

# COUNTY COMMISSION- REGULAR SESSION

**MARCH 19, 2012**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MARCH 19, 2012, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

**The Commission was called to order by Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and Comm. Joe Herron gave the invocation. The pledge to the flag was led by Sheriff Anderson.**

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

<b>CATHY ARMSTRONG</b>	<b>TY BOOMERSHINE</b>
	<b>BRYAN K. BOYD</b>
<b>LINDA BRITTENHAM</b>	<b>MO BROTHERTON</b>
<b>DARLENE CALTON</b>	<b>JOHN K. CRAWFORD</b>
<b>O. W. FERGUSON</b>	<b>JOHN GARDNER</b>
<b>TERRY HARKLEROAD</b>	<b>JOE HERRON</b>
<b>BAXTER HOOD</b>	<b>DENNIS HOUSER</b>
<b>MATTHEW J. JOHNSON</b>	<b>BILL KILGORE</b>
<b>DWIGHT KING</b>	<b>ED MARSH</b>
<b>WAYNE MCCONNELL</b>	<b>RANDY MORRELL</b>
<b>BOB NEAL</b>	<b>MIKE SURGENOR</b>
<b>R. BOB WHITE</b>	<b>EDDIE WILLIAMS</b>

**23 PRESENT 1 ABSENT (ABSENT-MARK BOWERY)**

**The following pages indicates the action taken by the Commission on re-zoning requests, approval of notary applications and personal surety bonds, motions, resolutions and other matters subject to the approval of the Board of Commissioners.**

**Motion was made by Comm. Morrell and seconded by Comm. Harkleroad to approve the minutes of the February 21, 2012 Regular Session Of County Commission. Said motion was approved by voice vote.**

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

Notaries to be elected March 19, 2012

---

RUSSELL M. BROGDEN	KIPLEY DEAN PARKS
RHONDA LORRAINE BROWDER	KIMBERLY A. PRATER
MARGARET C. COUCH	REBEKAH N. QUILLIN
JEFFERY LEE DEATON	MICHELLE REEVES
CHRISTA FELGEMACHER	JERREESE A. ROCKWELL
JENNIFER F. WILSON	LOWANDA R. SHELTON
LINDA D. FRANKLIN	FRANCES N SIZEMORE
PATRICIA SUSAN GARDNER	LEE MICHAEL SORAH
KAREN ELIZABETH GUY	PAUL A STEELE
WILLIAM B HAROLD	DIANE STEVENS
TRACEY COFER HAWKINS	DONNA ROBERTS WOHLFORD
CINDY LEMONS	MICHELLE WOOMER
CINDY MINTON	LORIN CHRISTINE WORLEY
KARI D. MULLINS	KAREN M. YATES
REBECCA J. MYERS	

PERSONAL SURETY  
61284190N  
WESTERN SURETY  
STATE FARM INS COMPANY  
BETTY CARRIER

UPON MOTION MADE BY COMM. CALTON AND SECONDED BY COMM.  
CRAWFORD 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

March 19, 2012

NAME OF NOTARY

William R. Branson  
Karen Dooley  
Mary Kay English  
Kathy Jessee  
Jerry Petzoldt  
Anita K. Smith

PERSONAL SURETY

Calvin D. Freese  
Eunice Dooley  
Frank Winston  
Bill Vanderpool  
Ronald E. Smith  
James T. Harsha

PERSONAL SURETY

Terry B. Stacy  
Nat H. Thomas  
Danny L. Dunn  
Jan Oliver  
David Prince  
Ralph G. Tomlinson

UPON MOTION MADE BY COMM. CALTON AND SECONDED BY COMM. CRAWFORD  
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.

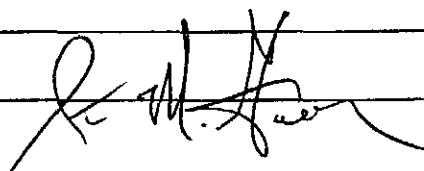
SULLIVAN COUNTY COMMISSION

Public Comment Session

Monday, March 19, 2012

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓ 1	Bill Dishner	8165 Easy St	KPT	
✓ 2	BART LONG	REGISTON'S OFFICE	Blount County	
✓ 3	Barbara Dishner	265 Easy St.	Kingsport	
✓ 4	Baxter Hood	646 Lebanon Rd	Kingsport	
✓ 5	STEVE POLAND	105 HOKAMP ST	Kingsport	
✓ 6	Bill Sanders	316 Easy St	Kingsport	
✓ 7	Quyen Quillin	613 W. Valley View Cir	Kingsport, TN	
✓ 8	Susann Lodal	3501 Memorial Blvd.	Kingsport, TN	
✓ 9	John Meall	PPCN	ASHEVILLE, NC	
✓ 10	LARRY LONG	PPCN	CHARLOTTE, NC	
✓ 11	DAVID JUSTICE	345 HIDDEN VALLEY ROAD	KINGSPORT, TN	
✓ 12	Betty Willard	232 VALLEY ROAD	Blountville, TN	
✓ 13	Karen Morrell	691 Riverside Rd.	Bluff City TN	
14				
15				



SULLIVAN COUNTY COMMISSION  
Public Comment Session  
Monday, March 19, 2012

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓ 1	Patrick Young	148 B-Lane	Penning Flats, TN	
2				
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QUESTIONS BEFORE THE COMM.

NAMES OF COMMISSIONERS	No. 1		No. 2		No. 3		No. 4		No. 5		No. 6		No. 7		No. 8		No. 9		
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
Bowery			A		A				A										
Boyd			✓			✓			✓										
Brittenham			✓			✓			✓										
Butterton			✓			✓			✓										
Calton			✓			✓			✓										
Crawford			✓			✓			✓										
Ferguson			✓			✓			✓										
Gardner			✓			✓			✓										
Hallbrook			✓			✓			✓										
Herron			✓			✓			✓										
Hood			✓			✓			✓										
Hooser			✓			✓			A										
Johnson			✓			✓			✓										
Kilgore				✓		✓			✓										
King			✓			✓			✓										
Maish			✓			✓			✓										
McConnell			✓			✓			✓										
Marrell			✓			✓			✓										
Neal			✓			✓			✓										
Sugener				✓		P			✓										
White			A			✓			✓										
Williams			✓			✓			✓										
Armstrong			✓			✓			✓										
Bomeishine			✓			✓			✓										
			20 Aye		20 Aye		27 Aye		27 Aye										
			2 Nay		1 Abs		2 Abs		2 Abs										
			2 Abs.		20 Nay		1 Abs												

to call for question #3

Resolutions

t.



QUESTIONS BEFORE THE COMM.

