

# COUNTY COMMISSION- REGULAR SESSION

MAY 17, 2004

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MAY 17, 2004, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE F. GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

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

24 PRESENT 0 ABSENT

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

Motion was made by Comm. Harr and seconded by Comm. Herron to approve the minutes of the April 19, 2004 Regular Session of County Commission. Said motion was approved by voice vote.

**PUBLIC COMMENTS: MAY 17, 2004**

**THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:**

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**Lon V. Boyd, former Sullivan County Judge, presented to the County the Seal of the Sullivan County Judge for its retirement and display for historical purposes.**

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**William Dillon concerning some businesses within the county and payment of no property tax.**

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**Election of Sullivan County Commission Representative to the Joint Economic Development Partnership Board of Directors. Comm. Ralph Harr was nominated by Mayor Venable, seconded by Comm. Williams. Comm. Harr was appointed by voice vote of the Commission.**

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BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re: )  
 )  
 TRI-CITIES/SULLIVAN UTILITY DISTRICT )  
 OF SULLIVAN COUNTY, TENNESSEE )

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ORDER APPOINTING COMMISSIONER

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

It Is Therefore Ordered, Adjudged and Decreed, that the nominee Joseph W. Crumley is hereby appointed to the Board of Commissioners of the Tri-Cities Utility District of Sullivan County, Tennessee, to serve from May 4, 2004 until May 4, 2008.

Entered this the 17th day of MAY, 2004

Richard S. Senalle  
SULLIVAN COUNTY EXECUTIVE

THE ABOVE NOMINEE, JOE W. CRUMLEY, FROM THE ATTACHED LIST OF NOMINEES WAS HEREBY APPOINTED THIS 17th DAY OF MAY, 2004 TO FILL THE VACANCY ON THE TRI-CITIES/SULLIVAN UTILITY DISTRICT BOARD OF COMMISSIONERS. APPOINTMENT WAS APPROVED BY VOICE VOTE OF THE SULLIVAN COUNTY COMMISSION.

BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re: )  
 )  
TRI-CITIES/SULLIVAN UTILITY DISTRICT )  
OF SULLIVAN COUNTY, TENNESSEE )

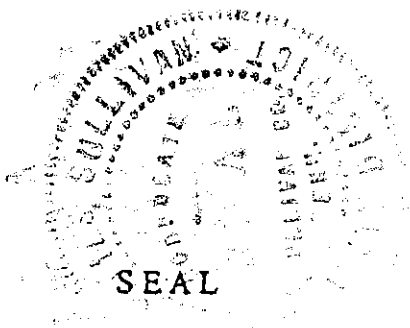
CERTIFICATION OF NOMINEES FOR APPOINTMENT  
OF UTILITY DISTRICT COMMISSIONER

The undersigned Commissioners of Tri-Cities/Sullivan Utility District of Sullivan County, Tennessee do hereby certify that a vacancy will exist on the District's Board of Commissioners by the expiration of the term of Commissioner on May 4, 2004, and pursuant to T.C.A. § 7-82-307(a), the Board of Commissioners hereby certify the nomination of the following qualified individuals for appointment to such vacancy being listed in order of preference:

- 1. Joseph W. Crumley
- 2. Arnold Wayne Shipley
- 3. Dennis Devereaux

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

This 16th day of April, 2004



Bobby J. Sand  
Commissioner

James W. Brewer  
Commissioner

**Sullivan County Health & Safety Standards Board**

Board Member		Phone	Address	Term Expires	School District	Voting Precinct
VACANT				14-May-05	1	
<b>Crawford</b>	<b>Larry</b>	245-1754	235 East Charlemont Ave Kingsport, TN 37660	15-May-06	2	11W-KP2 Kspt Public Library
<b>Patrick</b>	<b>Howard</b>	288-3604	220 New Beason Well Road Kingsport, TN 37660	15-May-06	3	P10 OB Orebank Baptist
<b>Dillow</b>	<b>Janis</b>		205 Holland Drive Kingsport, TN 37663	15-May-07	4	P14 CH Col Heights Mid
<b>Gibson</b>	<b>Sarah</b>	323-8982	326 Emory Church Road Kingsport, TN 37664	15-May-07	5	07-2 Indian Springs Sch
VACANT				15-May-08	6	
<b>Jenkins</b>	<b>James "Bearl"</b>	538-3415	1077 Mount Holston Drive Bluff City, TN 37618	15-May-08	7	P03 Hickory Tree Fire Hall

**Code Enforcement Officer - Tim Earles (423) 323-6498**

Sullivan County Land Use Office (423) 323-6440

MOTION TO APPROVE THE APPOINT OF LARRY CRAWFORD AND JANIS DILLOW AND REAPPOINT PATRICK, GIBSON, AND JENKINS WAS MADE BY COMM. HARR AND SECONDED BY COMM. MCCONNELL. SAID MOTION WAS APPROVED THIS 17TH DAY OF MAY, 2004 BY VOICE VOTE OF THE COMMISSION.

Larry Crawford  
 1609 Forest View Drive  
 Kingsport, TN 37660

(423) 245-1754 H  
 (423)245-8972 W

Larry is currently on the Board of Directors of The Boys and Girls Club of Greater Kingsport. He has held many offices on the Board including President for two consecutive terms. He is currently serving Boys & Girls Clubs of America as the Tennessee Area Council Chairman.

- 2000 Recipient of Man and Youth Award. (Highest honor to be presented by a local Club)
- Recipient of the National Service to Youth Award for long and devoted service to boys and girls.
- 2003 recipient of the Civic Responsibility & Outstanding Character Award from the First Tennessee Human Resource Agency's Youth Services Program
- Served three terms on the Board of Directors of the Chamber of Commerce of Kingsport.
- On the Board of Directors of The Downtown Kingsport Association.
- Past President of the Kingsport Convention and Visitors Bureau.
- Current President of the Kingsport-Sunrise Rotary Club.
- A Rotary Paul Harris Fellow.
- Co-Chairman of 1997 First Night. (Drug and Alcohol free New Years Celebration in Downtown Kingsport)
- Member of Scott County Gideon Camp
- Past Area 1 Director for Virginia State Gideons.

Larry and his wife Jane, own and operate Able Printers in Downtown Kingsport.

He and the former Jane Cooper have been married for 36 years and have one son, John, who is a Sullivan County Commissioner.

Larry enjoys traveling, fishing, scuba diving and culinary arts (cooking). But the thing he enjoys the most is spending time with his 4 (going on 13) year old grand daughter Jessica.

He is a member of the West End Baptist Church, in Gate City, VA (35 Years) where he is a Trustee and serves as Lay Minister.

Janis E. Dillow  
205 Holland Dr.  
Kingsport, TN 37663

Married: Kenneth S. Dillow, Jr.

Graduated from Sullivan Central High School 1974.  
Kingsport Adult Education: Basic Real Estate and Real Estate Law 1977

I started working in the Sullivan County Clerk's Office in February 1975 as seasonal help and came back to work there in March 1976. I worked under the CETA program from June 1976 through May 1979. Mrs. Marjorie S. Harr hired me as a full time Deputy Clerk beginning June 1979, when a position became available. I also worked part time at Jewel Box in the Ft. Henry Mall from November 1989 through February 1990 as a sales associate.

My outside activities include family outings, church, piano, flower gardening and motorcycle riding with my husband.

