivan County standing to contest annexation by ordinance; and

WHEREAS, Sullivan County won the I-81/Exit 66 annexation case against Kingsport at the trial level and has five (5) other annexation lawsuits pending in the Chancery Courts of Kingsport and Bristol, and it is imperative to protect the County's right to proceed as a party plaintiff in each of these cases, and

WHEREAS, In order to properly protect the citizens of Sullivan County, its property and its local option sales tax base, therefore

BE IT RESOLVED, That the Sullivan County Board of Commissioners appeals the I-81/Exit 66 decision of a Tennessee Appellate Court to the Tennessee Supreme Court, and

FURTHER BE IT RESOLVED, That when an annexation case has been dismissed on the basis of the County's lack of standing, the Sullivan County Board of Commissioners will appeal at either the trial level or appellate level to the next appropriate appellant court until the appeal process in each case has been exhausted by a decision from the Tennessee Supreme Court.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19__.

Attested: _____ Date: _____ County Executive
County Clerk

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: _____
SECONDED BY COMMISSIONER Hicks FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: WITHDRAWN 3/21/94

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 19 94.

RESOLUTION AUTHORIZING Appropriation of \$4,700.00 for the Purchase of a Photo-copier for the Office of the Blountville Chancery Court

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94.

THAT WHEREAS, the photo-copier in the Blountville Chancery Court Office is a 1972 Xerox 4000 that can no longer be repaired due to unavailability of parts and the company having discontinued service arrangements for this copier, and _____

WHEREAS, A photo-copier is a necessity in order for the daily operation of this office to be effective and efficient, therefore _____

BE IT RESOLVED, That the Sullivan County Board of Commissioners appropriates \$4,700.00 from Unappropriated Surplus Account 39000.000 to the Blountville Chancery Court Capital Account 53401.700 for the purpose of purchasing a new photo-copier.

AMEND: Comm. Blalock Use money now in account and take the balance from unallocated surplus.

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of May, 19 94
Attested: Gay B. Features Date: 3/21/94 Wm. H. "John" McKamey Date: 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: \$4,700
SECONDED BY COMMISSIONER King FUND: General

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	2	2		
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED AS AMENDED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Grant for Computer Project - Bluff City Elementary School

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT WHEREAS, The State of Tennessee has awarded a grant to the Sullivan County Department of Education for the continuation of the Elementary Computer Project at Bluff City Elementary School, and

WHEREAS, These funds are to be used for the purchase of equipment on or before April 30, 1994,

THEREFORE BE IT RESOLVED, That the General Purpose School Budget be amended as follows:

REVENUE:	EXPENDITURES:
Acct. 46590 \$12,200	Acct. 71100.722 \$12,200

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Truly passed and approved this 21st day of march, 1994

Attested: Ray B. Feathers Date: 3/21/94 Wm. H. "John" McKamey 46-10-E-21-94
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Krell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	24				
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 ROLL CALL

Allotment 331.06
Cost Center 420
Grant Code _____
Sub Grant Code _____

RFS Number 331
GRANT Number

06-164-1

GRANT
BETWEEN THE
DEPARTMENT OF EDUCATION, STATE OF TENNESSEE
AND
SULLIVAN COUNTY BOARD OF EDUCATION

*Attachment
Ref # 16*

This GRANT, by and between the State of Tennessee, Department of Education, hereinafter referred to as the State and Sullivan County Board of Education, hereinafter referred to as the GRANTEE is for the provision of the continuation of the Elementary Computer Project at Bluff City Elementary School, further defined in the "SCOPE OF SERVICES", below.