NAMES OF COMMISSIONERS	6		7		8		9		10		11		12		13		No	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Boyd			✓		✓		✓		✓				✓		✓			
Brittenham			✓		✓		✓		✓				✓		✓			
Brotherton			✓		✓		✓		✓				✓		✓			
Calton			✓		✓		✓		✓				✓		✓			
Grantford			✓		✓		✓		✓					✓	✓			
Jerguson			✓		✓		✓		✓				✓		✓			
Gardner			✓		✓		✓		✓				✓		✓			
Harkwood			✓		✓		✓		✓				✓		✓			
Henson			A		✓		✓		✓				✓		✓			
Hood			✓		✓		✓		✓				✓		✓			
Houser			A		✓		✓		✓				✓		✓			
Johnson			✓		✓		✓		✓				✓		✓			
Kilgore			✓		✓		✓		✓					✓	✓			
Kilgus			✓		✓		✓		✓				✓		✓			
March			✓		✓		✓		✓				✓		✓			
McCormell			✓		A		A		✓				✓		✓			
Morrell			✓		✓		✓		✓				✓		✓			
Neal			✓		✓		✓		✓				✓		✓			
Sugener			✓		✓		✓		✓				✓		✓			
WATte			✓		✓		✓		✓				✓		✓			
Williams			✓		✓		✓		✓				✓		✓			
Armstrong			✓		✓		✓		✓				✓		✓			
Boonemstone			✓		P		✓		✓				✓		✓			
Bowery			A		A		A		A		A		A		A			
			2 Aye		2 Aye		2 Aye		2 Aye				20 Aye		23 Aye			
			2 Abs		1 Abs		2 Abs		1 Abs				2 Nay		1 Abs			
					2 Abs								1 Abs					
													1 Abs					

## RESOLUTIONS ON DOCKET FOR MARCH 19, 2012

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	NO REZONING NO ACTION 03-19-12
#2 ENCOURAGE THE STATE TO AFFIRM APPOINTED SUPERINTENDENTS OF SCHOOLS	APPROVED 03-19-12
#3 REGULATING THE KEEPING AND/OR HARBORING OF BARKING DOGS IN SULLIVAN COUNTY, TN	FAILED 03-19-12
#4 REQUESTING THE ALLOCATION AND APPROPRIATIONS OF FUNDS TO THE STORMWATER PROGRAM UNDER THE PLANNING & CODES DEPT, 51720/731 – OBJECT CODE 399 FOR PURPOSES OF MONITORING THE IMPAIRED STREAMS WITHIN THE UNINCORPORATED PORTIONS OF THE COUNTY AS FEDERALLY MANDATED BY THE ENVIRONMENTAL PROTECTION AGENCY	DEFERRED 03-19-12
#5 AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET FOR THE STUDENT TICKET SUBSIDY GRANT RECEIVED FROM THE STATE OF TENNESSEE IN THE AMOUNT OF \$5,940.00	APPROVED 03-19-12
#6 REMOVE THE STOP SIGN ON EASY STREET WHICH INTERSECTS WITH WESTFIELD DRIVE AND INSTALL A YIELD SIGN IN THE 8 <sup>TH</sup> COMM. DISTRICT	DEFERRED 03-19-12
#7 PLACE 25 MPH SPEED LIMIT SIGNS ON HIGHLEA DRIVE IN THE 10 <sup>TH</sup> COMM. DISTRICT	APPROVED 03-19-12
#8 AUTHORIZE THE PURCHASING AGENT TO ENTER INTO A LEASE OF COPIERS FOR THE SULL CO DEPT OF EDUCATION'S CENTRAL OFFICE AND PRINT SHOP	APPROVED 03-19-12
#9 TO AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET BY \$400,000.00 FOR RENOVATIONS TO NORTH HIGH SCHOOL	APPROVED 03-19-12
#10 AUTHORIZE THE PURCHASING AGENT TO ENTER INTO A LEASE PURCHASE OF LASER FICHE DOCUMENTING IMAGES UPGRADES FOR THE JOINT USE OF THE CIRCUIT COURT CLERK AND THE CLERK AND MASTER'S OFFICES OF SULL CO	APPROVED 03-19-12
#11 AUTHORIZE PURCHASING AGENT TO ENTER INTO A LEASE OF COPIERS FOR THE SULLIVAN COUNTY HEALTH DEPT	1 <sup>ST</sup> READING 03-19-12

#12 ISSUANCE, SALE AND PAYMENT OF THREE-YEAR BRIDGE AND HWY CAPITAL OUTLAY NOTES, SERIES 2012 NOT TO EXCEED \$843,600	APPROVED 03-19-12
#13 REQUESTING PERMISSION TO CONSTRUCT AN OPEN-SIDED PAVILION AS SHOWN ON ATTACHED PLANS	APPROVED 03-19-12
#14 ALLOWING SULLIVAN COUNTY TO ENTER INTO A NEW LEASE CONTRACT WITH THE TN VALLEY AUTHORITY (TVA) FOR OBSERVATION KNOB PARK	1 <sup>ST</sup> READING 03-19-12

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2012-03-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

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

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

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

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

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

Duly passed and approved this 19th day of March 2012.

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

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

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

2012-03-00	County Commission
ACTION	NO REZONING NOT ACTION TAKEN 03419-12

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 2  
Administrative/Budget/Executive  
No. 2012-02-08

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of February 2012

**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 the 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.

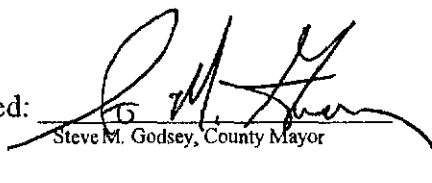
NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular session, hereby encourages the Tennessee General Assembly to place the interest of students above any other by recognizing the value of appointed superintendents and rejecting any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

Approved this 19th day of March 2012.

Attested:   
 Jeanie Gammon, County Clerk

Approved:   
 Steve M. Godsey, County Mayor

**Sponsored By: Joe Herron**

**Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, Baxter Hood,  
 Terry Harkleroad, All Commissioners voting "aye"**

2012-02-08	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 2-6-12	Approved 2-2-12	Approved 2-7-12	Approved 03-19-12 20 Aye, 2 Nay, 2 Absent

Notes: 1st Reading 02-21-12;

Sullivan County, Tennessee  
Board of County Commissioners

Item 3  
Administrative  
No. 2012-02-10  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of February 2012

**RESOLUTION Regulating The Keeping And/Or Harboring Of Barking Dogs In Sullivan County, Tennessee**

WHEREAS, there exists certain activities, practices and/or uses of property that are detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience and/or welfare of the inhabitants of Sullivan County; and

WHEREAS, in Sullivan County barking, howling and/or whining dogs are detrimental or liable to be detrimental, to the health, morals, comfort, safety, convenience and/or welfare of the inhabitants of Sullivan County; and

WHEREAS, pursuant to powers found at T.C.A. §6-2-201(22) and (23), it is desirable to declare as unlawful, and/or a public nuisance, certain disruptive dogs which adversely affect the health, morals, comfort, safety, convenience and/or welfare of citizens;

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby declare that it is detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience and/or welfare of the inhabitants of Sullivan County to keep or harbor a dog or dogs that bark, howl, or whine in an excessive, continuous, or untimely fashion which disturbs the repose of any citizen, or disturbs the peace and quiet of a neighborhood. Pursuant to T.C.A. §6-2-201 (22) and (23), such activities are declared a public nuisance and the following provisions, regulations and limitations regarding same are hereby adopted:

***SECTION I - DEFINITIONS***

***County.*** Sullivan County exclusive of territory under the jurisdiction of the municipalities of Kingsport, Bristol and Bluff City.