Thank you for your consideration in representing the Colonial Heights Middle School voting precinct.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

ELECTION OF NOTARY'S

APRIL 19, 2004

Shirley Ashworth	Danny Ray Hardin	Laura Singer
Monique L. Bellamy	Evelyn Hicks	* Ann H. Slagle *
Buddy J. Bennett	Michael R. Holien	Diane O. Staubus
Kimberly Diane Bishop	Millie D. Hutchins	Timothy J. Stockton
Janna Gregory Blackley	Donna L. Johnson	Heather B. Stout
W. Roscoe Bowman	Ruth H. Jones	Dorothy L. Warren
Cindy Cantrill	Mattalina L. Keller	Ruth R. Wassom
Ethbert S. Carr, Jr.	David W. Klepper	Tammy Whittemore
Lacee Carver	Ginger Litton	Lisa M. Wilcox
Kathy Chapman	Mary E. McCroskey	Dana R. Berry
Ina L. Collins	Mitchell J. Miller, Jr.	Gena Frye
Theresa J. Compton	Pamela Moore	Shelby J. Hutchins
Daniel D. Coughlin	M. Morgan	Sean N. Maiden
Brenda J. Crockett	Velma R. Peters	Rebecca Ann York
Preston E. Deal	Kimberly A. Peterson	Kevin T. Robinette
Travis Dugger	J. R. Phillips	
Donna M. Duncan	Kimberly A. Prater	
Roy L. Brackett	Ashley D. Prendergast	
Karen H. Foster	Elisa Ramirez	
Todd L. Fulks	Nicholas Reggio	
Jacqueline Garrett	Ronald D. Dentz	
Sandi Godsey	Ida Jones Riley	
Teresa L. Gordon	Bradley D. Robinson	
Clara B. Gorman	Kim Sarver	
Heather Griffith	F. Michael Sexton, Jr.	
Bonnie R. Guile	Connie J. Sillery	

UPON MOTION MADE BY COMM. HARR  
AND SECONDED BY COMM. PATRICK  
AND COMM. BROTHERTON TO APPROVE  
THE NOTARY APPLICATIONS HEREON,  
SAID MOTION WAS APPROVED BY ROLL  
VOTE OF THE COMMISSION.  
23 AYE, 1 ABSENT.



STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

MAY 17, 2004

Wanda Wallen Gilliam

Charlotte Kay McDaniel

Lillian M. Reece

Nat Haynes Thomas

Martha M. Walker

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. PATRICK AND COMM. BROTHERTON TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT.

No. Election Roll Call  
No. Notary  
No. 222  
No. 32 Bonds

BEFORE THE COMM.

COMMISSIONERS

	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn	✓		✓															
Brittenham	✓		✓															
Brotherton	✓		✓															
Conkin	✓		✓															
Crawford	✓		✓															
Ferguson	✓		✓															
Groselose	✓		✓															
Hall	✓		✓															
Harr	✓		✓															
Herron	✓		✓															
Houser	✓		✓															
Hyatt	✓		✓															
Jones	✓		✓															
Kilgore	✓		✓															
Buddy King	✓		✓															
James L. King Jr.	✓		✓															
McConnell	✓		✓															
McKamey	✓		✓															
Morrill	✓		A															
Patrick	✓		✓															
Sitgreaves	✓		✓															
Surgenor	✓		✓															
Vance	✓		✓															
Williams	✓		✓															

27 Aye 23 Nay  
1 abs.

Morrill left  
during (medical)  
the 1st vote taken



**AGENDA**  
**Sullivan County Board of Commission**

*May 17, 2004 – 9:00 AM*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, May 17, 2004 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 03/04/01 Bettye McClellan  
Reclassify R-1 property located in the 100 block of Parker Lane to R-2A for the purpose of allowing duplexes to be built. Property ID. No. Tax Map 29-J, Group A, Parcel 1.35, Lots 1,2 and 3 located in the 12<sup>th</sup> Civil District.  
**Kingsport Planning**
  
- (2) File No. 03/04/02 Stephen Butcher  
Reclassify part of B-1 Property located at 320 Westfield Place to R-1 for the purpose of allowing for a residents to be built with the R-1 set backs. Property ID. No. Tax Map 105-K, Group B, Parcel 4.00 located in the 24<sup>th</sup> Civil District.  
**Kingsport Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING #03-04-01

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

OFFICE USE ONLY

Property Owner Betty McLellan

Address 164 Parker Lane

Kingsport, TN 37660

Phone 392-4992 Date of Request 3-10-04  
Cell 384-8101

Property Located in 12<sup>th</sup> Civil District

Betty McLellan  
Signature of Applicant

Meeting Date 4-15-04 Time 7:00 pm

Place City Hall 2<sup>nd</sup> Floor  
Kpt. TN

Planning Commission Approved   
Denied

County Commission Approved   
Denied

Other Roll Call Vote 23 AYE, 1 ABSENT

Final Action Date 05-17-04

PROPERTY IDENTIFICATION

Tax Map 29-J Group A Parcel 1.35 <sup>Part of</sup> LOTS-1  
LOTS-2  
LOTS-3

Zoning Map 5 Zoning District R-1 Proposed District R-2A

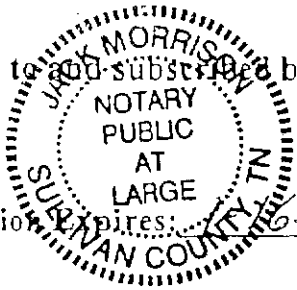
Property Location Parker Lane Lots-166-170-174

Purpose of Rezoning TO PLACE ONE DUPLEX ON EACH LOT

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

Betty McLellan

Sworn to and subscribed before me this 10<sup>th</sup> day of March, 2004.



Jack Morrison  
Notary Public

My Commission Expires: 6-08

PETITION TO SULLIVAN COUNTY FOR REZONING # 03-04-02

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

Property Owner Stephen Butcher  
Address 336 Westfield Place  
Kpt Ln 37664  
Phone 323-4562 Date of Request 3-12-04  
Property Located in 13th Civil District  
x Philip R. Hays, LLC  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 4-15-04 Time 7:00 pm  
Place 2nd Floor  
City Hall  
.....  
Planning Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_  
County Commission Approved x  
Denied \_\_\_\_\_  
Other Roll Call Vote 21 AYE, 3 ABSENT  
Final Action Date 05-17-04

PROPERTY IDENTIFICATION

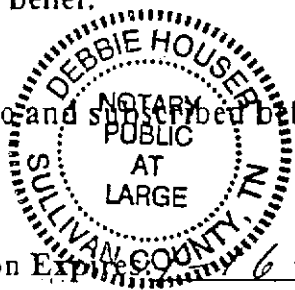
Tax Map 105-K Group B Parcel 4.10 lot 1-B  
Zoning Map 24 Zoning District B-1 Proposed District R-1  
Property Location Westfield Place 320

Purpose of Rezoning to allow a single family  
residence & for R-1 Set-Backs

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

Sworn to and subscribed before me this

x Philip R. Hays, LLC  
12th day of March, 2004.



