

COUNTY COMMISSION MEETING - MAY 19, 1997

REGULAR SESSION

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MAY 19, 1997, 9:00 O'CLOCK A. M., IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY, TO WIT:

Commissioners present and answering roll call are as follows:

CAROL BELCHER	JACK JONES
JAMES R. "JIM" BLALOCK	JAMES L. KING, JR.
BRYAN K. BOYD	AUBREY L. KISER, JR.
JUNE CARTER	CARL KRELL
RAYMOND C. CONKIN, JR.	DWIGHT MASON
TOM DANIEL	GARY MAYES
O. W. FERGUSON	WAYNE MCCONNELL
MIKE GONCE	PAUL MILHORN
RALPH P. HARR	RONALD E. REEDY
EDLEY HICKS	MICHAEL B. SURGENOR
PAT HUBBARD	MARK A. VANCE
MARVIN HYATT	EDDIE WILLIAMS

24 present

Motion was made by Commissioner Harr and second by Commissioner Hyatt to approve the minutes of the regular session of the commission meeting held on April 21, 1997. This motion was approved by voice vote of the Commission.

The following pages indicates the action taken by the Commission on approval of Notary Applications, Notary Bonds, re-zoning requests and resolutions.

STATE OF TENNESSEE

MAY 19, 1997

COUNTY OF SULLIVAN

APPROVAL OF NOTARY PUBLIC
SURETY BONDS

Mary W. Billings

Brenda S. Bowers

Charles G. Bridwell

Nell E. Campbell

Melissa R. Carney

William M. Davis

Dorothy R. Dykes

Charles R. Fields

W. Carr Hagan, Jr.

Reba C. Kilgore

Niles E. Kitzmiller

Sandra Leonard

E. Lucille Moody

Burton E. Osborne

Jewell Marie Rader

Robin D. Thompson

Tony D. Urbani

Helen M. Wilmoth

Upon motion made by Commissioner Ralph Harr and second by
Commissioner Paul Milhorn to approve the Notary Bonds
of the above named individuals, said motion was approved
by roll call vote of the Commission.

20 Aye 4 absent

ELECTION OF NOTARIES

Debbie Aldeen	Ron L. Lowe	Delmer H. Wallen
Jeff K. Baldwin	Margaret L. Martin	Mark Wells
Ernest J. Benko	K. L. McDermitt	Alvin A. Whitman
Dawn P. Bible	Margaret W. Milhorn	Margaret B. Whitman
Lawrence E. Bledsoe	Michael T. Mitchell	Sherry Y. Wolff
Sandra M. Bowen	Audra M. Moore	
Lois A. Bowers	Tammy Jo Mowdy	
Dagmar Lynn Burke	Gary Munt	
Judy Ann Campble	Amy C. Murdock	
Carolyn W. Carico	Tammie Dora Noel	
Sandra L. Cline	Paula M. Poe	
Stephanie B. Clisso	Virginia S. Peters	
Sandee Clyne	Loyce C. Raber	
Norma K. Cobb	Martha T. Rice	
Carl W. Eilers	Terri Richards	
Loretta B. Forbis	James W. Riden	
Willie T. Fortner	John Martin Robinette	
John K. Gillenwater	Leah B. Ross	
Randall D. Grubb	Don E. Shepherd	
Susan R. Hale	Regina L. Slaughter	
Peggy Hall	Marcy Sprouse	
Vicky P. Hughes	Rosalie S. Stallard	
Judy K. Jenkins	D. Mark Stayton	
Sandra E. Keplinger	Glenda K. Stout	
Allen Keith Laughters	Lowell Swanson	
Earl O. Light	Bill J. Taylor	
Mary Hilda Long	Angie R. Vermillion	

Uopn motion made by Commissioner Ralph Harr and second by
Commissioner Paul Milhorn ~~to approve~~ the Notary Applications
of the above named individuals, said motion was approved by
roll call vote of the Commission.

20 Aye, 4 Absent

120

RESOLUTION NUMBER 1

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

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 19th day of May 1997.

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;

NOW 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 _____, 1997, the public welfare requiring it.

Duly passed and approved this 19th day of May, 1997.

Attested: B. Feathers County Clerk Date: 5/19/97 Gil Hodges County Executive Date: 5/19/97

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: _____

SECONDED BY COMMISSIONER Kiser FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	<u>x</u>				

COMMENTS: APPROVED 5/19/97 VOICE VOTE

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS
May 19, 1997

Consider the following:

- (1) **File # 2/97-5** A request by Paul Carrier to rezone the property described below from A-1 to B-3:

REQUEST FAILED 5/19/97 ROLL CALL VOTE 24 Nay
 "Being a tract of land located in the 1st Civil District on the north side of Emmett Road approximately 1600 feet south of its intersection with State Route 44 and further described as the west part of parcel 152.60 map 55 of the Sullivan County Tax Maps bounded by a straight line drawn from a point in the front property line located approximately 565 from the northwest corner to a point at the rear northernmost corner."

The Planning Commission took the following action:

"File No. 2/97-5, Paul Carrier Request

Paul Carrier requested that a tract of land located in the 1st Civil District on the north side of Emmett Road approximately 1600 feet south of its intersection with State Route 44 be rezoned from A-1 to B-3 to permit the location of T-Shirt Souvenir shop.

The applicant was not present. Angel Harris and Ms. Cruff were present and presented a 42 signature petition and spoke in opposition to the request noting potential negative impact on the residential neighborhood resulting from increased dangerous traffic and decreased property values. Staff stated the proposed use was incompatible with existing zoning and land use patterns and recommended the request be denied.

Motion Kiser, second Belcher to deny the request based on comments of the opposition and staff recommendation. Vote in favor of the motion unanimous.

- (2) **File # 3/97-8** A request by Emmett Cookenour to rezone the property described below from R-3A to R-3:

REQUEST FAILED 5/19/97 ROLL CALL VOTE 6 Aye, 17 Nay, 1 Pass
 "Being a tract of land located in the 12th Civil District on both sides of Darnell Drive approximately 550 feet south of its intersection with East Carter's Valley Road and further described as parcels 22.01, 22.02 and 29.00 group C map 12-M of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File No. 3/97-8, Emmett Cookenour Request

Emmett Cookenour requested that a tract of land located in the 12th Civil District on both sides of Darnell Drive approximately 550 feet south of its intersection with East Carter's Valley Road be rezoned from R-3A to R-3 to permit the location of single-wide mobile homes.

The applicant was present and spoke in support of the request. Sullivan County Commissioner Wayne McConnell addressed the commission on behalf of homeowners opposed to the request and presented a signed petition. Commissioner McConnell stated that those residents for whom he was speaking felt the proposed zoning would be detrimental to their neighborhood. Staff stated that the proposal was not compatible with existing zoning and land use patterns and that the predominate character of the area was conventional housing and existing mobile homes had been located before zoning was adopted. Staff recommended the request be denied.

Motion Kiser, second Childress to deny the request based on statements of commissioner McConnell and on staff recommendation. Vote in favor of the motion: Kiser, Childress, Hickam, Goodwin, Mullins, Brown; vote opposed Belcher. Motion carried 6 to 1.

- (3) **File # 4/97-3** A request by Steven D. Whitson to rezone the property described below from R-1 to B-3:

REQUEST FAILED 5/19/97 ROLL CALL VOTE , 5 Aye, 18 Nay, 1 Pass

"Being a tract of land located in the 20th Civil District on the south side of Spangler Road approximately 1400 feet west of its intersection with Devault Bridge Road and further described as the front portion of parcel 48.50 map 95 of the Sullivan County Tax Maps being 175 feet in depth and beginning at a point in the front property located 69 feet west of the northwesterly corner."

The Planning Commission took the following action:

"File 4/97-3 Steven D. Whitson Request

Steven D. Whitson requested that a tract of land located in the 20th civil district on the south side of Spangler Road approximately 1400 feet west of its intersection with Devault Bridge Road be rezoned from R-1 to B-3 to permit the operation of a mini storage building.

The applicant was present and spoke in support of the request. No opposition was presented. Staff stated that the request was incompatible with existing zoning and land use patterns and recommended the request be denied.

Motion Brown, second Goodwin to deny the request as recommended by staff. Vote in favor of the motion unanimous.