A. SCOPE OF SERVICES:

1. The GRANTEE agrees to obtain the following computer hardware and continue performing a computer project for the integration of computer technology into the curriculum.
2. The GRANTEE shall purchase on or before April 30, 1994:
 - Four [4] laser quality printers
 - Four [4] Overhead Projectors with a minimum of 3000 lumens
 - Eight [8] 4 Meg SIMMS for extra computer memory
 - One [1] flatbed scanner
 - All necessary cables
3. The GRANTEE shall use the computer equipment exclusively for the delivery of instruction within a non-graded classroom setting according to the following goals of the Elementary Computer Project component of the Non-Graded Elementary Project and guidelines set forth in training sessions.
 - a. To ensure classroom teachers effectively integrate technological resources into the instructional program
 - b. To identify software that is most effective for classroom instruction
 - c. To encourage computer project teachers to train peer teachers in the use of classroom technology

0500

- d. To develop each project school as a demonstration/visitation site in order to assist other schools within the state in the development of an instructional delivery system based upon technology
4. The GRANTEE shall be responsible for the repair and maintenance of the computer system.
5. The GRANTEE shall allow teachers to attend all scheduled training sessions.

B. PAYMENT TERMS AND CONDITIONS:

1. In no event shall the maximum liability to the State under this GRANT exceed Twelve thousand two hundred dollars [\$12,200.00]. This amount shall constitute the GRANT Award and the entire compensation due the GRANTEE for the Service and all of the GRANTEE's obligations, hereunder regardless of the difficulty, hours worked, or materials or equipment required.
2. The GRANT Price is firm for the duration of the GRANT and is not subject to escalation for any reason, unless amended.
3. The Payment of an Invoice by the State shall not prejudice the State's right to object to or question any Invoice or matter in relation thereto. Such payment by the State shall neither be construed as acceptance of any part of the work or service provided nor as an approval of any of the costs invoiced therein. GRANTEE's Invoice shall be subject to reduction for amounts included in any invoice or payments theretofore made which are determined by the State, on the basis of audits conducted in accordance with the terms of this grant, not to constitute allowable costs. Any payment shall be reduced for over-payments, or increased for under-payments for subsequent Invoices.
4. The State of Tennessee reserves the right to deduct from amounts which are or shall become due and payable to the GRANTEE under this grant or any contract between the parties any amounts which are or shall become due and payable to the State of Tennessee by the GRANTEE.
5. The GRANTEE shall complete and sign an "Authorization Agreement for Automatic Deposits [ACH Credits]Form". This form shall be provided to the GRANTEE by the State. Once this form has been completed and submitted to the State by the GRANTEE, all payments to the GRANTEE, under this or any other grant or contract the GRANTEE has with the State, shall be made through the State's Automated Clearing House wire transfer system. The GRANTEE shall not commence work or Invoice the State for services until he has completed this form and submitted it to the State. The debit entries to correct errors authorized by the "Authorization Agreement for Automatic Deposits Form" shall be limited to those errors detected prior to the effective date of the credit entry. The remittance advice shall note that a correcting entry was made. All corrections shall be made within two banking days of the effective date of the original transaction. All other errors detected at a later date shall take the form of a refund, or in some instances, a credit memo if additional payments are to be made.

0501

C. TERM:

1. This GRANT shall be effective for a period of three months, commencing on January 31, 1994 and shall end on April 30, 1994. The State shall have no obligation for services rendered by the GRANTEE which are not performed within the specified period.

D. STANDARD TERMS AND CONDITIONS

1. The State is not bound by this GRANT until it is approved by the appropriate State officials as indicated on the signature page of this GRANT.
2. This GRANT may be modified only by a written amendment which has been executed and approved by the appropriate parties as indicated on the signature page of this GRANT.
3. The State may terminate the GRANT by giving the GRANTEE as least ninety [90] days written notice before the effective termination date. The GRANTEE shall be entitled to receive equitable compensation for satisfactory authorized services completed as of termination date.
4. If the GRANTEE fails to properly perform its obligations under this GRANT or violates any terms of this GRANT, the State shall have the right to immediately terminate the GRANT and withhold payments in excess of fair compensation for completed services. The GRANTEE shall not be relieved of liability to the State for damages sustained by virtue of any breach of this GRANT by the GRANTEE.
5. The GRANTEE shall not assign this GRANT or enter into a sub-grant or sub-contract for any of the services performed under this GRANT without obtaining the prior written approval of the State. If such sub-grants or sub-contracts are approved by the State, they shall contain, at a minimum, Paragraphs D.6 and D.9 of this GRANT.
6. The GRANTEE warrants that no part of the total GRANT Amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as office, agent, employee, subcontractor, sub-grantee or consultant to the GRANTEE in connection with any work contemplated or performed relative to this GRANT.
7. The GRANTEE shall maintain documentation for all charges against the State under this GRANT Contract. The books, records and documents of the GRANTEE, insofar as they relate to work performed or money received under this GRANT Contract, shall be maintained for a period of three [3] full years from the date of the final payment, and shall be subject to audit, at any reasonable time and upon reasonable notice, by the state agency or the Comptroller of the Treasury, or their duly appointed representatives. The records of not-for-profit entities shall be maintained in accordance with the Accounting Manual for the Recipients of GRANT Funds in the State of Tennessee, published by the Tennessee Comptroller of the Treasury. The financial statements shall be prepared in accordance with generally accepted accounting principles.