Debbie Houser  
Notary Public

My Commission Expires 6-08

## RESOLUTIONS ON DOCKET FOR MAY 17, 2004

RESOLUTIONS	ACTION
1. AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 05-17-04
#2 AUTHORIZE THE INCREASE OF THE GENERAL PURPOSE SCHOOL TAX RATE FROM \$1.58 TO \$1.78 FOR THE FISCAL YEAR 2004-2005	DEFERRED 05-17-04
#3 AUTHORIZE AMENDMENTS TO REGULATIONS GOVERNING HEALTH AND SAFETY STANDARDS OF RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES IN SULLIVAN COUNTY	WITHDRAWN 05-17-04
#4 AUTHORIZE AMENDMENT TO DUTIES OF PLANNING DIRECTOR	WITHDRAWN 05-17-04
#5 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 9 <sup>TH</sup> AND 8 <sup>TH</sup> CIVIL DISTRICT	APPROVED 05-17-04
#6 AUTHORIZE THE SALE OF LAND IN THE TRI-COUNTY INDUSTRIAL PARK TO EDWARDS & ASSOCIATES	APPROVED 05-17-04
#7 AUTHORIZE THE SALE OF LAND IN THE TRI-COUNTY INDUSTRIAL PARK TO PRINCIPLE INVESTMENTS, LLC	APPROVED 05-17-04
#8 AUTHORIZE THE SALE OF LAND IN THE TRI-COUNTY INDUSTRIAL PARK TO CLIMAX PHOTO, INC. (NILS L. AND KAREN A. NIELSON), A PHOTO ACCESSORY SUPPLY CO.	APPROVED 05-17-04
#9 APPROVE ACCEPTANCE OF GRANTS FOR PROJECTS AT TRI-CITIES REGIONAL AIRPORT, TN/VA	APPROVED 05-17-04
#10 AUTHORIZE THE COUNTY PURCHASING AGENT TO CONTRACT WITH FINANCIAL INSTITUTIONS AND/OR TRADE REFERENCES FOR THE PURPOSE OF OBTAINING PROCUREMENT/CREDIT CARDS TO BE USED FOR E-COMMERCE PROCUREMENT OF PRODUCTS/SERVICES AND FOR OUT-OF-COUNTY TRAVEL ACCOMMODATIONS	APPROVED 05-17-04
#11 AUTHORIZE TAX RELEASES FOR THE YEAR 2002 FROM THE OFFICE OF TRUSTEE, FRANCES HARRELL	1 <sup>ST</sup> READING 05-17-04
#12 AUTHORIZE AMENDING THE 2003-2004 GEN. PURPOSE SCHOOL BUDGET FOR THE ADULT EDUCATION PROGRAMS IN THE AMOUNT OF \$7,206.39 WITH PRIOR YEAR CARRY-OVER FUNDS	APPROVED 05-17-04
#13 AUTHORIZE AMENDING THE 2003-2004 SCHOOL BUDGET FOR THE EDUCATION EDGE GRANT IN THE AMOUNT OF \$1,957.14 WITH PRIOR YEAR CARRY-OVER FUNDS	APPROVED 05-17-04
#14 AUTHORIZE AMENDING THE 2003-2004 GENERAL PURPOSE SCHOOL BUDGET FOR THE HIGH SCHOOLS THAT WORK GRANT IN THE AMOUNT OF \$10,000.00	APPROVED 05-17-04
#15 AUTHORIZE AMENDING THE 2003-2004 GENERAL PURPOSE SCHOOL BUDGET AS FOLLOWS WITHIN THE APPROPRIATED BUDGETED AMOUNT	1 <sup>ST</sup> READING 05-17-04

#16 AUTHORIZE THE APPROVAL OF STATUTORY BOND FOR COUNTY OFFICIAL	APPROVED 05-17-04
#17 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 11 <sup>TH</sup> C.D.	1 <sup>ST</sup> READING 05-17-04
#18 AUTHORIZE ENTERING AGREEMENTS WITH COMPREHENSIVE COMMUNITY SERVICES TO PROVIDE SERVICES FOR ADULT DRUG COURT PROGRAMS IN BRISTOL AND KINGSFORT	1 <sup>ST</sup> READING 05-17-04
#19 REQUEST THE SULLIVAN COUNTY BUDGET COMMITTEE TO PLACE SPECIAL EMPHASIS ON THE WAGES OF SULLIVAN COUNTY EMPLOYEES	1 <sup>ST</sup> READING 05-17-04



BEFORE THE COMM.      No      No<sup>6/7</sup>      No      No      No      No      No      No      No

5      6/7/8      9      10

COMMISSIONERS      Aye      Nay      Aye      Nay      Aye      Nay      Aye      Nay      Aye      Nay      Aye      Nay      Aye      Nay      Aye      Nay      Aye      Nay

Blackburn	✓		✓		✓		✓											
Brittenham	✓		✓		✓		✓											
Brotherton	✓		✓		✓		✓											
Conkin	✓		✓		✓		✓											
Crawford	✓		✓		✓		✓											
Ferguson	✓		✓		✓		✓											
Grosselose	✓		✓		✓		✓											
Hall	✓		✓		✓		✓											
Harr	✓		✓		✓		✓											
Herron	✓		✓		✓		✓											
Houser	✓		✓		✓		✓											
Hyatt	✓		✓		✓		✓											
Jones	✓		✓		✓		✓											
Buddy King	✓		✓		✓		✓											
James L King	✓		✓		✓		✓											
McConnell	A		✓		✓		✓											
McKamey	✓		✓		✓		✓											
Marrell	A		A		A		A											
Patrick	✓		✓		✓		✓											
Sitgreaves	✓		✓		✓		✓											
Surgenor	✓		✓		✓		✓											✓
Vance	✓		✓		✓		✓											
Williams	A		✓		✓		✓											
Kilgore	✓		✓		✓		✓											

21 Aye 23 Aye 23 Aye 27 Aye  
 3 ays 1 ays 1 ays 1 ays  
 1 ays

BEFORE THE COMMN.

	No. 11		No. <del>12</del>		No. <sup>12</sup> / <del>13</del> / <del>14</del>		No. 14		No. <del>15</del>		No. 16		No. 17		No. 18	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn					✓						✓					
Brittenham					✓						✓					
Brotherton					✓						✓					
Conlin					✓						✓					
Crawford					✓						✓					
Ferguson					✓						✓					
Horselace					✓						✓					
Nall					✓						✓					
Narr					✓						✓					
Nerron					✓						✓					
Houser					✓						✓					
Hgatt					✓						✓					
Jones					✓						✓					
Kelgore					✓						✓					
Buddy King					✓						✓					
James L. King Jr.					✓						✓					
McConnell					✓						✓					
McKamey					✓						✓					
Monnell					A						A					
Patrick					✓						✓					
Stgraves					✓						✓					
Surgener					✓						✓					
Vance					✓						✓					
Williams					✓						✓					
					23 Aye				23 Aye							
					10 Abs.				10 Abs.							

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 1  
No. 2004-05-00

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution**

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

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

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

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

Duly passed and approved this 17<sup>th</sup> day of May 2004.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

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

**Introduced By: Commissioner: King (Buddy)**  
**Seconded By: Commissioner(s): Ferguson**

2004-05-00	County Commission
ACTION	Approved 5-17-04 Roll Call 23 Aye, 1 Absent

Comments: Motion to approve by Buddy King, second by Ferguson.

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

2  
Item 7  
Budget

No. 2004-04-039

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of April 2004.