- (4) **File # 3/97-9** A request by Charles Riner to rezone the property described below from R-1 to A-1 :
APPROVED 5/19/97 ROLL CALL VOTE 24 Aye

"Being a tract of land located in the 3rd Civil District on the east side of Beaver Creek Road approximately 900 feet south of its intersection with Buffalo Road and further described as that part of parcel 126.10 map 96 of the Sullivan County Tax Maps being 200 feet by 200 feet located 50 feet south of the front property line and 200 feet west of the east property line."

The Planning Commission took the following action:

"File No. 3/97-9 Charles Riner Request

Charles Riner requested that a tract of land located in the 3rd civil district on the east side of Beaver Creek Road approximately 900 feet south of its intersection with Buffalo Road be rezoned from R-1 to A-1 to permit the location of a single wide mobile home.

The applicant was present and requested that the size of the property to be rezoned be reduced from 6.7 acres to a parcel 200 feet by 200 feet located 50 feet south of the front property line and 200 feet west of the east property line. No opposition was presented. Staff stated the amended request was compatible with existing zoning and land use patterns and recommended approval.

Motion Childress, second Goodwin to approve the request as recommended by staff. Vote in favor of the motion: Childress, Goodwin, Kiser, Belcher, Barnes, Mullins; vote opposed; Brown. The motion carried 6 to 1.

- (5) **File # 4/97-4** A request by Janet S. Burk to rezone the property described below from R-2 to B-1 :

APPROVED 5/19/97 ROLL CALL VOTE 24 Aye

"Being a tract of land located in the 7th Civil District on the north side of Harr Town Road approximately 1600 feet west of its intersection with Lester Road and further described as parcel 23.00 group A map 33 O of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File 4/97-4 Janet S. Burk Request

Janet S. Burk requested that a tract of land located in the 7th civil district on the north side of Harr Town Road approximately 1600 feet west of its intersection with Lester Road be rezoned from R-3 to B-1 to permit the operation of a day care center.

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

Motion Childress, second Kiser to approve the request as recommended by staff. Vote in favor of the motion: Childress, Kiser, Brown, Belcher, Mullins, Goodwin; vote opposed Barnes. The motion carried 6 to 1.

- (6) File # 4/97-5 A request by Robin Homer to rezone the property described below from A-1 to

R-2A : APPROVED 5/19/97 ROLL CALL VOTE 24 Aye

"Being a tract of land located in the 7th Civil District on the north side of Lynn Road approximately 8700 feet south of its intersection with Henry Harr Road and further described as parcel 37.00 map 79 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File 4/97-5 Robin Homer Request

Robin Homer requested that a tract of land located in the 7th civil district on the north side of Lynn Road approximately 8700 feet south of its intersection with Henry Harr Road be rezoned from A-1 to R-2A to allow the construction of duplex residential units.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and 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.

- (7) File # 4/97-6 A request by Eileen Stata to rezone the property described below from R-1 to R-

2 : APPROVED 5/19/97 ROLL CALL VOTE 24 Aye

"Being a tract of land located in the 6th Civil District at the end of Dalton View Drive and further described as parcel 29.10 map 34 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File 4/97-6 Eileen Stata Request

Eileen Stata requested that a tract of land located in the 6th civil district at the end of Dalton View Drive be rezoned from R-1 to R-2 to permit a single wide mobile home.

The applicant was represented by Ms. Osborne. No opposition was presented. Staff stated the request was compatible with existing zoning land use patterns and recommended approval.

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

- (8) File # 4/97-7 A request by Brent Ramey to rezone the property described below from A-1 to

M-1 : APPROVED 5/19/97 ROLL CALL VOTE 13 Aye, 11 Nay

"Being a tract of land located in the 18th Civil District on the west side of State Route 75 approximately 2600 feet north of its intersection with Boone Dam Road and further described as that part of parcel 25.00 map 107 of the Sullivan County Tax Maps fronting 269.8 feet on State Highway 75 and 300 feet in depth located 460 south of the easternmost corner of the property."

The Planning Commission took the following action:

"File 4/97-7 L. Brent Ramey Request

L. Brent Ramey requested that a tract of land located in the 18th civil district on the west side of State Route 75 approximately 2600 feet north of its intersection with Boone Dam Road be rezoned from A-01 to M-1 to allow the operation of a machine shop.

The applicant was present, no opposition was presented. Staff stated the request was incompatible with predominant existing zoning and land use patterns and recommended the request be denied.

Motion Barnes to deny the request as recommended by staff. No second was offered.

Motion Brown, second Childress to approve the request based on its location on an arterial highway and the fact that there are other business uses in the area. Voting in favor of the motion: Brown, Childress, Greene, Goodwin, Kiser; vote opposed: Barnes, Mullins, Belcher. The motion carried 5 to 3.

(9) Review Sullivan County Board of Commissioners Resolution Number 9 of February 17, 1997 by Commissioner Carter et. al. - Amendment of zoning resolution Relating to Inoperative Motor Vehicles and Salvage Yards.

FAILED 5/17/97 SEE RESOLUTION # 3

The Planning Commission took the following action:

Review Sullivan County Board of Commissioners Resolution Number 9 of February 17, 1997 by Commissioner Carter et. al. - Amendment of zoning resolution Relating to Inoperative Motor Vehicles and Salvage Yards.

The chairman and staff read and discussed resolution number 9, a copy of which is attached and hereby made a part of these minutes.

Motion Hickam, second Brown, that due to limited time for comments only 4 speakers with 3 minutes each pro and con shall be heard concerning resolution 9. Vote in favor of the motion unanimous.

- The following speakers were heard:
- Hubert Christian - opposed to resolution 9
- Carol Sealingfield - supports resolution 9
- Betsy Scherer - supports resolution 9
- Booby Goodson - opposed to resolution 9
- Mr. Ken Taggart - supports resolution 9
- Mr. Whitson - opposed to resolution 9
- Keith Neal - supports resolution 9

Planning Commission members discussed the proposed zoning amendment with citizens in attendance and answered questions from the floor.

Motion Hickam, second Mullins to approve Sullivan County Board of Commissioners Resolution 9 dated February 17, 1997 authorizing amendments to the Sullivan County Zoning Resolutions including deletion of the existing definition of automobile wrecking yard and incorporating new definitions for inoperative motor vehicles and salvage yards as well as adding a new section governing salvage yards as shown on the attached copy of said resolution 9 with the following two changes: under "Inoperative Motor Vehicle" delete the phrase "and a valid state license plate" and under "Salvage Yard" Section II.D. delete the phrase "grandfathered used vehicles". Vote in favor of the motion: Hickam, Mullins, Kiser, Goodwin, Childress, Brown; vote opposed: Belcher. The motion carried 6 to 1.

SUBSTITUTE RESOLUTION NO. 2

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May, 19 97.

RESOLUTION AUTHORIZING Adoption of Regulations Governing Health and Safety Standards of Residential and Nonresidential Properties

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 19th day of May, 19 97

WHEREAS, According to Tennessee Code Annotated §39-14-504, §5-1-115 and other authority including the general police power of the county and in the interest of the public good and the safety and welfare of the people, counties, by resolution of their respective legislative bodies may impose regulations concerning the maintenance, condition and occupancy of residential and nonresidential properties, and

WHEREAS, These regulations may be imposed in order:

- 1) To protect the public health, safety and welfare of all residents by establishing minimum standards governing the maintenance, condition and occupancy of residential and nonresidential premises
- 2) To fix certain responsibilities and duties upon owners, operators, and occupants
- 3) To authorize and establish procedures for the inspection of residential and nonresidential premises
- 4) To fix penalties for violations of these minimum standards and provide a means of repair, demolition or vacation of premises unfit for human habitation or use

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the adoption of the following:

REGULATIONS GOVERNING HEALTH AND SAFETY STANDARDS OF RESIDENTIAL AND NONRESIDENTIAL PROPERTIES

SECTION I - APPOINTMENT OF ENFORCEMENT OFFICER & HEARING BOARD

This resolution shall be enforced by an individual under the supervision of Planning and Zoning who shall be known as the Sullivan County Code Enforcement Officer (hereinafter referred to as "Enforcement Officer").