***Kennel.*** A facility, compliant with all laws and regulations, housing dogs, cats, or other household pets where grooming, breeding, boarding, training or selling of animals is conducted as a business.

***SECTION II - NUISANCE-DOG***

**It shall be unlawful to keep or harbor any dog which barks, howls, or whines, in an excessive, continuous, or untimely fashion which disturbs the repose of any citizen, or disturbs the peace and quiet of a neighborhood.**

### **SECTION III - ADMINISTRATIVE POWERS**

This Resolution may be enforced by employees of the Sullivan County Sheriff and/or any employee of Sullivan County so designated by the Sullivan County Mayor, (hereinafter "County Officer").

### **SECTION IV - INSPECTION, INTERFERENCE**

~~(a) *Inspections.* Whenever it is necessary to make an inspection regarding any of the provisions of this Resolution, or whenever there is reasonable cause to believe that there exists at any household or upon any premises any violation of this Resolution, County Officer is hereby empowered to inspect such property at any reasonable time and perform any duty imposed upon him by this Resolution.~~

~~If such property is unoccupied, the County Officer shall make a reasonable effort to locate an owner or other persons having control of the property and advise such person of potential violations.~~

~~If such property is occupied, the County Officer shall present proper credentials to the occupant and advise the occupant of potential violations.~~

~~(b) *Interference.* It shall be unlawful for any person to interfere with, hinder, resist, or obstruct county officers or employees while carrying out any investigation under this article and offenders shall be subject to the penalties and/or fines set forth in Section V for doing so.~~

### **SECTION V - VIOLATIONS AND PENALTIES**

(a) Any person(s), firm, or corporation violating any portion of this Resolution shall be subject to a civil fine and/or penalty as follows:

- (1) Owners of such animal(s) or property upon which such animals are found will receive one (1) warning from County Officer.
- (2) For the first offense: By a fine of not less than \$25.00 and not more than \$50.00. Each day the violation continues shall constitute a separate offense.
- (3) For the second or more offense or offenses: The violator shall be subject to a fine of not less than \$50.00 and not more than \$100.00. Each day the violation continues shall constitute a separate offense.
- (4) A Kennel is not excluded from this prohibition.

(b) In addition, the County may choose to seek civil redress in a court of competent jurisdiction, it being the intent of Sullivan County to have both civil fines and/or penalties as well as the power to seek injunction or mandamus in this area. Such court may order the person to remove any such dog(s) from the person's property, order the dog(s) removed to animal control for adoption, pay a civil fine and/or penalty, or pay damages resulting from such violations, or any other remedy at law or equity.



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 \_\_\_\_\_ 2012.

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

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

**Sponsored By: Baxter Hood**  
**Prime Co-Sponsor(s): Joe Herron**

2012-02-10	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 2-6-12; Failed 3-5-12	No Action 2-2-12; No Action 3-8-12	No Action 2-7-12, No Action 3-7-12	<b>Failed 03-19-12</b> <b>2 Aye, 20 Nay, 1 Pass, 1 Absent</b>

Notes: 1st Reading 02-21-12;  
**Amended by Sponsor 03-19-12 to delete Section IV IN Resolution.**

FOCUS™ Terms 6-2-201

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Tenn. Code Ann. § 6-2-201 (Copy w/ Cite)

Pages: 5

Tenn. Code Ann. § 6-2-201

TENNESSEE CODE ANNOTATED  
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\*\*\* CURRENT THROUGH THE 2011 REGULAR SESSION \*\*\*

Title 6 Cities And Towns  
Mayor-Aldermanic Charter  
Chapter 2 Powers of Municipalities with Mayor-Aldermanic Charter  
Part 2 Municipal Authority Generally

Tenn. Code Ann. § 6-2-201 (2011)

**6-2-201. General powers.**

Every municipality incorporated under this charter may:

- (1) Assess, levy and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for municipal purposes;
- (2) Adopt classifications of the subjects and objects of taxation that are not contrary to law;
- (3) Make special assessments for local improvements;
- (4) Contract and be contracted with;
- (5) Incur debts by borrowing money or otherwise, and give any appropriate evidence thereof, in the manner provided for in this section;
- (6) Issue and give, sell, pledge or in any manner dispose of, negotiable or nonnegotiable interest-bearing or noninterest-bearing bonds, warrants, promissory notes or orders of the municipality, upon the credit of the municipality or solely upon the credit of specific property owned by the municipality or solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the municipality, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits;
- (7) Expend the money of the municipality for all lawful purposes;
- (8) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the municipality or state;
- (9) Condemn property, real or personal, or any easement, interest, or estate or use therein, either within or without the municipality, for present or future public use; the condemnation shall be effected in accordance with the terms and provisions of title 29, chapter 16, or in any other manner provided by law;
- (10) Take and hold property within or without the municipality or state upon trust, and

administer trusts for the public benefit;

**(11)** Acquire, construct, own, operate and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or any estate or interest therein, or any other utility that is of service to the municipality, its inhabitants, or any part of the municipality, and further, may issue debt for these purposes under the Local Government Public Obligations Act, compiled in title 9, chapter 21;

**(12)** Grant to any person, firm, association or municipality, franchises for public utilities and public services to be furnished the municipality and those in the municipality. The power to grant franchises embraces the power to grant exclusive franchises. When an exclusive franchise is granted, it shall be exclusive not only as against any other person, firm, association, or corporation, but also against the municipality itself. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The board may prescribe, in each grant of a franchise, the rates, fares, charges and regulations that may be made by the grantee of the franchise in accordance with state and federal law. Franchises may by their terms apply to the territory within the corporate limits of the municipality at the date of the franchises, and as the corporate limits may be enlarged, and to the existing streets, alleys and thoroughfares that may be opened after the grant of the franchise;

**(13)** Make contracts with any person, firm, association or corporation for public utilities and public services to be furnished the municipality and those in the municipality. The power to make contracts embraces the power to make exclusive contracts. When an exclusive contract is entered into, it shall be exclusive against any other person, firm, association or corporation. These contracts may be entered into for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each such contract entered into the rates, fares, charges, and regulations that may be made by the person, firm, association or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the municipality at the date of the contract, and as the corporate limits may be enlarged, and to the then existing streets, alleys and thoroughfares and to any other streets, alleys and other thoroughfares that may be opened after the grant of the contract;