**RESOLUTION To Authorize the Increase of the General Purpose School Tax Rate From \$1.58 to \$1.78 for the Fiscal Year 2004-2005**

WHEREAS, the Sullivan County Parent, Teach Association (PTA), Parent, Teacher, Student Association (PTSA), and Parent Teacher Organization (PTO) representing schools of Sullivan County prepared the Superior Funds for Superior Students Resolution that was approved by the Sullivan County Board of Commissioner at the Regular Session meeting for March 15, 2004 with a vote of 23 in favor, 0 votes opposed and 1 absent; and,

WHEREAS, the resolution for Superior Funding for Superior Students resolved to make educational funding the first priority in the Sullivan County budget preparation; and,

WHEREAS, the Sullivan County Board of Commissioners in Regular Session, March 15, 2004, by a vote of 23 in favor, 0 opposing and 1 absent approved the resolution supporting the Mayors' (Sullivan County, Bluff City, Bristol and Kingsport) Blue Ribbon Task Force Report establishing an intergovernmental cooperative agreement to create the Economic Development Partnership Organization for Sullivan County and its municipalities; and

WHEREAS, business, industrial recruitment and economic development can only be enhanced by the presence of an exemplary public education system;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19<sup>th</sup> day of April 2004 establish a tax rate for the General Purpose School Fund of \$1.78.**

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

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

**Introduced by Commissioner: Dennis Houser**

**Seconded by Commissioner(s): Larry Hall, Mike Surgenor, ~~John Crawford~~, Sam Jones, James Brotherton**

2004-04-039	Administrative	Budget	Executive	County Commission
	No Action 4-5-04		Defer to Budget Cmte 4-7-04	

**Comments:** Request by Comm. Crawford to be removed as co-sponsor 04-19-94;  
Deferred 04-19-04; Deferred 05-17-04;

Sullivan County, Tennessee  
Board of County Commissioners

3  
Item 8  
Executive  
No. 2004-04-040

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of April, 2004.

**RESOLUTION To Authorize Amendments to Regulations Governing Health and Safety Standards of Residential and Non-Residential Properties in Sullivan County**

WHEREAS, the Sullivan County Board of Commissioners on May 19, 1997 approved Resolution No. 2 authorizing the adoption of Regulations Governing Health and Safety Standards of Residential and Non-Residential Properties in Sullivan County, which Regulations need to be amended;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19<sup>th</sup> day of April, 2004 hereby amend the Regulations Governing Health and Safety Standards of Residential and Non-Residential Properties in Sullivan County such that said Regulations now shall read as follows:**

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 legislative bodies may impose regulation concerning the maintenance, condition and occupancy of residential and nonresidential properties; and

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; and
- (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.

**REGULATIONS GOVERNING HEALTH AND SAFETY STANDARDS OF  
RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES**

**SECTION I – APPOINTMENT OF ENFORCEMENT OFFICER**

This resolution shall be enforced by an individual, under the supervision of the Sullivan County Building Commissioner, who shall be known as the Sullivan County Code Enforcement Officer

1 (hereinafter "Enforcement Officer") appointed by the County Mayor subject to confirmation by  
2 the county legislative body.

### 3 4 **SECTION II – PROPERTY STANDARDS**

5  
6 (a) A structure is unfit for human occupation or use and, therefore, unlawful if conditions exist in  
7 or around such structure which are dangerous or injurious to the health or safety of the occupants  
8 of such structure, the occupants of neighboring structures or other residents of the county,  
9 assuming ordinary health and sensibilities; such conditions may include: defects therein  
10 increasing the hazards of fire, accidents or other calamities; dilapidation; disrepair; structural  
11 defects; and/or unsanitary conditions.

12  
13 (b) It shall be unlawful for any owner of property to create, maintain or permit to be maintained  
14 on property the obvious neglect and overgrowth of vines, grass, underbrush and/or the  
15 accumulation of discarded or worthless personal property, debris, trash, litter, garbage, rubbish,  
16 refuse, etc., or any combination of the preceding elements, or a vacant dilapidated building or  
17 structure, or to encourage the infestation of rats or other harmful animals, so as to endanger the  
18 health, safety, or welfare of other citizens of ordinary health and sensibility.

19  
20 (c) It shall be unlawful to allow any violation identified in subsections (a) or (b) above to exist or  
21 continue in, on or around any building, structure or property affected by this resolution.

### 22 23 **SECTION III--- OWNER AND OCCUPANT RESPONSIBILITIES**

24  
25 It is the obligation of the owner(s) of property to maintain such property so as not to endanger  
26 the health, safety, or welfare of county residents and/or so as not to violate the terms of these  
27 Regulations. If said property fails to comply with the above-stated regulations, the property  
28 owner(s) is responsible and liable.

### 29 30 **SECTION IV – INSPECTION PROCEDURES**

31  
32 Whenever the Enforcement Officer on his own can visibly observe from a public road that  
33 violation(s) of any of these Regulations exist, the Enforcement Officer shall, after making a  
34 preliminary investigation which discloses a basis for such violation(s), issue and cause to be  
35 served upon the owner of record of such properties a notice stating the violations and requesting  
36 the condition to be remedied immediately.

### 37 38 **SECTION V --- PENALTIES AND REMEDIES FOR VIOLATIONS**

39  
40 (a) For owners of and parties in interest of properties found by the Enforcement Office to be in  
41 violation of the above-mentioned regulations, a notice of violation shall be given by personal  
42 service upon the owner or by United States Certified Mail, Return Receipt Requested, addressed  
43 to the last known address of the owner(s) of record. The notice of violation shall state that the  
44 owner of the property is entitled to a hearing. The notice of violation shall be written in plain  
45 language and shall also include, but not be limited to, the following elements:

46  
47 (1) A brief statement of the violations and date noted;

48  
49 (2) A brief statement of Tennessee Code Annotated §5-1-115 which shall contain the  
50 consequences and penalty of failing to remedy the violation;

1 (3) The person, office, address and telephone number of the department or person giving  
2 notice;

3  
4 (4) A cost estimate for remedying the noted condition which shall be in conformity with  
5 the standards of cost in the community; and  
6

7 (5) A place wherein the notified party may return a copy of the notice of violation  
8 indicating the desire for a hearing or waiver of hearing and agreement to remedy.  
9

10 If the whereabouts of the owner(s) of record is unknown and the same cannot be ascertained by  
11 the Enforcement Officer in the exercise of reasonable diligence or if for any reason notice by  
12 Certified Mail, Return Receipt Requested, cannot be obtained, and the Enforcement Officer shall  
13 make a written statement to that effect, then the serving of such notice of violation upon such  
14 person(s) may be made by publishing the same one (1) time in a newspaper of general circulation  
15 in Sullivan County. A copy of such notice of violation shall also be posted in a conspicuous  
16 place on the premises affected by the notice.  
17

18 (b) A copy of such notice of violation may also be filed for record in the office of register of  
19 deeds for the county and such filing of the notice of violation shall have the same force and  
20 effects as other lis pendes notices provided by law.  
21

22 (c) Upon receipt of the notice of violation as provided hereinabove, the property owner shall  
23 proceed forthwith to take appropriate measure to comply with these regulations. The county shall  
24 provide for a hearing upon request by an aggrieved property owner, said hearing to be held  
25 before the Enforcement Officer.  
26

27 A request for hearing shall be made within thirty (30) days following receipt of said notice of  
28 violation. If the property owner timely requests a hearing as provided herein, the Enforcement  
29 Officer shall, within a reasonable time following the receipt of the request for hearing, upon a  
30 record hold a hearing to review and reconsider the appropriateness of the requirements imposed  
31 on the property owner and the cost of remedying the condition. The time period established  
32 herein shall be stayed pending review by the Enforcement Officer. Failure to make the request  
33 for a hearing within the time limit allowed by this regulation shall, without exception, constitute  
34 a waiver of right to a hearing and judicial review. Immediately following the hearing, the  
35 Enforcement Officer may:  
36