The Hearing Board shall consist of seven (7) members to be appointed by the County Executive subject to confirmation by the county legislative body with one member being appointed to represent each of the seven (7) school board districts. All members of the Hearing Board shall be appointed for four year terms; however, the initial appointments shall be made on the following terms in an effort to achieve subsequent staggered four year terms:

School Board District One Representative	Initial One Year Term
School Board District Two Representative	Initial Two Year Term
School Board District Three Representative	Initial Two Year Term
School Board District Four Representative	Initial Three Year Term
School Board District Five Representative	Initial Three Year Term
School Board District Six Representative	Initial Four Year Term
School Board District Seven Representative	Initial Four Year Term

126

SUBSTITUTE RESOLUTION NO. 2

Page Two

At no time shall more than one member of the county legislative body serve as a member on the Hearing Board. Any compensation or authorization for reimbursement of travel expenses for the members of the Hearing Board shall be established by the county legislative body. Any vacancy which occurs on the Hearing Board shall be filled by the County Executive subject to confirmation by the county legislative body for the remainder of the term of the vacant position. Any member of the Hearing Board may be removed at any time by the county legislative body for cause specified in writing served on the member and after hearing, of which such member shall be given not less than fifteen (15) days written notice.

The Hearing Board shall also be charged with the responsibility of actively recruiting community organizations, neighbors, churches, the Job Corps, and/or solicit other opportunities to provide assistance to citizens who are not financially or physically able to provide self-compliance.

SECTION II - PROPERTY STANDARDS

a) A structure is unfit for human occupation or use and, therefore, unlawful if conditions exist in or around such structure which are dangerous or injurious to the health or safety of the occupants of such structure, the occupants of neighboring structures or other residents of the county, assuming ordinary health and sensibilities; such conditions may include: defects therein increasing the hazards of fire, accidents or other calamities; dilapidation; disrepair; structural defects; and/or unsanitary conditions.

b) It shall be unlawful for any owner of property to create, maintain or permit to be maintained on property the obvious neglect and overgrowth of vines, grass, underbrush and/or the accumulation of discarded or worthless personal property, debris, trash, litter, garbage, rubbish, refuse, etc., or any combination of the preceding elements, or a vacant dilapidated building or structure, or to encourage the infestation of rats or other harmful animals, so as to endanger the health, safety, or welfare of other citizens of ordinary health and sensibility.

c) It shall be unlawful to allow any violation identified in subsections (a) or (b) above to exist or continue in, on or around any building, structure or property affected by this resolution.

SECTION III - OWNER AND OCCUPANT RESPONSIBILITIES

It is the obligation of the owner(s) of property to maintain such property so as not to endanger the health, safety, or welfare of county residents and/or so as not to violate the terms of these Regulations. If said property fails to comply with the above-stated regulations, the property owner(s) is responsible and liable.

SECTION IV - INSPECTION PROCEDURES

Whenever a petition is filed with the Enforcement Officer by at least three (3) property owners living within one hundred (100) yards of the boundary of the property in question; or whenever the Enforcement Officer on his own can visibly observe a violation from a public road that violation(s) of any of these Regulations exist,

the Enforcement Officer shall, after making a preliminary investigation which discloses a basis for such violations, issue and cause to be served upon the owner of record of such properties a notice stating the violations and requesting the condition to be remedied immediately.

SECTION V - PENALTIES AND REMEDIES FOR VIOLATIONS

A. For owners of and parties in interest of properties found by the Enforcement Officer to be in violation of the above-mentioned regulations, a notice of violation shall be given by personal service upon the owner or by United States Certified Mail, Return Receipt Requested, addressed to the last known address of the owner(s) of record. The notice of violation shall state that the owner of the property is entitled to a hearing. The notice of violation shall be written in plain language and shall also include, but not be limited to, the following elements:

- 1) A brief statement of the violations and penalty date noted;
- 2) A brief statement which shall contain the consequences and penalty of failing to remedy the violations;
- 3) The person, office, address and telephone number of the department or person giving notice;
- 4) A cost estimate for remedying the noted condition which shall be in conformity with the standards of cost in the community; and
- 5) A place wherein the notified party may return a copy of the notice of violation indicating the desire for a hearing and or waiver of hearing and agreement to remedy.

If the whereabouts of the owner(s) of record is unknown and the same cannot be ascertained by the Enforcement Officer in the exercise of reasonable diligence or if for any reason notice by Certified Mail, Return Receipt Requested, cannot be obtained, and the Enforcement Officer shall make affidavit to that effect, then the serving of such notice of violation or order upon such person(s) may be made by publishing the same once each week for two (2) consecutive weeks in the Bristol Herald Courier and the Kingsport Times News. A copy of such notice of violation or order shall be posted in a conspicuous place on the premises affected by the notice or order. A copy of such notice of violation or order shall also be filed for record in the register's office of the county and such filing of the notice of violation or order shall have the same force and effects as other lis pendes notices provided by law.

B. Upon receipt of the notice of violation as provided hereinabove, the property owner shall proceed forthwith to take appropriate measures to comply with these regulations. The county shall provide for a hearing upon request by an aggrieved property owner, said hearing to be held before a board known as the "Sullivan County Health & Safety Standards Board" (hereinafter referred to as the "Hearing Board") (See Section I).

A request for hearing shall be made within thirty (30) days following receipt of said notice of violation. If the property owner timely requests a hearing as provided herein, the Hearing Board shall, within a reasonable time following the receipt of the request for hearing, upon a record held, a hearing on the issue of the appropriateness of the requirements imposed on the property owner and the issue of cost of remedying the condition. The time period established herein shall be stayed pending review by the Hearing Board. Failure to make the request for a hearing within the time limit allowed by this regulation shall, without exception, constitute a waiver of right to a hearing and judicial review. Immediately following the hearing, the Hearing Board may:

- 1) Dismiss the notice of violation and such notice shall become ineffective;
- 2) May confirm the notice of violation;

128

SUBSTITUTE RESOLUTION NO. 2

Page Four

3) May modify the notice of violation; or

4) Continuance if at the request of either party and if the Hearing Board consider the continuance appropriate.

The affirmative vote of four Hearing Board Members shall be the act of the Hearing Board.

C. Any person aggrieved by an act of the Hearing Board under the provisions of this resolution may seek judicial review of same. The time period established herein shall be stayed pending judicial review.

D. If the owner fails to comply with the notice within thirty (30) days of receipt of same, subject to stay pending review and any modifications made pursuant to review as provided for above, the Hearing Board may cause such property to be repaired, altered or improved or be vacated and closed, removed or demolished as necessary to remedy the condition and the costs shall be assessed against the owner of the property. Upon performance, the actual cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the Hearing Board shall upon the filing of a notice with the office of the register of deeds be a lien in favor of the county against the real property on which such cost was incurred, second only to liens of the state and county for taxes, any lien of the county for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing prior to the filing of such notice. These costs shall be collected by the county tax collector at the same time and in the same manner as property taxes are collected.

E. Owner(s), individually and/or jointly, of property found to be in violation of these Regulations shall be guilty of an offense and upon conviction shall pay a penalty of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense. Each and every day during which such illegal condition or use exists or continues is deemed a separate offense.

SECTION VI - EXCEPTIONS

a) The provisions of this resolution shall apply county-wide exclusive of incorporated municipalities lying within Sullivan County.

b) The provisions of Section V (D) of this resolution permitting Sullivan County to remedy conditions pursuant to Tennessee Code Annotated §5-1-115(c) shall not apply to any parcel of property upon which an owner-occupied residence is located.

c) This resolution shall not apply to any business operated pursuant to the Tennessee Solid Waste Disposal Act, Tennessee Code Annotated §§68-31-101, et seq.

SECTION VII - RULES

a) The county governing body may establish any rules and regulations necessary for the administration and enforcement of this resolution.

b) The Enforcement Officer shall keep a daily journal recording the following information:

(i) all petitions filed with his office;

(ii) the address including the civil district of any property in violation of this resolution;

(iii) address and mileage of all preliminary investigations;

(iv) all notices delivered to property owners found to be in violation of this resolution and any expenses associated therewith;

SUBSTITUTE RESOLUTION NO. 2

Page Five

- (v) all waivers of hearing and agreements to remedy;
- (vi) all requests for hearing received;
- (vii) Orders and Decisions issued by the Hearing Board; and
- (viii) all request for judicial review and final decision of the judicial review.

The aforesaid journal shall be reviewed monthly by the Hearing Board. The Enforcement Officer shall submit a monthly report to the County Commission during the first year after the resolution takes affect, and quarterly every year thereafter.

SECTION VIII - EFFECTIVE DATE

After passage, the county clerk shall cause this resolution to be published in a newspaper of general circulation within the county. This resolution shall become effective one hundred twenty (120) days after passage, the public welfare requiring it. Following the effective date of this resolution, arrangements should be made to have the landfills open at least one Saturday per month for county residents to have free access.