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8. The GRANTEE shall prepare an annual report of its activities funded under this grant and submit, within nine [9] months after the close of the reporting period, a copy of such report to the Tennessee Commissioner of Finance and Administration, the Tennessee Commissioner of the Granting State Agency, and the Tennessee Comptroller of the Treasury. The annual report, including financial statements, and all books of account and financial records shall be subject to annual audit by the Tennessee Comptroller of the Treasury or his duly appointed representative. Should the Comptroller of the Treasury require such an audit, the GRANTEE may, with the prior approval of the Tennessee Comptroller of the Treasury, engage a licensed independent public accountant to perform the audit. The audit contract between the GRANTEE and the licensed independent public accountant shall be on a contract form prescribed by the Tennessee Comptroller of the Treasury. Any such audit shall be performed in accordance with generally accepted government auditing standards, the provisions of OMB Circular A-128 [the Single Audit Act of 1984], or circular A-133 if applicable and the Audit Manual for Government Units and Recipients of GRANT Funds, published by the Tennessee Comptroller of the Treasury. Said audit shall include and be combined with an audit of all other programs of the GRANTEE. The existence of more than one grant between the GRANTEE and any agency of the State of Tennessee shall not necessitate more than one audit of the GRANTEE to be performed every year. The GRANTEE shall be responsible for reimbursement of the cost of the audit prepared by the Tennessee Comptroller of the Treasury, and payment of fees for the audit prepared by the licensed independent public accountant. Payment of the audit fees of the licensed independent public accountant by the GRANTEE shall be subject to the provisions relating to such fees contained in the prescribed contract form noted above. Copies of such audits shall be provided to the State Granting Department and the Tennessee Comptroller of the Treasury, and shall be made available to the public.
9. No person on the grounds of handicap, age, race, color, religion, sex, national origin, or any other classification protected by Federal and/or Tennessee State constitutional and/or statutory law shall be excluded from participation in, or be denied benefits of, or be otherwise subjected to discrimination in the performance of this GRANT or in the employment practices of GRANTEE. The GRANTEE shall, upon request, show proof of such non-discrimination, and shall post in conspicuous places, available to all employees and applicants, notices of non-discrimination.
10. The GRANTEE agrees to carry adequate public liability and other appropriate forms of insurance.
11. The GRANTEE agrees to pay all taxes incurred in performance of the GRANT.
12. The State shall have no liability except as specifically provided in the GRANT.
13. The GRANTEE shall comply with all applicable Federal and State laws and regulations in the performance of the GRANT.
14. The GRANT shall be governed by laws of the State of Tennessee.
15. The GRANTEE shall provide reports to the State as called for in Section A-Scope of Services.
16. Reimbursement for the cost of procuring goods, materials or services shall be subject to the GRANTEE's compliance with applicable federal procurement requirements. The determination of cost shall be governed by the cost principles set forth in title 48 of the Code of Federal Regulations, Chapter 1, Part 31, relative to public contracts and property management.

17. Reimbursement for the cost of goods, materials, supplies, equipment and/or services shall require that such procurements be made on a competitive basis, including the use of competitive bidding procedures, where practical.