37 (1) Grant a continuance at the request of either party if the Enforcement Officer  
38 considers the continuance appropriate;  
39

40 (2) Dismiss the notice of violation and such notice shall become ineffective;  
41

42 (3) Confirm the notice of violation; or  
43

44 (4) Modify the notice of violation.  
45

46 (d) Any person who disagrees with the final decision of the Enforcement Officer after having  
47 held a hearing under the provisions of this resolution may seek judicial review of same. The  
48 time period established herein shall be stayed pending judicial review.  
49

50 (e) If the owner fails to comply with the notice within thirty (30) days of receipt of same, subject  
51 to stay pending review and any modifications made pursuant to review as provided for above, the

1 Enforcement Officer may cause such property to be repaired, altered or improved or be vacated  
 2 and closed, removed or demolished as necessary to remedy the condition and the costs shall be  
 3 assessed against the owner of the property. Upon performance, the actual cost of such repairs,  
 4 alterations or improvements or vacating and closing or removal or demolition shall upon the  
 5 filing of a notice with the office of the register of deeds be a lien in favor of the county against  
 6 the real property on which such cost was incurred, second only to liens of the state and county  
 7 for taxes, any lien of the county for special assessments, and any valid lien, right or interest in  
 8 such property duly recorded or duly perfected by filing prior to the filing of such notice. Such  
 9 notice shall identify the owner of record of the real property, contain the property address,  
 10 describe the property sufficiently to identify it and recite the amount of the obligation secured by  
 11 the lien. These costs shall be collected by the County Trustee at the same time and in the same  
 12 manner as property taxes are collected.

13  
 14 (f) Owner(s), individually and/or jointly, of property found to be in violation of these  
 15 Regulations shall be subject to a penalty of not less than fifty dollars (\$50.00) nor more than five  
 16 hundred dollars (\$500.00) for each violation. Each and every day during which such illegal  
 17 condition or use exists or continues is deemed a separate violation.

#### 18 **SECTION VI – EXCEPTIONS**

19  
 20  
 21 (a) The provisions of this resolution shall apply county-wide exclusive of incorporated  
 22 municipalities lying within Sullivan County.

23  
 24 (b) The provisions of Section V(e) of this resolution permitting Sullivan County to remedy  
 25 conditions pursuant to Tennessee Code Annotated §5-1-115(c) shall not apply to any parcel of  
 26 property upon which an owner-occupied residence is located.

27  
 28 (c) This resolution shall not apply to any business operated pursuant to the Tennessee Solid  
 29 Waste Disposal Act, Tennessee Code Annotated §68-31-101, et seq.

#### 30 **SECTION VII – RULES**

31  
 32  
 33 (a) The county governing body and/or the Enforcement Officer may establish any rules and  
 34 regulations necessary for the administration and enforcement of this resolution.

35  
 36 (b) The Enforcement Officer shall keep the following:

- 37 (i) All complaints filed with the Enforcement Officer;
- 38 (ii) The address including the civil district of any property in violation of this  
 39 resolution;
- 40 (iii) All notices delivered to property owners found to be in violation of this resolution  
 41 and any expenses associated therewith;
- 42 (iv) All waivers of hearing and agreements to remedy;
- 43 (v) All requests for hearing received;
- 44 (vi) Decisions issued by the Enforcement Officer after hearings;
- 45  
 46  
 47  
 48  
 49  
 50  
 51



1 (vii) All records of the hearings including evidence, minutes and recordation of  
 2 hearing;

3  
 4 (viii) All request for judicial review and final decision of the judicial review.  
 5

6 **SECTION VIII – CONSTITUTIONALITY AND CONFLICT WITH OTHER**  
 7 **RESOLUTIONS**  
 8

9 If any section, clause, provision, or portion of this resolution shall be held to be invalid or  
 10 unconstitutional by any court of competent jurisdiction, such holding shall not affect any other  
 11 section, clause, provision, or portion of this resolution which is not of itself invalid or  
 12 unconstitutional.  
 13

14 BE IT FURTHER RESOLVED that outside counsel employed to assist in enforcing the  
 15 provisions of this resolution shall be employed by contract which shall be executed by the  
 16 County Mayor and the County Attorney and all costs associated therewith shall be paid from the  
 17 Self-Insurance Fund.

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

Approved: \_\_\_\_\_  
 Richard S. Venable, County Mayor Date

**Introduced By: Commissioner: Morrell**

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

2004-04-040	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 4-5-04		No Action 4-7-04	

Comments: 1st Reading 04-19-04; Withdrawn 05-17-04.

Sullivan County, Tennessee  
Board of County Commissioners

4  
Item 9  
Executive  
No. 2004-04-041

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of April, 2004.

**RESOLUTION To Authorize Amendment to Duties of Planning Director**

WHEREAS, the Sullivan County Board of Commissioners on February 21, 2000 approved Resolution No. 3 creating the position of Planning Director for Sullivan County; and

WHEREAS, the aforesaid Resolution provided that the Planning Director shall be responsible for the day-to-day supervision of the Building Commissioner, Building Inspector(s), Code Enforcement Officer and all other employees in the Planning & Zoning office; and

WHEREAS, Tennessee Code Annotated §13-7-110 provides that the Building Commissioner shall be appointed by the County Mayor subject to the confirmation of the county legislative body.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19<sup>th</sup> day of April, 2004 hereby amends the duties of the Director of Planning such that said position shall not be responsible for the day-to-day supervision of the Building Commissioner. The Building Commissioner shall report directly to the County Mayor.

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor Date

**Introduced By: Commissioner: Morrell**

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

2004-04-041	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 4-5-04		No Action 4-7-04	

Comments: 1st Reading 04-19-04; Withdrawn 05-17-04.

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 5  
Executive  
No. 2004-04-044  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of April 2004.

**RESOLUTION To Authorize Traffic Sign Changes in the 9<sup>th</sup> & 8<sup>th</sup> Civil District**

WHEREAS, the Sullivan County Highway Department has recommended the following traffic sign changes be made in the 9<sup>th</sup> & 8<sup>th</sup> Civil District (5<sup>th</sup> Commission District).

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

9<sup>th</sup> Civil District (5<sup>th</sup> Commission District)

To place a 25 MPH Speed Limit sign on Humphreys Road;

8<sup>th</sup> Civil District (5<sup>th</sup> Commission District)

To place a STOP sign on Crussell Drive, intersection with Enterprise Road.

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested: Jeanie F. Gammon  
Jeanie F. Gammon, County Clerk

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

**Introduced by Commissioner: McKamey**

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

at

2004-04-044	Administrative	Budget	Executive	County Commission
	Approve 5-3-04		Approve 5-5-04	Approve 5-17-04

Comments: 1<sup>st</sup> Reading 4-19-04;

21 Aye, 3 Absent

**SULLIVAN COUNTY  
HIGHWAY DEPARTMENT**

P.O. BOX 590  
BLOUNTVILLE, TENNESSEE 37617

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

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

April 14, 2004

COMMISSIONERS: John McKamey  
Marvin Hyatt

Dear Commissioners:

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

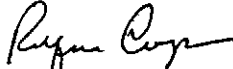
To place a 25 MPH Speed Limit on Humphreys Road.