SECTION IX - CONSTITUTIONALITY AND CONFLICT WITH OTHER RESOLUTIONS

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

NOW, THEREFORE, BE IT FURTHER RESOLVED that the sum of **Thirty three thousand five hundred and 86/100 (\$33,500.86) Dollars** be appropriated from Account No. 39000 (Undesignated Fund Balance) for the 1997-1998 fiscal year as follows:

GENERAL FUND

Planning & Zoning (July 1, 1997 through June 30, 1998)

51710.100 (Personnel - \$10.29 Per Hour)	\$21,403.20
51710.300 (Contracted Services)	\$2,500.00
51710.400 (Supplies & Materials)	\$2,500.00
54113.200 (Operating Transfer - Employee Benefits)	
FICA 6.2%	\$1,326.99
Medicare 1.45%	\$310.34
Retirement 7.39%	\$1,581.69
TOTAL TO GENERAL FUND	\$29, 622.22

EMPLOYEE BENEFIT FUND

58600.200 Life, Dental & Health Insurance (12 months)	\$3,878.64
TOTAL TO EMPLOYEE BENEFIT FUND	\$3,878.64

Outside counsel employed to assist in enforcing the provisions of this resolution shall be employed by contract which shall be executed by the County Executive and the County Attorney and all costs associated therewith shall be paid from the Self-Insurance Fund.

130

SUBSTITUTE RESOLUTION NO. 2

Page Six

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 19th day of May _____, 1997.

Attested: Ray B. Cochran
Clerk

Date: 5/19/97 Paul Hodges
County Executive

Date: 5/19/97

INTRODUCED BY COMMISSIONER J. Carter ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Surgenor, J. Blalock FUND: _____
J. Jones, M. Gonce

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	14	8		2	
Voice Vote					

COMMENTS: Motion by: Comm. Vance and 2nd by Comm. Daniel to accept Commissioner King's amendment as written, - FAILED - ROLL CALL
Motion by: Comm. Conkin and 2nd by Comm. King to amend Section IV on page 2 - Delete after semi-colon (or whenever the enforcement officer on his own can visibly observe a violation from a public road that violations(s) of any of these Regulations exist.

Motion failed - Roll Call

RESOLUTION APPROVED 5/19/97 ROLL CALL VOTE

SUBSTITUTE RESOLUTION NO. ~~4~~ 3

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF APRIL, 1997.

RESOLUTION AUTHORIZING 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 April, 1997;

NOW, THEREFORE, BE IT RESOLVED that the following amendments be incorporated into Article II [Definitions] of the Sullivan County Zoning Resolution, as Amended, with appropriate section numbers to be assigned upon passage of this Resolution:

Delete Existing Definition of "Automobile Wrecking Yard" and substitute in lieu thereof the following definitions:

"Inoperative Motor Vehicle" - Any car, truck, van or bus which does not have an engine in running condition, inflated tires on all wheels, an operative battery and a valid state license plate and registration issued to a person in possession of the property on which it is parked or which for any reason is not then operative and capable of being legally driven upon the roads and highways of the State of Tennessee under its own power.

"Salvage Yard" - A premises used:

I. For scrap, junk, wrecking or salvage operations; or

II. For the dismantling, displaying, processing, buying, selling, abandoning, or discarding of, or for the open (exposed to the elements) storage or keeping of:

A. Two or more inoperative motor vehicles; or

B. Junk, wrecked, abandoned, worn out or inoperative:

- 1. trailers,
- 2. heavy equipment,
- 3. farm equipment,
- 4. machinery,
- 5. motorcycles,
- 6. go-carts,
- 7. boats, or
- 8. a combination of same; or

C. Scrap, junk or salvage (as these words are commonly defined); or

D. Second hand, used, obsolete, abandoned, run down, worn out or inoperative:

- 1. furniture or appliances (excluding however those needed and used by occupants for the purpose for which they were made),
- 2. building material,
- 3. tires,
- 4. wheels,
- 5. parts of motor vehicles, motorcycles, go-carts, and/or boats,

132

- 6. heavy equipment parts.
- 7. trailer parts.
- 8. machinery parts, or
- 9. a combination of same; or

E. Other items of the same nature;

provided, however, that such uses are excluded whenever expressly permitted in other zoning districts.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the following amendments be incorporated into Article VI - Section 614.1 [M-2 High Impact Use] of the Sullivan County Zoning Resolution, as Amended, with appropriate section numbers to be assigned upon passage of this Resolution:

Delete Section 614.1.2 as it presently exists - Lots or yards for scrap or salvage operations

Delete Section 614.1.8 as it presently exists - Automobile wrecking, salvage and junk yards

Add new section under Section 614.1 as follows:

Salvage yards provided that:

a. All items stored or kept in such yards shall be kept so that they will not catch or hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice or other vermin may be harbored, reared or propagated.

b. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone.

c. All outdoor salvage yards shall be conducted entirely within an enclosed fence, screen or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen or wall is expressly prohibited. Any fence, screen or wall for concealment shall be maintained in good condition.

d. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.

e. Application for salvage yard permit: No person shall own or maintain a salvage yard within Sullivan County until he has secured a permit from the Sullivan County Building Commissioner. A detailed site plan, a schedule for construction and any other information deemed necessary shall be submitted to said Building Commissioner prior to the issuance of such permit.

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

This resolution shall become effective on _____, day of _____, 19 97, the public welfare requiring it.

Duly passed and approved this ___ day of _____, 19 97.

SUBSTITUTE RESOLUTION NO. 4-3
Page Three

Attested: B. Feathers County Clerk Date: 5/19/97
W. Hodges County Executive Date: 5/19/97

INTRODUCED BY COMMISSIONER J. Carter ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Surgenor, J. Blalock FUND: _____
J. Jones, M. Gonce

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	10	13		1	
Voice Vote					

COMMENTS: Deferred 4/21/97 FAILED 5/21/97 ROLL CALL VOTE

134

RESOLUTION NO. 125

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF APRIL, 1997.

RESOLUTION AUTHORIZING Adoption of Procedures to Follow When Closing/ Abandoning a County Road or Right-of-Way

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 April, 1997;

THAT, WHEREAS, recent confusion has arisen concerning the proper method for closing/abandoning a county road or right-of-way;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby adopt the attached procedures for closing/abandoning a county road or right-of-way.

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 19th day of May, 1997.

Attested: _____ Date: _____ Gil Hodges Date: 5/19/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER M. Vance ESTIMATED COST: _____
SECONDED BY COMMISSIONER P. Hubbard, D. Mason FUND: _____
R. Conkin, T. Daniel

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	15	6	1	2	
Voice Vote					

COMMENTS: FIRST READING 4/21/97 APPROVED 5/19/97 ROLL CALL

Attachment No. 1 to Resolution No. 125

**STEPS TO FOLLOW WHEN ADJOINING PROPERTY OWNERS
PETITION COUNTY TO:**

- (I) CLOSE ROAD WHEN COUNTY OWNS ROAD IN FEE; OR
- (II) SELL EXCESS ROAD FRONTAGE WHEN COUNTY OWNS ROAD FRONTAGE IN FEE

(Note: In most situations, the county only owns an easement/right-of-way.)

=====

- (1) Signed written request for closing from all effected property owners.
- (2) Survey showing area to be closed and identity of adjoining property owners (reviewed by Highway Department).
- (3) Submit to the Appropriate Planning Commission.
- (4) Submit to the Executive Committee.
- (5) County has property appraised at cost to requesting parties. Requesting parties shall be required to pay deposit in amount equal to estimated cost of appraisal(s) prior to appraisal(s) being ordered.
- (6) Upon appraisal(s) being completed and submitted to Executive Committee, purchase price is negotiated.
- (7) Resolution to County Commission to close area which shall provide authorization for County Executive to execute Quitclaim Deed after approved as to form by County Attorney.
- (8) If deed is desired, interested parties will provide: (1) Survey; (2) Description of closing; (3) Preparation of Deed(s); and (4) Recording Fees.

**STEPS TO FOLLOW WHEN ADJOINING PROPERTY OWNERS
PETITION COUNTY TO:**

- (I) CLOSE ROAD WHEN COUNTY OWNS ONLY EASEMENT/RIGHT-OF-WAY;
OR
- (II) SELL EXCESS ROAD FRONTAGE WHEN COUNTY OWNS FRONTAGE BY
EASEMENT/RIGHT-OF-WAY

=====

- (1) Signed written request for closing from all effected property owners.
- (2) Survey showing area to be closed and Identity of adjoining property owners
(reviewed by Highway Department).
- (3) Submit to the Appropriate Planning Commilssion.
- (4) Submit to the Executive Committee.
- (5) Resolution to County Commilssion to close area which shall provide authorization
for County Executive to execute Quitclaim Deed after approved as to form by
County Attorney.
- (6) If deed is desired, interested parties will provide: (1) Survey; (2) Description of
closing; (3) Preparation of Deed(s); and (4) Recordng Fees.