E. SPECIAL TERMS AND CONDITIONS:

1. Should any of these special terms and conditions conflict with any other terms and conditions of this GRANT, these special terms and conditions shall control.
2. The GRANTEE agrees to be responsible for the accountability of Equipment purchased with funds provided under this GRANT, in which State retains an interest, as described below:
 - a. The GRANTEE shall identify all Equipment purchased in its reimbursement request.
 - b. The GRANTEE shall maintain accounting records for all Equipment purchased. Records shall contain the following:
 - i. Equipment Description
 - ii. Date of Purchase
 - iii. Equipment Cost
 - iv. Depreciation Method
 - v. Monthly Depreciation Amount
 - c. The GRANTEE shall take legal title to all Equipment purchased, subject to State's equitable interest therein, to the extent of its prorata share, based upon the State's contribution to purchase price.
 - d. The GRANTEE shall request written approval from State for any proposed disposition of Equipment.
 - e. The GRANTEE shall notify State, in writing, of any Equipment loss describing reason[s] for the loss.
 - f. Upon termination of GRANT, where a further GRANT relationship is not entered into, all Equipment shall be disposed of in one of the following ways:
 - i. Equipment may be returned to State or transferred to any party designated by State by refunding to GRANTEE the prorata amount of the residual value based upon GRANTEE'S original contribution to purchase price; or
 - ii. Equipment may be retained by the GRANTEE through an agreement whereby State maintains control over the jurisdiction, utilization, and final dispositions of Equipment; or

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- iii. In such other manner as parties may agree from among alternatives approved by Tennessee Department of General Services as appropriate.
 - g. Should the equipment be destroyed, lost, or stolen, the GRANTEE shall be responsible to the State for the prorata amount of the residual value at the time or loss based upon the State's original contribution to the purchase price.
3. This GRANT is subject to appropriation and availability of State and/or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate the GRANT upon written notice to the GRANTEE. Upon receipt of the written notice, the GRANTEE shall cease all work associated with the GRANT. Should such an event occur, the GRANTEE shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date.

ED

04/18/94

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04/18/94

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Appropriate \$13,000 from Unappropriated Surplus 39000.000 to County Clerk 52500.100 for Extra Help

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT WHEREAS, The workload of the County Clerk's office has increased substantially over the last few years, and _____

WHEREAS, This has been evidenced by the long lines and delays in waiting on constituents doing business with the County Clerk at the Bristol, Blountville and Kingsport offices, now _____

THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners appropriate \$13,000.00 from Unappropriated Surplus Account 39000.000 to 52500.100 County Clerk's personnel account for the purpose of hiring part-time help as needed.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21st day of March, 19 94
Attested: Ray B. Feather Date: 3-21-94 Wm H. "John" McKamey 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Ferguson FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994

RESOLUTION AUTHORIZING Appropriate \$35,000 from Unappropriated Surplus 39000.000 to Account 51805.700 -- Courthouse Renovation (to build shell building for mechanic/repair shop)--- BUILDING FOR SHERIFF MECHANICS

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT BE IT RESOLVED. That \$35,000 be appropriated from Unappropriated Surplus Acct. 39000.000 to Account 51805.700 Courthouse Renovation to build a shell building for the Sheriff's Department Mechanic/Repair Shop, and

FURTHER BE IT RESOLVED. That the work required to finish the interior of the building will be performed by Sheriff's Department personnel.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21st day of March, 1994

Attested: Greg B. Feacher County Clerk Date: 3-21-94 Wm. H. "John" McKamey County Executive Date: 3-21-94

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____

SECONDED BY COMMISSIONER Ferguson FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22	2			
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Approval of Joint Resolution No. 1 (Copy Attached)

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners approves Joint Resolution No. 1, A Resolution in support of the Tennessee Department of Transportation Funding a Corridor Study to Construct an Extension of State Route 357 to the Intersection of U.S. Highways 11-E and 19-E.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21st day of March, 1994

Attested: B. Featheral Date: 3-21-94 Wm H. "John" McKamey 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER Bialock ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Ferguson FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: Waiver of Rules APPROVED 3/21/94 Voice Vote

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Amendment of Sullivan County Zoning Resolution Concerning Off-Street Automobile Parking

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION 13-7-104 AUTHORIZES COUNTIES TO Amend their zoning Resolutions

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT WHEREAS, Sullivan County's off-street parking requirements are outdated, and

WHEREAS, In order to clarify and upgrade these requires an amendment to the Zoning Resolution, and