Request made by Commissioner John McKamey.

This is in the ~~1<sup>st</sup>~~ <sup>9<sup>th</sup></sup> Civil District and 5<sup>th</sup> Commissioner District.

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

Sincerely,



Rufus Cooper  
Traffic Coordinator

/jb  


**SULLIVAN COUNTY  
HIGHWAY DEPARTMENT**

P.O. BOX 590  
BLOUNTVILLE, TENNESSEE 37617

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

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

April 14, 2004

COMMISSIONERS: John McKamey  
Marvin Hyatt

Dear Commissioners:

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

To place a STOP sign on Crussell Dr., intersection with Enterprise Rd..

Request made by Commissioner John McKamey.

This is in the 8<sup>th</sup> Civil District and 5<sup>th</sup> Commissioner District.

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

Sincerely,



Rufus Cooper  
Traffic Coordinator

RC/jb

c: 

ATTACHMENT  
Resolution 2004-04-04H

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 6  
Executive  
No. 2004-05-047  
ATTACHMENT

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize The Sale Of Land In The Tri-County Industrial Park To Edwards & Associates**

WHEREAS, Edwards & Associates wishes to acquire acreage in the Tri-County Industrial Park with such acreage being adjacent to acreage acquired earlier by Edwards;

WHEREAS, a site of approximately 7.713 acres is available on Industrial Park Road;

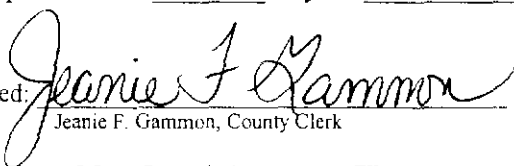
WHEREAS, Sullivan County owns a 62.5% share in the Tri-County Industrial Park;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the sale of such land at a price of \$40,000.00 to Edwards & Associates.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested:   
Jeanie F. Gammon, County Clerk

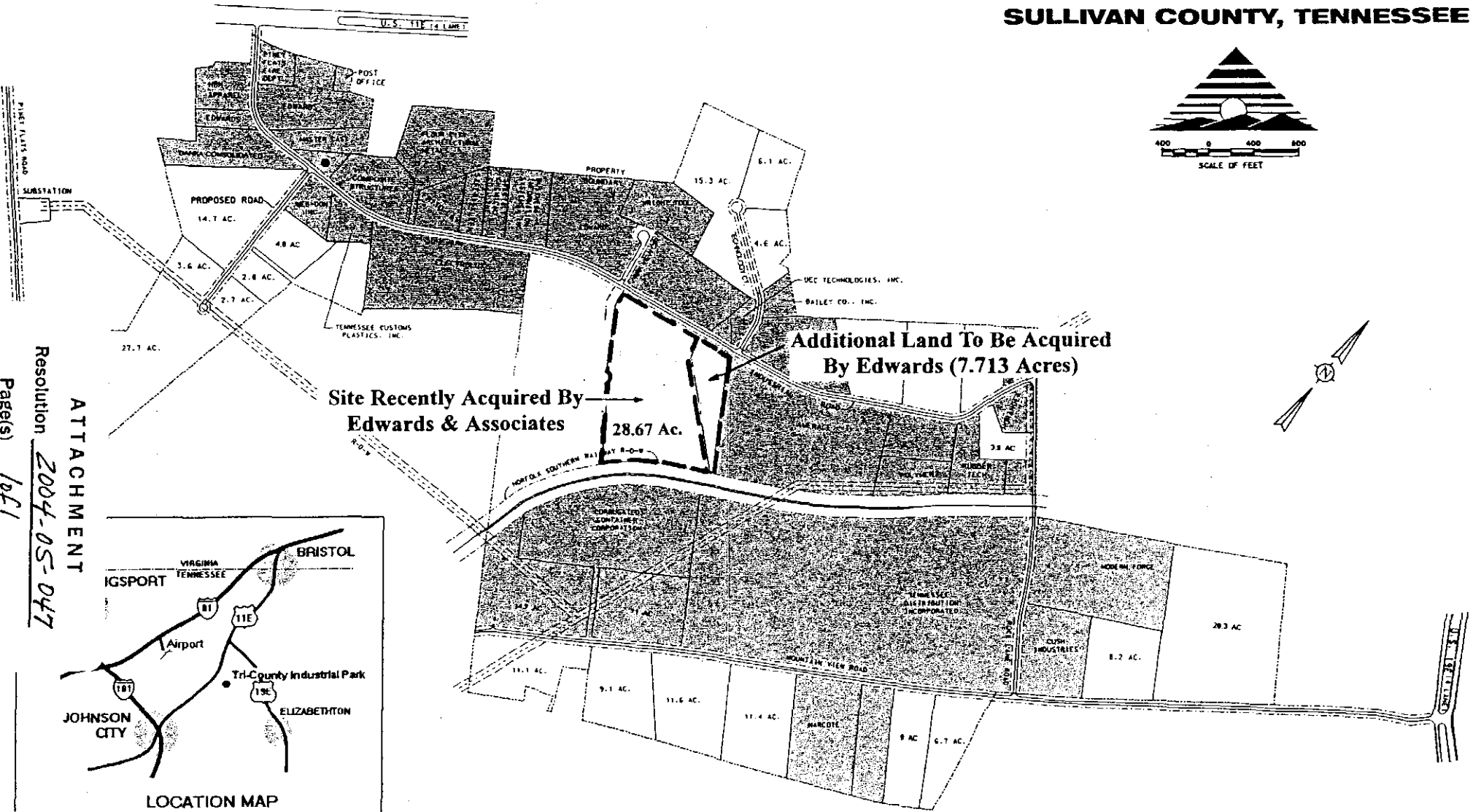
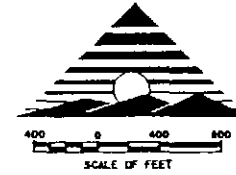
Approved:   
Richard S. Venable, County Mayor

**Introduced by Commissioner: Harr**  
**Seconded by Commissioner(s): Hyatt**

2004-05-047	Administrative	Budget	Executive	County Commission
	Approve 5-3-04	Approve 5-5-04	Approve 5-5-04	Approve 5-17-04

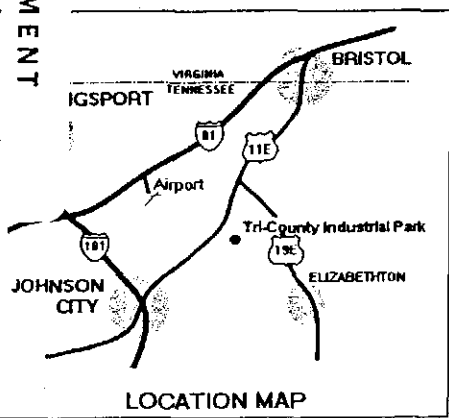
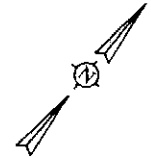
Comments: 23 Aye, 1 Absent

# TRI-COUNTY INDUSTRIAL PARK SULLIVAN COUNTY, TENNESSEE



**Additional Land To Be Acquired  
By Edwards (7.713 Acres)**

**Site Recently Acquired By  
Edwards & Associates**



Resolution 2004-05-047  
 Attachment  
 Page(s) 1 of 1

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 7  
Executive  
No. 2004-05-048  
ATTACHMENT