RESOLUTION NUMBER 146

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF April 1997.

RESOLUTION AUTHORIZING Appointing 3 County Commissioners to the Strategic Planning Committee

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 April 1997.

THAT BE IT RESOLVED, That in accordance with a majority vote by the Sullivan County Strategic Planning Committee, that the County Executive be requested to appoint one (1) County Commissioner from each of the three standing committees to serve as a full voting member on the Strategic Planning Committee.

AMEND: Comm. Gonce - Commission members be non-voting members.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Enly passed and approved this 19th day of May, 1997

Attested: [Signature] Date: 5-19-97
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 4/21/97 APPROVED 5/17/97 as amended
Show of hands

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF APRIL, 1997.

RESOLUTION AUTHORIZING One-time appropriation in the sum of \$12,738.29 to Theatre Bristol, Inc.

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 April, 1997,

THAT, WHEREAS, Theatre Bristol, Inc., a non-profit charitable organization, purchased certain property in the early 1990's, but failed to apply for tax exempt status until January, 1996 at which time application was made and granted thereby making the subject property tax exempt; and

WHEREAS, due to Theatre Bristol, Inc.'s failure to apply for tax exempt status, property taxes were assessed against the subject property for the tax years 1992, 1993, 1994 & 1995; and

WHEREAS, said taxes remain unpaid at this time and interest and penalties have also been assessed against the subject property through April 30, 1997 as follows:

Map 21A, Group A, Parcel 50.00

Tax Year	Base Amount	Penalties/Interest Thru 4/30/97	Total Per Year
1992	\$561.38	\$497.18	\$1,058.56
1993	\$582.83	\$410.49	\$993.32
1994	\$570.86	\$299.73	\$870.59
1995	\$570.86	\$196.97	\$767.83
Totals	\$2,285.93	\$1,404.37	\$3,690.30

Map 21A, Group A, Parcel 51.00

Tax Year	Base Amount	Penalties/Interest Thru 4/30/97	Total Per Year
1992	\$1,404.29	\$1,213.65	\$2,617.94
1993	\$1,443.65	\$987.25	\$2,430.90
1994	\$1,413.98	\$712.85	\$2,126.83
1995	\$1,413.98	\$458.34	\$1,872.32
Totals	\$5,675.90	\$3,372.09	\$9,047.99

WHEREAS, interest and penalties will increase at the rate of one and one-half percent on the balance due each month the taxes remain unpaid; and

WHEREAS, Theatre Bristol, Inc. has requested financial assistance from Sullivan County to aid in payment of the delinquent taxes against the property;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby make a one-time appropriation in the sum of \$12,738.29 from Account No. 39000 [Undesignated Fund Balance] to Theatre Bristol, Inc. for the purpose of assisting in resolving the delinquent taxes against the subject property.

RESOLUTION NO. 228
Page Two

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 97.

Attested: B. Feathers Date: 5-19-97 H. H. Hodge Date: 5-19-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER M. Vance ESTIMATED COST: _____
SECONDED BY COMMISSIONER B. Boyd FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 4/21/97 WITHDRAWN 5/19/97

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF April 1997.

RESOLUTION AUTHORIZING The County Attorney to Pursue the Matter of Overcrowding at the Sullivan County Jail through the Attorney General's Office and Governor's Office

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 April 1997

THAT WHEREAS, Pursuant to the attached April 14, 1997 letter from the Sullivan County Attorney and the attached April 1997 letter from the Sullivan county Shriff, and

WHEREAS, The Sullivan County Jail continues to experience overcrowding, and

WHEREAS, The State of Tennessee has still not retired the financial burden of housing State Prisoners, and

WHEREAS, An average of 80% of the prison population at the Sullivan County Jail is State inmates;

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Commission request the Sullivan County Attorney to continue to pursue this matter through the Attorney General's Office and the Governor's Office.

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 19th day of May, 1997

Gay B. Feathers
Attested: _____
County Clerk

Date: 5-19-97 *Gil Hodges*
County Executive Date: 5-19-97

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Sullivan County Attorney

BLOUNTVILLE, TENNESSEE 37617

Daniel P. Street
County Attorney

April 14, 1997

Phone
423 / 323-6481
Fax
423 / 279-2728*Attachment
Res # 279*Mr. Keith Carr, Sheriff
Sullivan County Sheriff's Office
Post Office Box 589
Blountville, Tennessee 37617**Re: Housing of State Inmates in the
Sullivan County Jail**

Dear Sheriff Carr:

The question of housing state inmates in the Sullivan County Jail has come up on several occasions and I have attempted to look at that although I haven't had much time. I have discovered that T.C.A. §41-8-106(a) provides that "no county shall be required to house convicted felons sentenced to more than one (1) year of continuous confinement unless the county, through the authority of its county legislative body, has chosen to contract with the department of correction for the purpose of housing certain felons". T.C.A. §41-8-106(g) also states "After July 1, 1992, the department shall take into its custody all convicted felons from any county which had not contracted with the state . . . The department shall not be required to take actual physical custody of any such felons until fourteen (14) days after the department has received all certified sentencing documents from the clerk of the sentencing court." I have also determined that Sullivan County has not contracted with the state for the purpose of housing state inmates. Accordingly, I would think that the two statutes referenced above would position Sullivan County to demand that the State of Tennessee comply with these particular code sections.

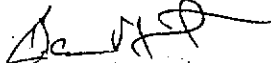
I must admit up front that I am not very knowledgeable on the state inmate situation and there could be a lot that I am overlooking. This is an issue that Sullivan County may need to take up with the State of Tennessee by and through either the Attorney General's office or the Governor's office insisting that the state comply with the provisions of T.C.A. §41-8-106.

H9

Sheriff Keith Carr
Page Two
April 14, 1997

I will be happy to pursue the matter further either through the Attorney General's office and/or the Governor's office and await your position. Please let me know your thoughts.

Sincerely,



Daniel P. Street

DPS/kh

cc: Mr. Gil Hodges
Mr. Mike Gonca
Mr. James Blaylock



Sullivan County Tennessee

Sheriff's Office

Internationally Accredited Agency



KEITH CARR
SHERIFF

April 17, 1997

*attachment
Res # 279*

The Honorable Daniel P. Street
County Attorney
P.O. Box 509
Blountville, TN 37617

Re: Housing State Inmates at the Sullivan County Jail

Dear Dan:

Thank you for your letter regarding housing state inmates in our jail. Several points you made as to the matter of statute provisions, have been reviewed by the CTAS Legal Staff and they agreed with you. However, demands placed upon the State have been unanswered until several of us wrote Governor Sundquist regarding the problem.

Please peruse as to what Commissioner Campbell and I exchanged recently regarding this matter. I realize that those we deal with on a daily basis in the Department of Corrections are only doing as instructed, and accordingly, someone up the bureaucratic ladder "needs a light to come on." I can say nothing but good about their working staff, but I sincerely feel that non-response to phone calls up the chain indicates a non-responsive attitude.

I realize the State can't house inmates unless they have a place to put them, however, I find no facility that isn't overcrowded, and, as a result they will never take the full number they should take. Granted, it takes money to build prisons, but if the State is going to decry a strong stance on crime, they will have to build prisons to house them.

P. O. BOX 589
BLOUNTVILLE, TENNESSEE 37617

(423) 323-5121
FAX (423) 323-1588

The Honorable Daniel P. Street
April 17, 1997
Page 2

Dan, again thank you for your letter and support in this matter. If I can be of any assistance, please do not hesitate to call me.

Sincerely,



Keith Carr, Sheriff
Sullivan County Sheriff's Office

DKC:lb

cc: The Honorable Gil Hodges
Commissioner Jim Blalock
Commissioner Mike Gonce



Sullivan County Tennessee

Sheriff's Office

Internationally Accredited Agency



KEITH CARR
SHERIFF

March 18, 1997

Commissioner Donal Campbell
Tennessee Department of Correction
320 Sixth Avenue North
Nashville, TN 37243-0465

RE: Your Letter to Gil Hodges, County Executive Dated February 19, 1997

Dear Commissioner Campbell,

Thank you for sending me a copy of your letter to Mr. Hodges in which you give an explanation of inmate admissions from Sullivan County as well as other issues. I do not understand Non-Sullivan County Legislators receiving copy, however, that is the prerogative of the writer.