**(14)** Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities, compel reasonable extensions of facilities for these services, and assess fees for the use of or impact upon these services. Nothing in this subdivision (14) shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (12) and (13);

**(15)** Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take and appropriate property therefor under §§ 7-31-107 -- 7-31-111 and 29-16-114, or any other manner provided by general laws;

**(16) (A)** Construct, improve, reconstruct and reimprove by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits, and assess a portion of the cost of these improvements on the property abutting on or adjacent to these streets, highways or alleys under, and as provided by, title 7, chapters 32 and 33;

**(B)** Subdivision (16)(A) may not be construed to prohibit a municipality with a population of not less than seven hundred (700) nor more than seven hundred five (705), according to the 1990 federal census or any subsequent federal census, from installing and maintaining a traffic control signal within its corporate limits, and any such municipality is expressly so authorized;

provided, that no device shall be installed to control traffic on a state highway without the approval of the commissioner of transportation;

**(17)** Assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice and earth, cutting and removing obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, the cleaning and rendering sanitary or removing, abolishing and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance of the board;

**(18)** Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

**(19)** Collect and dispose of drainage, sewage, ashes, garbage, refuse or other waste, or license and regulate their collection and disposal, and the cost of collection, regulation or disposal may be funded by taxation, special assessment to the property owner, user fees or other charges;

**(20)** License and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law;

**(21)** Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege or calling not prohibited by law;

**(22)** Define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, businesses, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers;

**(23)** Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;

**(24)** Inspect, test, measure and weigh any article for consumption or use within the municipality, and charge reasonable fees therefor, and provide standards of weights, tests and measures in such manner as may be provided pursuant to title 47, chapter 26, part 9;

**(25)** Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures in accordance with general law, and inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent their use and require any alteration or changes necessary to make them healthful, clean or safe;

**(26)** Provide and maintain charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services;

**(27)** Purchase or construct, maintain and establish a correctional facility for the confinement and detention of persons who violate laws within the corporate limits of the city, or to contract with the county to keep these persons in the correctional facility of the county and to enforce the payment of fines and costs in accordance with §§ 40-24-104 and 40-24-105 or through contempt proceedings in accordance with general law;

**(28) (A)** Enforce any ordinance, rule or regulation by fines, forfeitures and penalties, and by other actions or proceedings in any court of competent jurisdiction;

**(B)** Provide by ordinance for court costs as provided in the Municipal Court Reform Act, compiled in title 16, chapter 18, part 3;

**(29)** Establish schools, to the extent authorized pursuant to general law, determine the necessary boards, officers and teachers required therefor, and fix their compensation, purchase or otherwise acquire land for or assess a fee for use of, or impact upon, schoolhouses, playgrounds and other purposes connected with the schools, purchase or erect all necessary buildings and do all other acts necessary to establish, maintain and operate a complete educational system within the municipality;

**(30)** Regulate, tax, license or suppress the keeping or going at large of animals within the municipality, impound them, and in default of redemption, sell or kill them;

**(31)** Call elections as provided in this charter;

**(32)** Have and exercise all powers that now or hereafter it would be competent for this charter specifically to enumerate, as fully and completely as though these powers were specifically enumerated; and

**(33)** Create a design review commission, which shall have the authority to develop general guidelines and to develop procedures for the approval of the guidelines for the exterior appearance of all nonresidential property, multiple family residential property, and any entrance to nonresidential developments within the municipality; provided, that the authority is subordinate to and in no way exceeds the authority delegated to a municipal planning commission pursuant to title 13, chapter 4. Any property owner affected by the guidelines may appeal a decision by the design review commission to the municipality's planning commission or, if there is no planning commission, to the entire municipal legislative body.

**HISTORY:** Acts 1991, ch. 154, § 1; 1995, ch. 13, § 4; 1998, ch. 621, § 2; 1998, ch. 1126, § 1; 2006, ch. 796, § 1; 2011, ch. 453, § 1.

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1 of 2



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Tenn. Code Ann. § 6-2-201 (Copy w/ Cite)

Pages: 5

In

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Sullivan County, Tennessee  
Board of County Commissioners

Item 4  
Executive  
No. 2012-02-17

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of February 2012

**RESOLUTION Requesting The Allocation And Appropriation Of Funds To The Stormwater Program Under The Planning & Codes Department, 51720/731 – Object Code 399 For Purposes Of Monitoring The Impaired Streams Within The Unincorporated Portions Of The County As Federally Mandated By The Environmental Protection Agency.**

WHEREAS, pursuant to the National Pollutant Discharge Elimination System - Clean Water Act as regulated by the Environmental Protection Agency (EPA), Sullivan County became a Municipal Separate Sewer Stormwater System (MS4) community based upon the US Census Population criteria for urbanization and therefore shall comply with the federal regulations to manage the pollution of stormwater run-off; and

WHEREAS, the EPA with local oversight by the Tennessee Department of Environment and Conservation (TDEC), requires that all urbanized cities and counties perform water sampling and lab analyses of the polluted streams within their respective jurisdictions that exceed the threshold for healthy aquatic life, recreation, or fishing; and

WHEREAS, there are 6 streams in the county that are polluted with e. Coli and 14 streams that are polluted with too much sediment and erosion due to construction activities or urbanization; and

WHEREAS, the department has been performing all other tasks, field work, stream analyses, program administration, and construction oversight in-house using no additional funding since the mandate became effective in 2003; and

WHEREAS, the county does not have any certified employees able to perform the water sampling nor a state certified lab to analyze the data in-house and therefore must secure work using certified contracted services; and

WHEREAS, a copy of the water sampling monitoring points and plan are attached; and

WHEREAS, failure to meet these requirements shall be subject to fines and violations from TDEC in addition to forfeiting future grant eligibility.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session in order to remain in compliance with the NPDES program under the Clean Water Act, shall secure contracted services from a reputable environmental firm, and shall appropriate \$33,000 to complete this work.**

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 \_\_\_\_\_ 2012.

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

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

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

2012-02-17	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 3-5-12	No Action 3-8-12	Approved 2-7-12	

Notes: 1st Reading 02-21-12; **Deferred 03-19-12;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 5  
Budget  
No. 2012-02-19

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of February, 2012.

**RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget For The Student Ticket Subsidy Grant Received From The State Of Tennessee In The Amount Of \$5,940.00**

WHEREAS, the Tennessee Arts Commission has made funds available to support the Arts in local schools; and

WHEREAS, these monies will be used to help fund trips for Sullivan County students to attend area theatrical performances; and

WHEREAS, the Sullivan County Department of Education Board approved this grant with no additional local funds required.

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

Account Number	Account Description	Amount
46980.000	Other State Grants	+5,940.00
72410.599	Other Charges	+5,940.00

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

Approved this 19th day of March 2012.