WHEREAS, The attached amendment has been duly initiated by the Planning Commission, and

WHEREAS, A public hearing has been advertised and held pursuant to State law, now

THEREFORE BE IT RESOLVED, That ARTICLE V, General Provisions of the Sullivan County Zoning Resolution, Section 502, Off-Street Automobile Parking, Paragraph 1 be amended as attached.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21 day of March, 1994

Attested: B. Feacher Date: 3/21/94 Wm. H. "John" McKamey 3-21-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER Trivett ESTIMATED COST: _____
SECONDED BY COMMISSIONER Belcher FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 Voice Vote

Amendment of the Sullivan County Zoning Resolution relating to Off-Street Automobile Parking

The proposed amendment to the Zoning Resolution to read as follows:

Section 1. AMEND ARTICLE V GENERAL PROVISIONS OF THE SULLIVAN COUNTY ZONING RESOLUTION SECTION 502. OFF-STREET AUTOMOBILE PARKING PARAGRAPH 1 THEREOF AND ADD A PARKING DESIGN STANDARDS TABLE TO READ AS FOLLOWS:

"502. Off-Street Automobile Parking. Off-street automobile parking space shall be provided at the time of the erection of any building or structure or at the time any main building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, or before conversion from one zoning use or occupancy to another. The number of automobile parking spaces provided shall be at least as great as the number specified for the various uses. Each parking space shall have at least one hundred and sixty-two (162) square feet in area, and shall be provided so that no vehicle will be required to back into a street except for residential uses. The parking shall have vehicular access to a public street and shall be in accordance with the minimum dimensions specified by the following Design Standards table and the following requirements:

AUTOMOBILE PARKING SPACE DESIGN STANDARDS

Parking Angle (Degree)	Minimum Space Width (Feet)	Minimum Space Depth	Minimum Space Width	Minimum Aisle Width	Minimum Aisle Width
		Perpendicular to aisle (Feet)	Parallel to Aisle (Feet)	(1 Way Drives) (Feet)	(2-Way Drives) (Feet)
30	9	16.8	18.0	15	24
45	9	19.1	12.7	17	24
60	9	20.0	10.4	20	24
90	9	18.0	9.0	24	24

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING A Cooperative Agreement with The United States Forest Service - 2nd Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT WHEREAS, Each year since 1991, Sullivan County has entered into a cooperative agreement with the United States Forest Service for patrol by Sheriff's Department personnel of U.S. Forest land in the 2nd Civil District; and

WHEREAS, The Forest Service is requesting additional patrol of this forest area to begin May 20, 1994 and terminate September 11, 1994 and will reimburse Sullivan County for its expenditures in the amount of \$12,300.00.

THEREFORE BE IT RESOLVED, That the Sullivan County Executive and Sullivan County Sheriff be authorized to execute the Cooperative Agreement with the U.S. Forest Service for total funding of \$12,300 to be allocated as follows:

TO: ACCT 54111 (Sheriff's Forest Service Agreement) \$12,300.00

FURTHER BE IT RESOLVED, That this funding does not affect the Maintenance of Effort.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this 21st day of March, 19 94

Attest: B. Feathers County Clerk Date: 3/21/94 Wm H. "John" McKamey County Executive 3-21-94

INTRODUCED BY COMMISSIONER R. Trivett ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Rutherford FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	24				
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING A Cannabis Cooperative Agreement with the United States Forest Service - 2nd Civil District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT WHEREAS, The Sullivan County Sheriff's Department is to receive into its drug fund, \$2,000.00 for performing cannabis surveillance and eradication duties on National Forest Land, therefore

BE IT RESOLVED, That the Sullivan County Executive, Wm. H. McKamey and the Sullivan County Sheriff, Keith Carr, be authorized to execute the Cannabis Cooperative Agreement with the U. S. Forest Service, and

FURTHER BE IT RESOLVED, That this funding does not affect the Maintenance of Effort.

WAIVER OF RULES REQUESTED

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of March, 1994

Attested: Gay B. Feathers County Clerk Date: 3/21/94 Wm H. "John" McKamey County Executive 3-21-94

INTRODUCED BY COMMISSIONER R. Trivett ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Rutherford FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	24				
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING NO PARKING Signs on Breeding Lane - 11th C.D.