You made reference to "Sheriff Carr's assertion that TDOC has been unresponsive is simply inaccurate." In fairness and in response to that, please allow me to point some things out that, in fact, are inaccurate or certainly not explained in full detail which would infer a different connotation.

First, in my letters to Governor Sundquist and Sullivan County Executive Gil Hodges, my copy of those letters do not reflect that I used the word "unresponsive." However, telephone calls to multiple offices with no returned call would perhaps indicate that.

I fully agree that Classification maintains a cordial and professional relationship with Sullivan County Jail Officials, but I am sure they are limited in what they are permitted to do from directives they are expected to follow.

P. O. BOX 589
BLOUNTVILLE, TENNESSEE 37617

(423) 323-5121
FAX (423) 323-1588

Commissioner Donal Campbell
March 18, 1997
Page 2

You pointed out that only five counties-Shelby, Knox, Davidson, Hamilton, and Madison had a greater number of prisoners than Sullivan County admitted to DOC. Which of these Counties does the 14 day rule apply? Further, from the end of May until I sought assistance from others, we had been successful in getting only 38 inmates into state facilities. In the month of June (9), July (14), August (0), September (4), October (2), and November (9). I believe that averages 6 inmates a month. I fully acknowledge that DOC has done an excellent job moving prisoners in the past three or four weeks, but I felt compelled to point out some things that needed a bit of clarification.

You also pointed out that costs are billed to and paid by the State. Certainly the cost is far less than what it costs to house the same inmate in the State facilities. I do believe it averages \$46.00 to \$48.00 per day at the new facilities. Also, the formula which is the State's formula, changes quite often. Further, the State's auditors disallow many things we feel applicable, however, we will follow their expectations religiously. Couple this with the pre-trial detainee, and probation violator inequity and from my perspective, the State of Tennessee comes out pretty good.

Commissioner Campbell, you are to be commended for defending your agency, however, from my perspective, prisoner movement just got much too far out of balance.

In the future, could the State who violates parole and probation, not take these individuals back into their facilities custody pending final resolution of the alleged violation? This could help ease the burden and frustrations associated with housing felons which you and I can never minimize.

Again, thank you for your previous response.

Sincerely,



Keith Carr, Sheriff
Sullivan County Sheriff's Office

DKC/b

cc: Chip Saltsman, Office of Governor
The Honorable Keith Westmoreland
The Honorable Jason Mumpower
The Honorable Rusty Crowe
The Honorable Bobby Hicks

The Honorable Ron Ramsey
The Honorable Steve Godsey
The Honorable Ralph Cole
The Honorable Ken Givens
File

RESOLUTION NUMBER 12

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Waiver of Solid Waste Tipping Fees for South Holston Lake, South Holston River and Bloomingdale Community "Clean-up Day" on August 9 and August 16, 1997

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 19th day of May 1997.

THAT WHEREAS, Sullivan County residents around South Holston Lake, in conjunction with the TVA and the Bristol Chamber of Commerce, plan a clean-up day on August 9, and

WHEREAS, The residents along the river from the South Holston Dam to Bluff City, in conjunction with the TVA, plan to clean up their area on August 16, and

WHEREAS, The Bloomingdale Ruritan Club plans to clean up their community on one of those days, and

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Filling Three Positions on the Sullivan County Industrial Development Board

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 19th day of May 1997

THAT WHEREAS, Due to expiring terms, three Industrial Development Board positions need to be filled, and

WHEREAS, The Industrial Development Board of Sullivan County recommends the appointment of Mr. Luther H. Icenhour, Jr. and Mr. Ralph Erwin, and the reappointment of Mr. Kinney Ellis.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissions approves the appointment of the above recommended persons to serve on the Sullivan County Industrial Development Board for terms of six years expiring on April 15, 2003.

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 19th day of May, 1997

Attest: B. Feather Date: 5-19-97 Gil Hodges Date: 5-19-97
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			5/5/97
Budget	✓			5/8/97
Executive	✓			5/7/97

RESOLUTION NO. 15

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF May, 1997.

RESOLUTION AUTHORIZING The Sullivan County Sheriff's Office to enter into an agreement with the Social Security Administration.

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 19th day of May, 1997;

THAT, WHEREAS, the U.S. Social Security Administration stated that many prisoners nationwide are drawing social security checks while incarcerated for criminal wrongdoing, and,

WHEREAS, the Social Security Administration has proposed to pay the Sullivan County Sheriff's Office for each person caught receiving a social security check while serving a felony sentence, and,

WHEREAS, the Sullivan County Sheriff's Office is willing to furnish the required information,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, meeting in regular session on this 19th day of May 1997, in Blountville, Tennessee that the Sullivan County Sheriff's Office be permitted to enter into an agreement with the Social Security Administration which has been reviewed by the County Attorney.

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

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

Duly passed and approved this 19th day of May, 19 97.

Attested: Ray B. Feathers Date: 5/19/97
County Clerk
Gil Hodges Date: 5/19/97
County Executive

INTRODUCED BY COMMISSIONER M. H. _____ FOR LARRY COOK

RESOLUTION NO. 15
Page Two

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 5/19/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Appropriation of \$4,000.00 from Acct. 39000.000 to Acct. 52300.100 - Property Assessor

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 19th day of May 1997.

THAT WHEREAS, Due to reappraisal of property in Sullivan County, it is necessary to hold evening and Saturday hearings, to enable the Public to attend; and

WHEREAS, The Property Assessor's FY 96-97 budget did not include funding for the over-time and must be amended to cover the shortfall in the personal services account;

NOW THEREFORE BE IT RESOLVED, That the sum of \$4,000.00 be appropriated from Undesignated Fund Balance 39000.000 to Acct. 52300.100 - Property Assessor, to offset the shortfall in the personal services account.

RESOLUTION NO. 17

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF May, 1997.

RESOLUTION AUTHORIZING An amendment to litigation tax for Sullivan 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 19th day of May, 1997;

THAT, WHEREAS, Chapter 488 of the Public Acts of 1981 which imposed a state litigation tax has been interpreted by the State Attorney General's office in an opinion dated November 9, 1981 as allowing counties to levy a litigation tax in the same manner as the State litigation tax now levies by Tennessee Code Annotated, Section 67-4102, Item J and in an amount not to exceed the amount of Item J tax, and

WHEREAS, Resolution No. 11 of record in Minute Book 11, Page 122 in the County Clerk's Office Sullivan County, Tennessee, levied a tax which became effective on the 18th day of January, 1983, in the following amounts: that an additional privilege tax on litigation is hereby levied in the amount of five dollars and twenty-five cents (\$5.25) in all civil suits in Sullivan county and five dollars (\$5.00) in all criminal cases instituted in Sullivan County.

WHEREAS, Sullivan County is in need of additional revenue.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, meeting in regular session on this 19th day of May, 1997, in Blountville, Tennessee, that

Section 1. In addition to the taxes levied by resolution as outlined above, there is hereby levied a tax on litigation in Sullivan County as follows:

1. The litigation tax on all civil cases shall be increased from five dollars and twenty-five cents to eleven dollars and twenty-five cents (\$11.25).

2. The litigation tax on all criminal cases instituted in Sullivan County shall be increased from five dollars to eleven dollars (\$11.00).

The clerks of various courts who are required to collect the state litigation tax shall also collect the tax impose by this Resolution in the same manner as the state litigation tax imposed by Tennessee Code Annotated, Section 67-4102, Item J, is collected and shall be liable for the tax imposed by this Resolution.

The privilege tax imposed by this Resolution shall be subject to the same exceptions as are granted by general law to the state privilege tax in Tennessee Code Annotated, Section 67-4102, Item J, and shall therefore, not be collected on original proceedings in a juvenile court or in any hearing before a court of the judiciary.

BE IT FURTHER RESOLVED, THAT the privilege taxes collected pursuant to this Resolution shall be paid over monthly to the County Trustee who shall deposit said taxes in the General Fund.

BE IT FURTHER RESOLVED, THAT the tax levied by this Resolution shall become effective on July 1st, 1997.

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

This resolution shall become effective on the 1st day of July, 1997, the public welfare requiring it.

Duly passed and approved this 19th day of May, 19 97.