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

**Sponsored By: Joe Herron**  
**Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, Baxter Hood, Terry Harkleroad**

2011-02-19	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 3-5-12	Approved 3-8-12	Approved 3-7-12	Approved 03-19-12 22 Aye. 2 Absent

Notes: 1st Reading 02-21-12;



Sullivan County, Tennessee  
Board of County Commissioners

Item 6  
Executive  
No. 2012-03-20  
Attachments

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION To Remove The STOP Sign On Easy Street Which Intersects With Westfield Drive And Install A YIELD Sign In The 8th Commissioner District**

WHEREAS, Commissioner Darlene Calton requested the Sullivan County Highway Department to make this change; and,

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

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

**8th Commission District**

**To Remove The STOP Sign On Easy Street Which Intersects With Westfield Drive**

**And**

**Replace With A YIELD Sign**

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 \_\_\_\_\_ 2012.

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

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

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

2012-03-20	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 3-5-12	Deferred 3-8-12	Approved 3-7-12	

Notes: **Deferred 03-19-12;**

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

Terry A. Shaffer  
Highway Commissioner

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

**RESOLUTION REQUEST REVIEW**

DATE: 2-15-2012

TO: Sullivan County Commission

REQUEST MADE BY: Darlene Calton

SUBJECT: To Remove the Stop Sign on  
EASY ST which intersects with  
West Field Dr. and install a Yield Sign.

8th COMMISSIONER DISTRICT

Eddie Williams

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS: The Stop Sign on EASY ST has been a concern  
of the residents for sometime. The Highway Dept will replace  
the stop sign with a yield sign. There is not a safety or  
sight distance issue in taking this action.

\_\_\_\_\_  
TRAFFIC COORDINATOR

\_\_\_\_\_  
DATE

Terry Shaffer  
HIGHWAY COMMISSIONER

2/15/2012  
DATE

**SULLIVAN COUNTY  
HIGHWAY DEPARTMENT**

P.O. BOX 590  
BLOUNTVILLE, TENNESSEE 37817

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

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

September 6, 2000

COMMISSIONERS: Eddie Williams  
Fred Childress

Dear Commissioners:

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

A STOP sign be placed on Easy Street at Westfield Drive.

This is in the 13th Civil District.

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

Sincerely,



Ralph Pope  
Traffic Coordinator

RP/jb

C: Mary Ann Gong

Sullivan County, Tennessee  
Board of County Commissioners

No. 2110  
Executive Committee  
2000-09-126

To the Honorable Gil Hodges, County Executive, and the Members of the Sullivan County Board of Commissioners in Regular Session this 18 day of September, 2000.

**RESOLUTION AUTHORIZING Stop sign in the 13<sup>th</sup> Civil District**

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 18 day of September, 2000;

WHEREAS, Stop sign be placed on Easy Street at Westfield Drive.

NOW, THEREFORE, BE IT RESOLVED a Stop sign be placed on Easy Street at Westfield Drive in the 13<sup>th</sup> Civil District as recommended by the Sullivan County Highway Department.

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

This resolution shall become effective on \_\_\_\_\_, 2000, the public welfare requiring it.

Duly passed and approved this 16 day of October, 2000.

Attested: Jeanie Gamm Date: 10/6/00  
County Clerk County Executive

Introduced By Commissioner: Williams Estimated Cost: \$ \_\_\_\_\_

Seconded By Commissioner(s): Childress Fund: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	No Action
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20			3	
Voice Vote					

09-126/mag

Attachment

Comments: 1st Reading 09/18/00; Approved 10/16/00 Roll Call Vote

~~Removed Stop Sign & Installed  
Yield Sign on 1.15.02 Per  
FRED Childress~~

Needs Resolution for Yield sign.

Sullivan County, Tennessee  
Board of County Commissioners

Item 7  
Executive  
No. 2012-03-21  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION To Place 25 MPH Speed Limit Signs On Highlea Drive In The 10th Commissioner District**

WHEREAS, Commissioner John Crawford requested the Sullivan County Highway Department to make this change; and,

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

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

**10th Commission District**

**To Place 25 MPH Speed Limit Signs on Highlea 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.

Approved this 19th day of March 2012.

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

**Sponsored By: John Crawford**  
**Prime Co-Sponsor(s): W. G. "Bill" Kilgore**

2012-03-21	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 3-5-12	Approved 3-8-12	Approved 3-7-12	<b>Approved 03-19-12</b> <b>21 Aye, 3 Absent</b>

Notes:

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

Terry A. Shaffer  
Highway Commissioner

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

**RESOLUTION REQUEST REVIEW**

DATE: 2-14-2012

TO: Sullivan County Commission

REQUEST MADE BY: John Crawford

SUBJECT: TO PLACE 25 MPH SPEED  
LIMITS ON HIGHWAY DR.

10<sup>th</sup> COMMISSIONER DISTRICT

W.G. Bill Kilgore

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

Robert Cooper 2/14/2012  
TRAFFIC COORDINATOR      DATE

Terry Shaffer 2/14/2012  
HIGHWAY COMMISSIONER      DATE

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Budget  
No. 2012-03-22

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION To Authorize The Purchasing Agent To Enter Into A Lease Of Copiers For The Sullivan County Department Of Education's Central Office And Print Shop**

WHEREAS, the Department of Education is currently under contract for 6 model year 2007 copiers that need to be upgraded to ensure operations can function adequately; and

WHEREAS, the Sullivan County Board of Education approved entering into a lease for 5 new copiers in an amount not to exceed \$110,220.00, resulting in an annual savings of \$9,359.64.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the Purchasing Agent acting on behalf of the Sullivan County Department of Education, to execute a lease of copiers not to exceed \$110,220.00 to be paid in equal monthly installments of \$1,837.00 over a 60 month period with Konica Minolta.**

*Waiver Of Rules Requested*

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

Approved this 19th day of March 2012.

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

**Sponsored By: Joe Herron**

**Prime Co-Sponsor(s): Dwight King, Terry Harkleroad, John Gardner**

2012-03-22	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 3-5-12	Approved 3-8-12	Approved 3-7-12	<b>Approved 03-19-12</b> <b>21 Aye, 1 Pass, 2 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Budget  
No. 2012-03-23

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget By \$400,000.00 For Renovations To North High School**

WHEREAS, the Sullivan County Department of Education Board, in a continuing effort to improve operational efficiency, approved by vote to close two buildings in the North school zone; and

WHEREAS, the Board of Education has determined that the most efficient long-term use of space in the North school zone is to create a self-contained middle school at the North High School campus, making it a single campus housing both a 6-8th grade middle school and a 9-12th grade high school; and

WHEREAS, the creation of this new school within an existing school will require reconfiguring the existing floor plan in order to provide the best possible academic environment of all students; and

WHEREAS, this has created the need for a one-time appropriation that can be funded from the Basic Education Program Reserve Account in the General Purpose School Fund; and

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

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

<b>Account Number</b>	<b>Account Description</b>	<b>Amount</b>
Appropriation 76100.707	Building Improvements	\$400,000
Source 34386.000	Reserve for the Basic Education Program	\$400,000