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 1994

THAT BE IT RESOLVED. That "No Parking" signs be posted on Breeding Lane in the 11th civil district as requested by signatures on the attached petition representing a majority of residents of that street.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ____ day of _____, 19__.

Attested: _____ Date: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER Patrick ESTIMATED COST: _____
SECONDED BY COMMISSIONER Surgenor FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: Referred to Highway and Sheriff Departments 3/21/94

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 19 94.

RESOLUTION AUTHORIZING Appropriate \$1,950 from Unappropriated Surplus 39000 for Sewer Tap-on-Fee-for-Bloomington-Library TO SEWER FUND FOR BLOOMINGDALE LIBRARY

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 19 94

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners approves an appropriation of \$1,950 from Unappropriated Surplus 39000 for sewer tap-on-fee for the Bloomington library.----- to sewer fund for Bloomington Library

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

This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 21st day of March, 19 94

Attest: B. Feathers County Clerk Date: 3-21-94 Wm. H. "John" McKamey County Executive 3-21-94

INTRODUCED BY COMMISSIONER Patrick ESTIMATED COST: _____
SECONDED BY COMMISSIONER Surgenor FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/21/94 ROLL CALL

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF March, 1994.

RESOLUTION AUTHORIZING Clarification of Intent of Resolution No. 27 Passed on February 21, 1994

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March, 1994.

THAT WHEREAS, in order to clarify the intent of the Sullivan County Board of Commissioners in passing Resolution No. 27 at its regular meeting of February 21, 1994; and

WHEREAS, this Resolution is intended to rescind Resolution No. 27 and in lieu thereof to provide the following policy regarding the defense and/or indemnification of employees of Sullivan County acting in their official capacity:

WHEREAS, When an employee commits a willful, intentional or deliberate act that causes injury, property damage or bodily harm, that Sullivan County shall not extend a defense in any litigation or other proceedings nor indemnify such employee against any damages awarded arising out of resulting litigation or proceedings against such employee and/or Sullivan County, its officeholders, agents or employees provided that this shall not apply to claims made or suits filed against any employee including police officers of the Sullivan County Sheriff's Department arising under any federal or state civil rights law if such employee or police officer was acting in their official capacity.

NOW, THEREFORE, BE IT RESOLVED that upon an employee of Sullivan County committing a willful, intentional or deliberate act which causes injury, property damage or bodily harm, that Sullivan County shall not extend a defense in any litigation or other proceedings nor indemnify such employee against any damages awarded arising out of resulting litigation against the employee and/or Sullivan County, its officeholders, agents or employees provided that this Resolution shall not apply to claims made or suits filed against any employee including police officers of the Sullivan County Sheriff's Department arising under any federal or state civil rights law if such employee or police officer was acting in their official capacity.

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

This resolution shall become effective on _____, 1994, the public welfare requiring it.

Duly passed and approved this _____ day of _____, 1994.
Attested: Gay B. Feathers County Clerk Date: 3-21-94 Wm. H. "John" McKamey County Executive Date: 3-21-94

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: _____
SECONDED BY COMMISSIONER H. Childress FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: WAIVER OF RULES APPROVED 3/2//94 Voice Vote

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF March 1994.

RESOLUTION AUTHORIZING Sullivan County not File Suit for Kingsport's Annexation of Austin/Dora Street in North Kingsport

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March 1994

THAT WHEREAS, Kingsport annexed Austin/Dora Street Area and 243 West Carters Valley Road, and

WHEREAS, A majority of residents in this area wish to be annexed that the County not sue in this area.

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

This resolution shall become effective on _____, 19__, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19__.

Attested: _____ Date: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER McConnell ESTIMATED COST: _____
SECONDED BY COMMISSIONER Ferguson FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	12	2	10		
Voice Vote					

COMMENTS: FAILED 3/21/94 ROLL CALL

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET
AGAIN IN REGULAR SESSION, APRIL 18, 1994.

Wm H. McKamey

WILLIAM H. "JOHN" MCKAMEY, COUNTY EXECUTIVE