Attested: Ray B. Feathers County Clerk Date: 5/19/97 Neil Hayes County Executive Date: 5/19/97

INTRODUCED BY COMMISSIONER R. Harr ESTIMATED COST:
SECONDED BY COMMISSIONER E. Williams FUND:

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17	4		3	
Voice Vote					

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF MAY, 1997.

RESOLUTION AUTHORIZING Transfer of \$30,000 from Acct. 52201.100 to Acct. 52201.300 - Purchasing

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 19 day of May, 1997;

THAT, WHEREAS, The Sullivan County Board of County Commissioners approve a transfer of \$30,000 from the Purchasing Acct. 52201.100 to the Acct. 52201.300 to offset the proposed costs to upgrade computer equipment (hardware and software upgrades) in the Purchasing Department, enabling them to network into the UNIX operating system. The money is available for transfer due to the vacancy of a position created by change in employment of the Purchasing Agent and other salary modifications; and

BE IT FURTHER RESOLVE THAT, This enhancement will permit the Purchasing Department to electronically transmit and receive data from other user departments presently networked into the UNIX operating system; thus the benefits of electronic procurement are unrealizable. These upgrades will enable the Purchasing Department to initiate an effective method of Purchasing for all user departments within our entity.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorize the transfer of \$30,000 from the existing funds in Acct. 52201.100 to Acct. 52201.300 to counterbalance the proposed computer upgrade.

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 19 day of May, 1997.

Attested: B. Feathers County Clerk Date: 5/19/97
Gil Hodges County Executive Date: 5/19/97

INTRODUCED BY COMMISSIONER M. Gonce ESTIMATED COST: _____
 SECONDED BY COMMISSIONER W. McConnell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Highway Department to Perform Work for the School Department and Observation Knob Park

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 19th day of May 1997.

THAT WHEREAS, TCA 54-7-202 states the county governing body has the authority to authorize the county road department to perform work for other governmental entities; provided, that the cost of the projects so authorized is to be reimbursed to the county road department, and _____

WHEREAS, The Sullivan County Board of Education and Observation Knob Park have approved funds for each of the projects listed below.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the Sullivan County Highway Department to perform work for:

SCHOOL DEPARTMENT:

- NORTH HIGH SCHOOL - PAVE HIGH JUMP RUNWAY
- KINGSLEY ELEMENTARY - PAVE BASKETBALL COURT

OBSERVATION KNOB PARK - PAVE ROADS

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 _____, 1997, the public welfare requiring it.

Duly passed and approved this 19 day of May, 1997

Attested: B. Feathers
County Clerk

Date: 5/19/97
Gil Hodges
County Executive

Date: 5/19/97

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING STOP Sign on Lakewood Drive at Lakeshore Drive - 14th 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 19th day of May 1997.

THAT BE IT RESOLVED, That a STOP sign be placed on Lakewood Drive at Lakeshore Drive as recommended in correspondence from the Sullivan County Highway Department.

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 19 day of May, 1997

Attest: B. Feathers Date: 5-19-97
County Clerk
Gil Hodges Date: 5-19-97
County Executive

INTRODUCED BY COMMISSIONER Carter 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	23			1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 5/19/97 ROLL CALL

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

Attachment
Res. # 21

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

May 7, 1997

COMMISSIONERS: June Carter
Carl Krell

Dear Commissioners:

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

A STOP sign be placed on Lakewood Drive at Lakeshore Drive in the 14th Civil District.

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

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

RESOLUTION NO. 22

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF May, 1997.

RESOLUTION AUTHORIZING Additional appropriation to E.M.S. of \$5,836

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 19th day of May, 1997;

THAT, WHEREAS, the E.M.S. department must maintain a level of staffing to operate the E.M.S. units; and

WHEREAS, the E.M.S. Department has had two (2) veteran employees off for nearly a combined total of seven (7) months for health reasons; and

WHEREAS, the E.M.S. budget had unforeseen expenditures due to sick leave by various employees; and

NOW, THEREFORE, BE IT RESOLVED, that the following appropriation from Undesignated Fund Balance (39000) of \$5,836 be appropriated to Acct. 55130.100 (Personal Services) to cover remaining shortfall of the 1996-1997 budget year

RESOLUTION NO. 24

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF May, 1997.

RESOLUTION AUTHORIZING Restoration of the swinging bridge in Bluff City

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 19th day of May, 1997;

THAT, WHEREAS, The County Commission recognizes the need for and strong community interest in restoration of the swinging bridge in Bluff City; and

WHEREAS, These facilities can be assisted through a grant from the Intermodal Surface Transportation Efficiency Act (ISTEA) Transportation Enhancement Program Administered by the Tennessee Department of Transportation (TDOT); and

WHEREAS, The County wishes to seek assistance under the above referenced program for the purpose of addressing this need; and

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Commission does hereby authorize the County Executive to file an application for 1998 ISTEA Enhancement Program Grant Funds in the amount of \$180,000 (80% of the total project cost) from the Tennessee Department of Transportation, to be matched by \$45,000 (20% of total project costs) in resources from the county.

BE IT FURTHER RESOLVED, That the County Commission authorizes the County Executive to sign any and all documents, contracts, assurances and forms of compliance necessary to effectuate the completion and submittal of this application.

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 19 day of May, 1997.

Attested: B. Feathered Date: 5-19-97
 County Clerk Gil Hodges Date: 5-19-97
 County Executive

INTRODUCED BY COMMISSIONER M. Hyatt ESTIMATED COST: _____
 SECONDED BY COMMISSIONER D. Mason FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF May, 1997.

RESOLUTION AUTHORIZING Amendments to the 1996-97 Solid Waste Fund Budget

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 19th day of May, 1997;

THAT, WHEREAS, the 1996-97 Budget for the Solid Waste Fund needs to have amendments to the appropriation and revenue accounts; and

NOW, THEREFORE, BE IT RESOLVED that the accounts are amended as follows.

INCREASE		SOURCES	
55733.100	Personal Services \$15,000	55733.400	Supplies & Materials \$120,000
55710.100	Personal Services \$ 4,000	55733.700	Capital Outlay \$ 25,000
58600	Employee Benefits \$ 3,000	46990	State Revenue For Tires \$ 29,000
55733.300	Contracted Services \$152,000		
TOTAL \$174,000		TOTAL \$174,000	

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 19 day of May, 1997.

Attested: Gay B. Feathered Date: 5-19-97
 County Clerk Gil Hodges Date: 5-19-97
 County Executive

INTRODUCED BY COMMISSIONER E. Williams ESTIMATED COST: _____

SECONDED BY COMMISSIONER R. Harr 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 5/19/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Appointments and Reappointments to Sullivan County Library Board and Watauga Regional Library Board

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 19th day of May 1997.

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the following reappointments to the Sullivan County Library Board for a term of three (3) years, said terms expiring June 30, 2000:

Mrs. Flora Jean Hunt Fish, 456 Summerville Road, Kingsport, TN
[replacing Mrs. Jan Miles]

Mr. Rann L. Vaulx, 405 Wine Circle, Blountville, TN
[replacing Mr. John Wininger]

FURTHER BE IT RESOLVED, That Mr. Robert H. Montgomery, Jr. be reappointed to a second term on the Watauga Regional Library Board, said term expiring June 30, 2000.

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 _____, 1997, the public welfare requiring it.

Duly passed and approved this 19 day of May, 1997

Attest: Ray B. Feathers Date: 5/19/97
County Clerk
Gil Hodges Date: 5/19/97
County Executive

INTRODUCED BY COMMISSIONER Jones ESTIMATED COST: _____
SECONDED BY COMMISSIONER Conkin 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 5/19/97 ROLL CALL

ROBERT H. MONTGOMERY, JR.