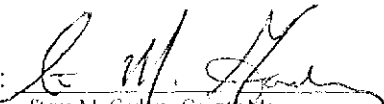


*Waiver Of Rules Requested*

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

Approved this 19th day of March 2012.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Joe Herron**

**Prime Co-Sponsor(s): Dwight King, Terry Harkleroad, Matthew Johnson,  
Michael Surgenor , Bob White**

2012-03-23	<b>Administrative</b>	<b>Budget</b>	<b>Executive</b>	<b>County Commission</b>
<b>ACTION</b>	Approved 3-5-12	Approved 3-8-12	Approved 3-7-12	<b>Approved 03-19-12 22 Aye. 2 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Budget  
No. 2012-03-24

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION To Authorize The Purchasing Agent To Enter Into A Lease Purchase Of Laser Fiche Documenting Images Upgrades For The Joint Use Of The Circuit Court Clerk And The Clerk And Master's Offices Of Sullivan County**

**WHEREAS**, pursuant to applicable law, the Board of Commissioners of Sullivan County is authorized to approve lease purchase agreements for equipment for the various offices and departments of the County; and

**WHEREAS**, the Circuit and Chancery Court Clerks have partnered in the purchase and use of certain data storage equipment over the past 5 years which has served well but is at its capacity of storage; and

**WHEREAS**, a new system will not only continue the existing service but will allow for expansion into other usages and provide for the reductions in other operation costs.

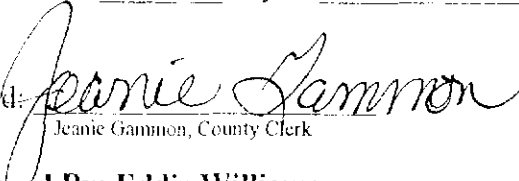
**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session authorizes the Purchasing Agent acting on behalf of Sullivan County, to execute a 36 month lease for new and expanded Laser Fiche Scanning system including the hardware and software at a total cost of \$38,728.44 to be paid in equal monthly installments of \$1,075.79 over a 36 month period with a \$1 purchase price at this end.

**BE IT FURTHER RESOLVED** that these monthly payments will be shared equally between the Circuit Court Clerk and Clerk and Master's Offices with no additional funds required to finance the lease of this system.

*Waiver Of Rules Requested*

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

Approved this 19th day of March 2012.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Bob White**

2012-03-24	<b>Administrative</b>	<b>Budget</b>	<b>Executive</b>	<b>County Commission</b>
<b>ACTION</b>	Approved 3-5-12	Approved 3-8-12	Approved 3-7-12	<b>Approved 03-19-12</b> <b>23 Aye, 1 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Budget  
No. 2012-03-25

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION To Authorize Purchasing Agent To Enter Into A Lease Of Copiers For The Sullivan County Health Department**

WHEREAS, Sullivan County is a political subdivision of the State of Tennessee and is duly organized and existing pursuant to the Constitution and laws of the State of Tennessee; and

WHEREAS, pursuant to applicable law, the Board of Commissioners of Sullivan County is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases, and easement necessary to the functions or operations of Sullivan County; and

WHEREAS, the Board of Commissioners hereby finds and determines that the execution of a lease agreement in the total amount not to exceed \$104,126.40 for the purpose of acquiring equipment (10 Copiers) is appropriate and necessary to the functions and operations of Sullivan County Health Department.

**NOW THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session authorizes the Purchasing Agent acting on behalf of Sullivan County, to execute a lease for copiers in an amount not to exceed \$104,126.40 to be paid in equal monthly installments of \$1,735.44 over a 60 month period with Danka Financial Service.

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 \_\_\_\_\_ 2012.

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

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

**Sponsored By: Bob White**  
**Prime Co-Sponsor(s): Eddie Williams, Mark Bowery**

2012-03-25	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: 1st Reading 03-19-12;

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Budget/Executive  
No. 2012-03-26  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**Resolution Authorizing The Issuance, Sale, And Payment Of Three-Year Bridge And Highway Capital Outlay Notes, Series 2012 Not To Exceed \$843,600**

WHEREAS, the Governing Body of Sullivan County, Tennessee has determined that it is necessary and desirable to provide funds for the following public works project : Road and Bridget State Aid Projects at a cost of \$843,600 and an economic life of 20 years; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the Comptroller of the Treasury or Comptroller's Designee; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of these Projects.

**NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Sullivan County, Tennessee, as follows:**

**Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of Sullivan County is hereby authorized in accordance with the terms of this resolution to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed one million dollars (\$843,600) (the "Notes") at either a competitive public sale or at a private negotiated sale upon approval of the Comptroller of the Treasury or Comptroller's Designee pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "Bridge & Highway Capital Outlay Notes, Series 2012", shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed four percent (4%) per annum, and in no event shall the rate exceed the legal limit provided by law.**

**Section 2. That, the Notes shall mature not later than April 30, 2015 (3) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least 15 years. Provided, however, that each year [fiscal year after the fiscal year of issue] the Notes are outstanding, one-third (1/3), [but in no event not less than one-ninth (1/9)], of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.**

**Section 3. That, the Notes shall be subject to redemption at the option of Sullivan County, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.**

**Section 4. That, the Notes shall be direct general obligations of Sullivan County, for which the punctual payment of the principal and interest on the notes, the full faith and credit of Sullivan County is irrevocably pledged and Sullivan County hereby pledges its taxing power as to all taxable property in Sullivan County for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of Sullivan County hereby authorizes the levy and collection of a special tax on all taxable property of Sullivan County over and above all other taxes authorized by Sullivan County to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.**

**The Notes shall be further secured by the revenues of State Aid funds for Highways and Bridges.**

**Section 5. That, the Notes shall be executed in the name of Sullivan County and bear the manual signature of the chief executive officer of Sullivan County and the manual signature of the County Clerk with Sullivan County seal affixed thereon; and shall be payable as to principal and interest at the office of the Director of Accounts & Budgets of Sullivan County or the paying agent duly appointed by Sullivan County. Proceeds of the Notes shall be deposited with the County Trustee of Sullivan County and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.**

**Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remains outstanding and unpaid, Sullivan County or its agent shall keep or cause to be kept at its office a note register, if held by an agent of Sullivan County, shall at all times be open for inspection by Sullivan County or any duly authorized officer of Sullivan County. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by Sullivan County or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to Sullivan County or its agent together with a written instrument of transfer satisfactory to Sullivan County duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, Sullivan County shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. Sullivan County shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.**

**Section 7. That, the Notes shall be in substantially the form authorized by the State Comptroller of the Treasury or Comptroller's Designee and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated which is Attachment 1 to this resolution.**

**Section 8. That, the Notes shall be sold only after the receipt of the written approval of the Comptroller of the Treasury or Comptroller's Designee for the sale of the Notes.**

**Section 9. That, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.**

Section 10. That, after the sale of the Notes, the fiscal affairs of Sullivan County shall be maintained on a cash basis in order that the current receipts of Sullivan County are sufficient to meet current expenditures and debt service. For each year that any of the notes are outstanding, Sullivan County shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the Comptroller of the Treasury or Comptroller's Designee. The Local Government shall maintain a balanced budget during the life of the notes. The annual budget shall be submitted to the Comptroller of the Treasury or Comptroller's Designee immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee. Sullivan County Government shall provide any information required by the Comptroller of the Treasury or Comptroller's Designee to determine that a balanced budget is kept during the life of the notes.