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize The Sale Of Land In The Tri-County Industrial Park to Principle Investments, LLC**

WHEREAS, Principle Investments, LLC wishes to acquire acreage in the Tri-County Industrial Park and construct a 17,000 sq. ft. facility for the purpose of a powder painting operation, which will employ eight people;

WHEREAS, a site of approximately five (5) acres is available on Industrial Park Road;

WHEREAS, Sullivan County owns a 62.5% share in the Tri-County Industrial Park;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the sale of such land at a price of \$31,000.00 to Principle Investments, LLC.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested: Jeanie F. Gammon  
Jeanie F. Gammon, County Clerk

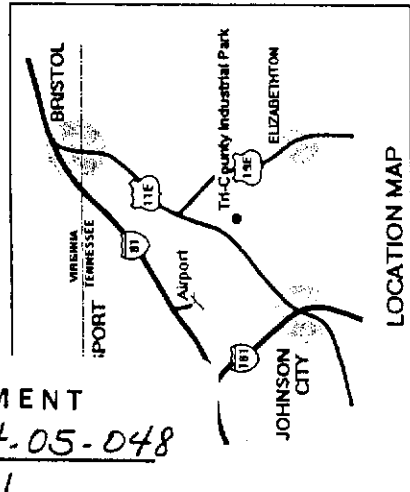
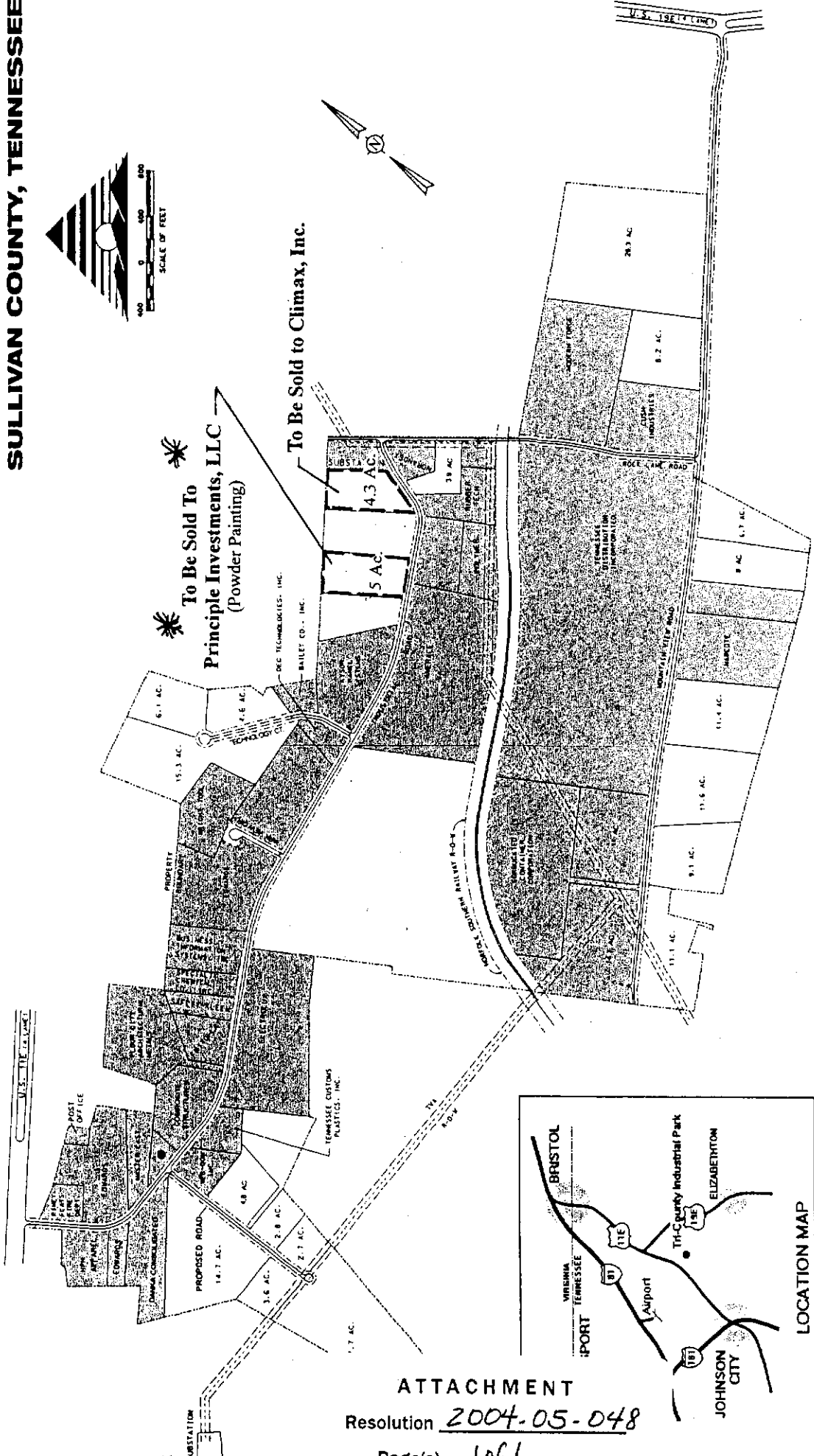
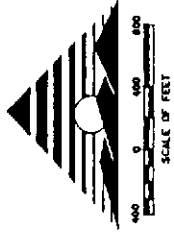
Approved: Richard S. Venable  
Richard S. Venable, County Mayor

**Introduced by Commissioner: Harr**  
**Seconded by Commissioner(s): Hyatt**

at	2004-05-048	Administrative	Budget	Executive	County Commission
		Approve 5-3-04	Approve 5-5-04	Approve 5-5-04	Approve 5-17-04

Comments: 23 Aye, 1 Absent

# TRI-COUNTY INDUSTRIAL PARK SULLIVAN COUNTY, TENNESSEE



ATTACHMENT  
 Resolution 2004-05-048  
 Passed 10/1



SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 8  
Executive  
No. 2004-05-049  
ATTACHMENT

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize The Sale Of Land In The Tri-County Industrial Park to Climax Photo, Inc. (Nils L. and Karen A. Nielson), A Photo Accessory Supply Company**

WHEREAS, the company wishes to acquire acreage in the Tri-County Industrial Park and construct a 10,000 sq. ft. facility, employing ten people;

WHEREAS, a site of approximately 4.334 acres is available on Industrial Park Road;

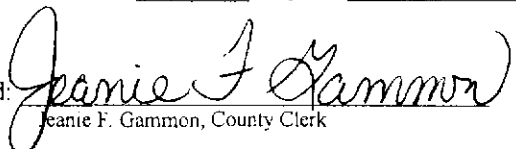
WHEREAS, Sullivan County owns a 62.5% share in the Tri-County Industrial Park; and authorizes the sale of such land at a price of

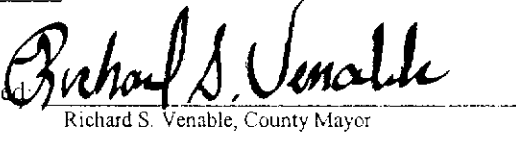
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the sale of such land at a price of \$25,137.20 to Climax Photo, Inc (Nils L. and Karen A. Nielson).**

*WAIVER OF THE RULES REQUESTED*

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested:   
Jeanie F. Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