*Attachment
Res # 26*WORK

P.O. Box 526
Blountville, Tennessee 37617
(615) 323-2107

HOME

2001 Hermitage Drive
Kingsport, Tennessee 37664
(615) 247-2001

EMPLOYMENT

Assistant District Attorney General (1987 to Present)
Sullivan County, Tennessee
Blountville, Tennessee

EDUCATION

University of Tennessee - College of Law
Knoxville, Tennessee, J.D. - 1979

Vanderbilt University - College of Arts and Science
Nashville, Tennessee, B.A. - 1975

LIBRARY
EXPERIENCE

Kingsport Public Library Commission, Member (1984 to Present)

Tennessee Library Advisory Council, Member (1992 to Present)

Tennessee Library Association, Member (1993 to Present)

COMMUNITY
EXPERIENCE

Tri-City Airport Rotary Club, Charter Member
Kingsport Jaycees, Member and Past President
Volunteer Kingsport, Past Board Member and President
Junior Achievement of Kingsport, Board Member

Attachment 0163
Root 26

405 Wine Circle
Blountville, TN 37617
March 28, 1997

- Resume: Rann L. Vaulx
- Born: October 26, 1938, Memphis, TN, descendent of two early Pine Bluff, Arkansas, families.
- Education: Class of 1956, Pine Bluff High School.
Rhodes College, Memphis, Bachelor of Science, 1960, Honors in Chemistry, Phi Beta Kappa.
Duke University, Master of Arts, 1962, and PhD, 1964, in Chemistry.
- Resident: Kingsport, September, 1964 - March, 1968.
Sullivan County, since March, 1968, homeowner at current address in Sunrise Valley Estates.
- Career: September, 1964 - February, 1995, polyester chemist, Eastman Chemical Co. February, 1995, disabled by a left-side paralyzing stroke.
- Hobbies: pre-stroke--hiking, rebuilding player pianos, antique and book collecting, repairing rare books, reading.
post-stroke--reading, book collecting.
- Personal Library: approximately 8000 books, of which about 15% represent the libraries of father, paternal grandparents, and two paternal great-aunts. Believed to be one of the largest private libraries in the county.
- Memberships: East Tennessee Historical Society, Titanic Historical Society, Automatic Musical Instrument Collectors Association (AMICA), Musical Box Society, Association for Preservation of Tennessee Antiquities (APTA), Sullivan County Humane Society, Train Collectors Association (TCA).

*Attachment
Res # 26*

RESUME OF

FLORA JEAN HUNTER FISH

456 Summerville Road
 Kingsport, Tennessee 37663
 Telephone: 423-239-9335

OBJECTIVE I would like to be considered for a position on the Sullivan County Library Board.

EDUCATION September 1983 to May 1985
Tri-Cities State Technical Institute
 Blountville, Tennessee
 Degree: Associate of Applied Science
 Accounting

September 1954 to March 1956
East Tennessee State University
 Johnson City, Tennessee
 Business Major

Graduated June 1954
Dobyns Bennett High School
 Kingsport, Tennessee
 Received general diploma.

EXPERIENCE September 1988 to Present
 Flora's Bookkeeping Service
 Kingsport, Tennessee
 Duties: Payrolls and all Bookkeeping and Accounting for various clients.

October 1987 to September 1988
 Bookkeeper for Mayflower Restaurants
 Kingsport and Elizabethton, Tennessee

AFFILIATIONS Charter member of Colonial Heights Presbyterian Church
 30+ year member of Epsilon Sigma Alpha International
 Past President of Upper East Tennessee District, ESA
 Past President of the Tennessee Council of ESA
 Treasurer of the Pactolus Community Club.
 Member of Colonial Heights Friends of the Library

OTHER Have held various volunteer jobs and served in lots of other areas during the past years.

RESOLUTION NUMBER 27

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Appropriation of \$5,000 to Employ Legal Assistance Relative to the BEP Funding Formula

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 19th day of May 1997.

THAT WHEREAS, The three school systems in Sullivan County have been unable to learn from the Tennessee Department of Education, the computation of the BEP formula of each school system in the State of Tennessee, and

WHEREAS, It appears that the distribution of BEP funds targets Sullivan County more than others in the reduced allocation of funds,

NOW THEREFORE BE IT RESOLVED, That Sullivan County appropriate \$5,000 from General Fund Unappropriated Surplus Account 39000 to employ the necessary legal assistance to obtain the BEP formula computations of all Tennessee school systems and to make comparisons of them and the results be provided to each school system in Sullivan County.

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 19 day of May, 1997

Attested: Gay B. Feathers County Clerk Date: 5/19/97 Gil Hodges County Executive Date: 5/19/97

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Honoring Bernie Webb

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 19th day of May 1997.

THAT WHEREAS, At the end of the 1996-97 school year, an era in Northeast Tennessee athletics will draw to its conclusion, and

WHEREAS, It is a privilege for the Sullivan County Board of Commissioners on behalf of all of Sullivan County, to recognize the accomplishments of those who have contributed so willingly of their time and have given tremendous service for the betterment of all of Sullivan County, and

WHEREAS, There is such an individual who will be retiring as Sullivan Central High School's Athletic Director after 49 years as a fixture in High School Athletics; and

WHEREAS, He has been involved in many aspects of sports; and

WHEREAS, He served 2 years as head football coach at Milligan College, where he was 10-0 in 1942; and

WHEREAS, He played baseball as an outfielder in the St. Louis Cardinals organization; and

WHEREAS, He umpired in the Appalachian Baseball League, and

WHEREAS, He served as Commissioner of local basketball officials; and

WHEREAS, His first high school coaching position was at Greenville in 1947; and

WHEREAS, He moved to Blountville in 1948 to become the "Tigers" coach in both basketball and baseball, and

WHEREAS, In 1957 Blountville's Basketball Team went 42-3 and reached the State Tournament Semi-finals; and

WHEREAS, He collected over 500 career wins, and

WHEREAS, After serving 20 years at Blountville, he went on to become the "Cougars" Athletics Director in 1968, and

WHEREAS, He has been inducted into the NET Sports Hall of Fame and Milligan Hall of Fame and

RESOLUTION NO. 28
Page Two

WHEREAS, He has been named "Citizen of the Year" on two separate occasions; and

WHEREAS, He single-handedly captured a man being sought in a manhunt for murder, and

WHEREAS, He is a member of Blountville Christian Church,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners do hereby applaud the exemplary service of one Bernie Webb for his loyal and unselfish dedication to the Sullivan County School System and to all of Sullivan County; and

FURTHER BE IT RESOLVED, That the last Saturday in May (May 31, 1997 this year) be officially known as "Bernie Webb Day" in Sullivan County, to remind us of Coach Webb's accomplishments, and to encourage other Sullivan County citizens to join in a volunteer service to enhance their community.

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

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Transfer of \$25,000 from Acct. 54110.100 [Sheriff's Department] to Acct. 55511.340 [Jail Indigent Medical Care]

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 19th day of May 1997

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the transfer of \$25,000 from Acct. 54110.100 [Sheriff's Department/Personal Services] to Account 55511.340 [Jail Indigent Medical Care] to cover indigent medical costs for the remainder of FY 1996-97.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 19 day of May, 1997

Attest: B. Feathers Date: 5/19/97 Gil Hodges Date: 5/19/97
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Approved	Disapproved	Deferred	Date

RESOLUTION NUMBER 30

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF May 1997.

RESOLUTION AUTHORIZING Requesting Visit from Governor Don Sundquist to Discuss School Funding

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 19th day of May 1997.

THAT WHEREAS, All leaders in Sullivan County, both government and private sector, are strongly supportive of the Sullivan County Education System; and

WHEREAS, The Sullivan County School System is supported significantly by local revenues; and

WHEREAS, The State funding formula does not take into account the high level of local support provided by local funding; and

WHEREAS, The State funding formula has negatively impacted the Sullivan County School System; and

WHEREAS, The State of Tennessee has not addressed the concerns of all the citizens of Sullivan County;

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners request the County Executive to write a letter to Govern Don Sundquist, attaching a copy of the Resolution, requesting his presence at a joint called meeting of the Sullivan County Commission, Kingsport BMA, Bristol BMA, Bluff City BMA, School Boards of Sullivan County, Kingsport and Bristol; Chambers of Commerce of Kingsport and Bristol; and Tri-County Industrial Commission, and further, copies of the letter should be sent to the Sullivan County State Delegation, U.S. Representative Jenkins, U.S. Senators Thompson and Frist, and

FURTHER BE IT RESOLVED, That the Honorable Don Sundquist is requested to provide information on how the State of Tennessee can provide equally in funding for Sullivan County and explain how the State determined that Sullivan County would not receive appropriate funding to fulfill state requirements, and

FURTHER BE IT RESOLVED, That the Board of Commissioners would desire the Governor to hear the concerns from the Governing Boards, and further that the above referenced meeting be requested immediately.

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

RESOLUTION No. 30
Page Two

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 5/19/97 VOICE VOTE
Comm. Boyd and Comm. Surgenor voted NO

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET
AGAIN IN REGULAR SESSION JUNE 16, 1997.

GIL HODGES, COUNTY EXECUTIVE