Section 11. That, if any of the Notes shall remain unpaid at the end of June 30k, 2015 (3\_) fiscal years of issue, then the unpaid Notes shall be retired from the funds of Sullivan County Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approved by the Comptroller of the Treasury or Comptroller's Designee.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

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

Approved this 19th day of March 2012.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2012-03-26	Administrative	Budget	Executive	County Commission
ACTION				Approved 03-19-12 20 Aye, 2 Nay, 1 Pass, 1 Absent

Notes: Waiver of rules requested.

**EXAMPLE**

Attachment 1

CAPITAL OUTLAY NOTE FORM

Registered  
Note #: \_\_\_\_\_

City of Sample  
Of the  
State of Tennessee  
Capital Outlay Note, Series 2012\_\_\_\_\_

Registered  
\$ \_\_\_\_\_

the Local Government in lawful money of the United States of America.

This note is a direct obligation of the Local Government for the payment of which as to both principal and interest the full faith and credit of the Local Government is pledged.

This note is subject to redemption prior to its stated maturity in whole or in part at any time at the option of the Local Government upon payment of the principal amount of the note together with the interest accrued thereon to the date of redemption with a premium of \_\_\_\_\_ % of par value.

This note is issued under the authority of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, and a Resolution duly adopted by the Governing Body of the Local Government meeting in session on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ (the "Resolution") to provide funds to finance the cost of public works projects referenced in the Resolution.

This note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the Registered Owner of the note in person or by the Registered Owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent of the note together with a written instrument of transfer satisfactory to the Local Government duly executed by the Registered Owner or the Registered Owner's duly authorized attorney but only in the manner as provided in the Resolution of the Local Government authorizing the issuance of this note and upon surrender hereof for cancellation. Upon the transfer of any

DATED	INTEREST RATE	MATURITY DATE
_____, 20__	5 %	_____, 20__

Registered Owner: \_\_\_\_\_  
Principal Sum: \$ \_\_\_\_\_



The \_\_\_\_\_ (Governing Body) of \_\_\_\_\_, Tennessee (the Local Government) hereby acknowledges itself indebted, and for value received hereby promises to pay to the Registered Owner hereof (named above), or registered assigns, the Principal Sum specified above on the Maturity Date specified above or according to an amortization schedule attached hereto (unless this note shall have been duly called for prior redemption and payment of the redemption price shall have been duly made or provided for), upon presentation and surrender to the Local Government or its agent, and to pay interest on the Principal Sum on \_\_\_\_\_ and thereafter on \_\_\_\_\_ of each year at the Interest Rate per annum specified above or according to an amortization schedule attached hereto, by check, draft, or warrant mailed to the Registered Owner at the address of the Registered Owner as it appears on the fifteenth (15th) calendar day of the month next preceding the applicable payment date in the note register maintained by or on behalf of the Local Government. Both principal of and interest on this note are payable at the office of the \_\_\_\_\_ of the Local Government or a paying agent duly appointed by such note, the Local Government or its agent shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered note. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Title 9, Chapter 21, Section 117, Tennessee Code Annotated provides that this note and interest thereon are exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the State, except for inheritance, transfer and estate taxes and except as otherwise provided under the laws of the State of Tennessee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this note exist, have happened and have been performed in due time, form and manner as required by the Constitution and laws of the State of Tennessee, and that the amount of this note, together with all other indebtedness of the Local Government, does not exceed any constitutional or statutory limitation thereon, and that this note is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, the Governing Body of the Local Government has caused this note to be executed in the name of the Local Government by the manual signature of the \_\_\_\_\_, and countersigned and attested by the manual signature of the \_\_\_\_\_ with the Seal of the Local Government affixed hereto or imprinted hereon, and this note to be dated as of the \_\_\_\_\_ day of 20\_\_\_\_\_.

\_\_\_\_\_  
(County Mayor)

ATTESTED: \_\_\_\_\_  
(County Clerk)

SEAL

Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Executive  
No. 2012-03-27  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION Requesting Permission To Construct An Open-Sided Pavilion As Shown On Attached Plans. Building Size Will Be 30'0" Wide And 60'0" Long. Height And Location Site Are Shown On Plans. Scope Of Work Is Attached To Resolution.**

WHEREAS, infrastructure has been endorsed and/or approved by Agriculture Extension Office, Sullivan County Agriculture Committee, Sullivan County Historical Zoning, Blountville Farmers' Market, Farm Credit Service, and Sullivan County Building Committee; and

WHEREAS, the Blountville Farmer's Market will provide a venue to direct-market products to consumers and afford the community with an opportunity to buy fresh, local farm products from producers in a friendly, family oriented environment; and

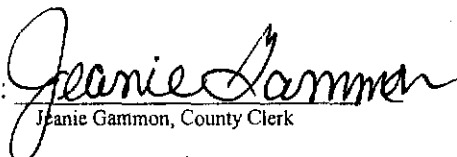
WHEREAS, this structure will provide vendor sites for all events scheduled through the Department of Archives and Tourism; and

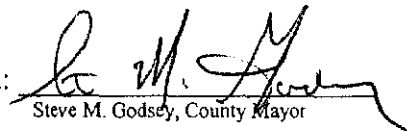
WHEREAS, this site will be available to Sullivan County citizens and tourists for family-oriented gatherings and recreational opportunities.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves the Construction Plans Proposed for a Farmers' Market Open-Sided Pavilion as detailed in above specifications.**

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

Approved this 19th day of March 2012.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser**

**Prime Co-Sponsor(s): Bob Neal, Bob White, Dwight King, Linda Brittenham,  
Matthew Johnson, James "Moe" Brotherton  
All Commissioners voting "Aye"**

2012-03-27	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				<b>Approved 03-19-12 23 Aye, 1 Absent</b>

Notes: **Waiver of rules requested.**

# SULLIVAN COUNTY FARMERS MARKET

## SCOPE OF WORK

FURNISH ALL MATERIALS AND LABOR TO CONSTRUCT THE OPEN SIDE SHED TYPE BUILDING AS SHOWN ON THE PLANS. BUILDING SIZE 30'0" WIDE X 60' 0" LONG. HEIGHT AS SHOWN ON PLANS, ABOVE FINISH GRADE.

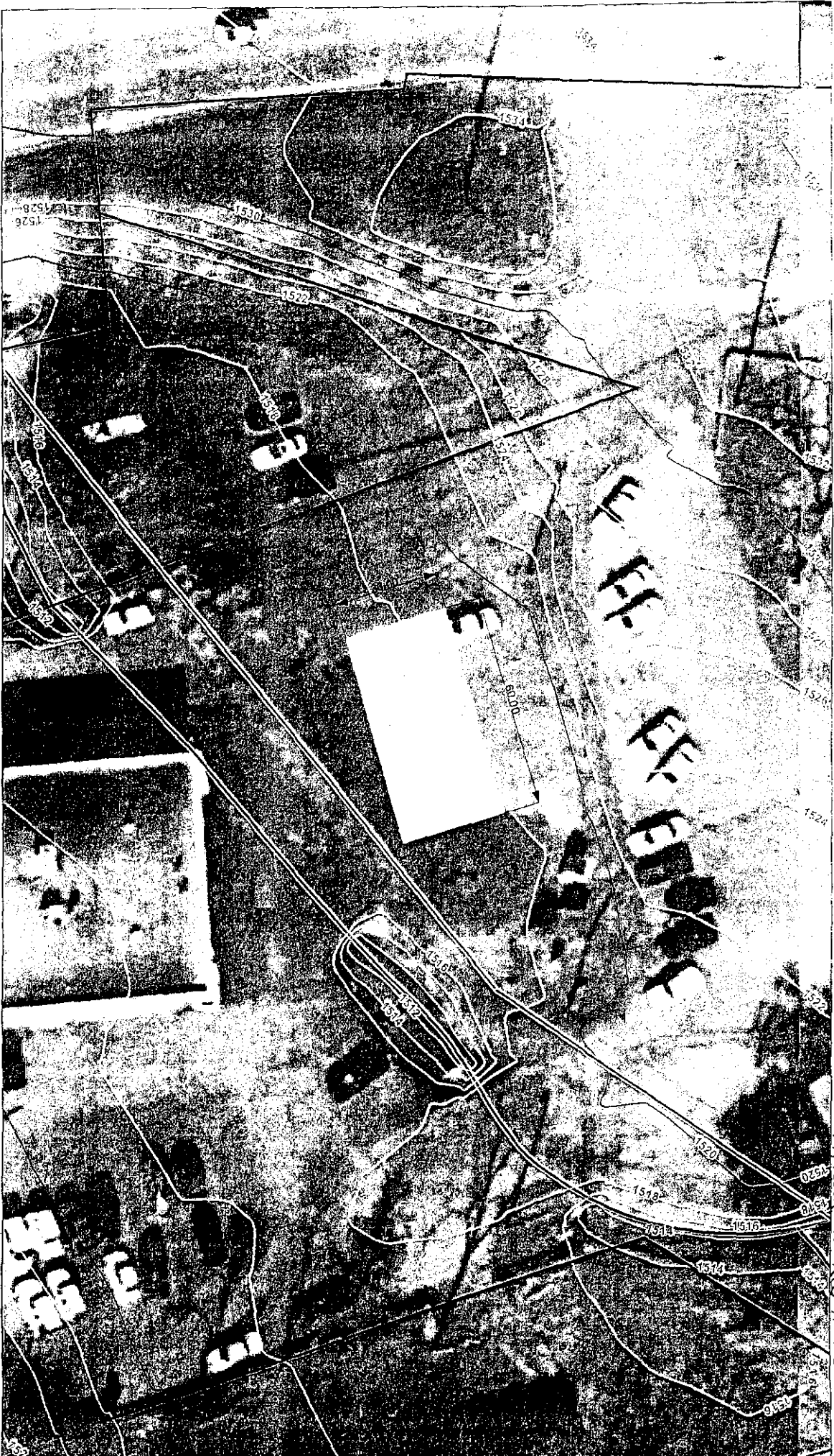
1. 6" X 8" TREATED POST MIN. 42" BELOW FINISHED GRADE AS PER FOOTING DETAIL. 2" X 8" TREATED SKIRT BOARD.
2. ALL FRAMING 24" ABOVE FINISHED GRADE LINE MAY BE #2 SYP UNTREATED.
3. NO INSULATION PACKAGE.
4. ROOF TO BE SPECTRA COTE SYSTEM OR EQUAL, PBR/R -- PANEL 38" OVERALL WIDTH 26 GAUGE. PEWTER GRAY (.399) WITH MATCHING FACIA AND GUTTER. RIBS 1 1/4" HIGH 12" O.C.
5. ALTERNATE #1 ADD ON FOR 18" OVERHANG.

## OWNER RESPONSIBILITY

1. GRADE WORK TO ESTABLISH FINISHED GRADE.
2. FURNISH AND INSTALL ANY EXTERIOR SIDING FOR GABLE ENDS AND CORNERS,
3. FURNISH AND INSTALL GRAVEL FOR FLOOR AREA.



Sullivan County, Tennessee  
 Blountville Farmers Market Pavillion - Potential Site



HILLMAN ROAD 1/2

	Pavillion		Topography
	Bristol Sewer Lines		Index Contour
	Intermediate Contour		Parcel Lines
	Streams		

0 25 Feet

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Budget/Executive  
No. 2012-03-28

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of March 2012.

**RESOLUTION Allowing Sullivan County To Enter Into A New Lease Contract With The Tennessee Valley Authority (TVA) For Observation Knob Park**

WHEREAS, this would assist in the long-range planning and decision making process for the needs of the park; and

WHEREAS, this resolution will also allow Observation Knob Park to pay the required maintenance fee of \$5,000.00 to T. V. A. which is to be paid at the time the lease is signed; and

WHEREAS, the new lease would be for thirty (30) years.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves renewing the lease agreement between Tennessee Valley Authority and Sullivan County for Observation Knob Park for thirty (30) years.**

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 \_\_\_\_\_ 2012.

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

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

**Sponsored By: Randy Morrell**

**Prime Co-Sponsor(s): Bryan Boyd, Dennis Houser, Linda Brittenham**

2012-03-28	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: 1st Reading 03-19-12;

MOTION ON FLOOR


MOTION AS FOLLOWS:

UPON RECOMMENDATION MADE BY MAYOR GODSEY TO APPOINT GAYVERN MOORE INTERIM ACCOUNTS AND BUDGETS DIRECTOR DUE TO THE RETIREMENT OF LARRY BAILEY, MOTION WAS MADE TO APPROVE RECOMMENDATION. APPOINTMENT TO BEGIN APRIL 1, 2012.

MOTION MADE BY: KILGORE  
SECONDED BY: KING

ACTION: MOTION APPROVED BY VOICE VOTE 03-19-12  
1 PASS- M CCONNELL AND 1 ABSENT- BOWERY

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. <sup>MCCONNELL</sup> WHITE TO MEET AGAIN IN REGULAR  
SESSION APRIL 16, 2012.



STEVE GODSEY  
COMMISSION CHAIRMAN