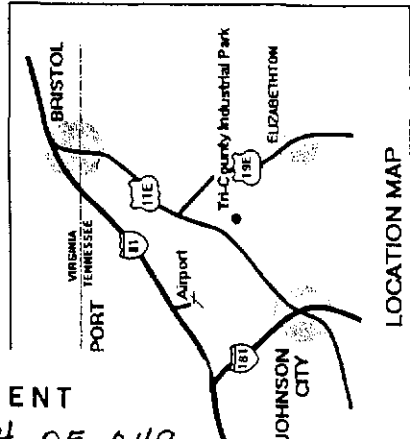
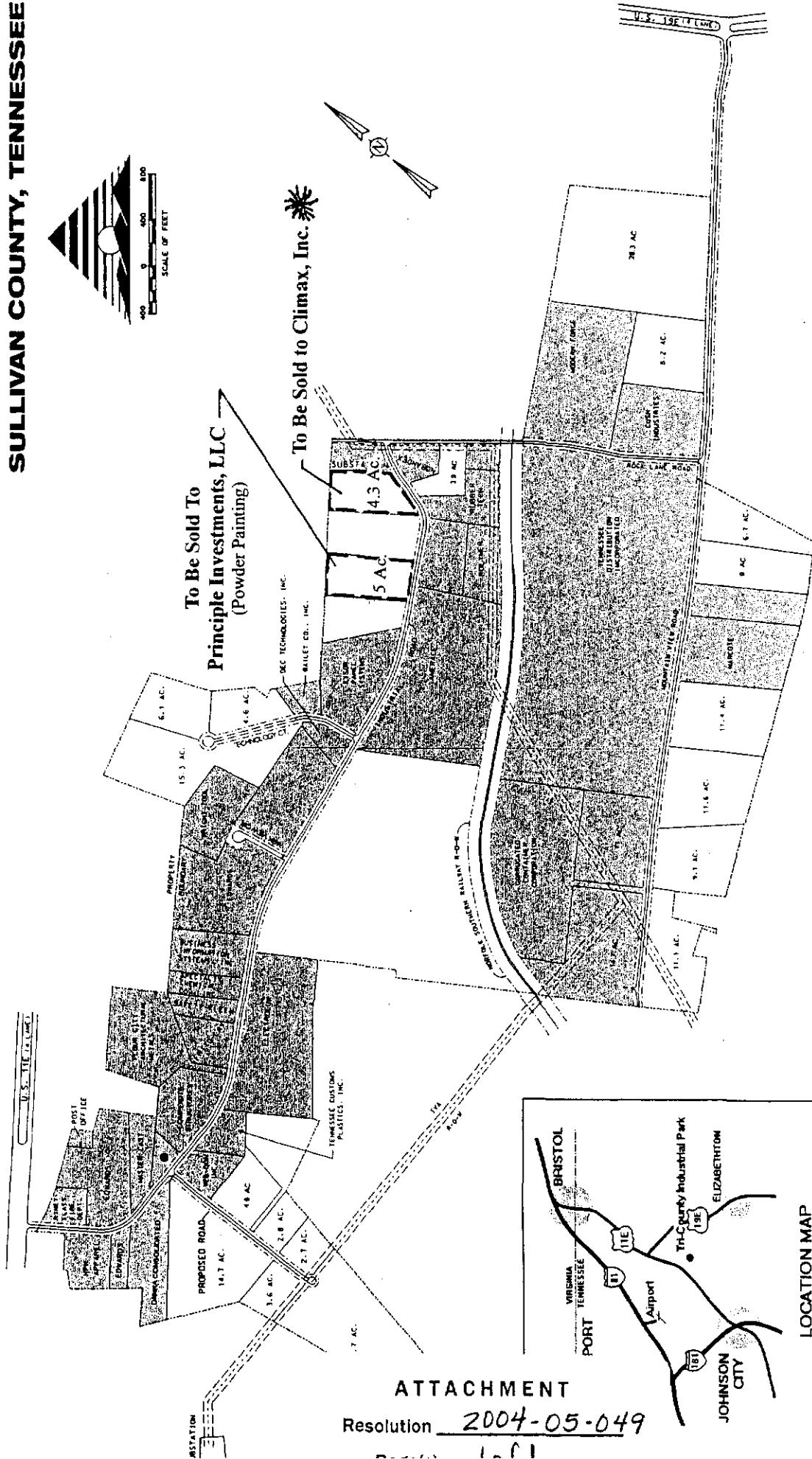
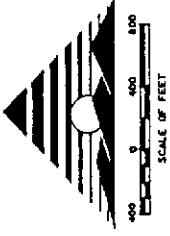
**Introduced by Commissioner: Harr**  
**Seconded by Commissioner(s): Hyatt**

2004-05-049	Administrative	Budget	Executive	County Commission
	Approve 5-3-04	Approve 5-5-04	Approve 5-5-04	Approve 5-17-04

Comments:

23 Aye, 1 Absent

**TRI-COUNTY INDUSTRIAL PARK  
SULLIVAN COUNTY, TENNESSEE**



ATTACHMENT  
Resolution 2004-05-049

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 9  
Executive  
2004-05-050  
ATTACHMENT

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Approve Acceptance of Grants for Projects at Tri-Cities Regional Airport, TN/VA**

WHEREAS, grants may be made available from the Federal Aviation Administration to the Tri-Cities Airport Commission in the amount of up to \$6,294,857 for improvements to the Tri-Cities Regional Airport, TN/VA;

WHEREAS, these projects include Airfield Development, Aircraft Rescue and Fire Fighting Equipment, and Property Acquisition;

WHEREAS, Airport Owners are required to formally accept said grants and authorize the execution of documents relating thereto;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize Sullivan County to enter into Grant Agreements with the United States of America, acting through the Federal Aviation Administration, for the purpose of obtaining federal funds to be used for capital projects at the Tri-Cities Regional Airport, and that the County Mayor is hereby authorized to sign any and all documents necessary to approve and accept said grants.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested: Jeanie F. Gammon  
Jeanie F. Gammon, County Clerk

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

**Introduced by Commissioner: Brotherton**

**Seconded by Commissioner(s): Jones**

2004-05-050	Administrative	Budget	Executive	County Commission
		Approve 5-5-04	Approve 5-5-04	Approve 5-17-04

Comments:

23 Aye, 1 Absent

Tri-Cities Airport Commission  
 Tri-Cities Regional Airport  
 Requested Federal Aviation Administration Grant Funds  
 FY 2004 Airport Improvement Program  
 May 4, 2004

ITEM PROJECT DESCRIPTION	100% Estimated Total Cost	95% Requested Federal Funds	2.5% State Aviation Funds	2.5% Airport Funds
<b>2004 ENTITLEMENT FUNDS</b>				
1 Runway 5 Pavement Rehabilitation	\$ 1,045,265	\$ 993,002	\$ 26,131.63	\$ 26,131.63
2 Runway 23 RPZ Property Acquisition (Parcel 1)	\$ 700,000	\$ 665,000.00	\$ 17,500.00	\$ 17,500.00
3 Runway 23 RPZ Property Acquisition (Parcel 2)	\$ 150,000	\$ 142,500.00	\$ 3,750.00	\$ 3,750.00
4 Airfield Security Vehicle	\$ 30,000	\$ 28,500.00	\$ 750.00	\$ 750.00
5 Aircraft Rescue and Fire Fighting Equipment	\$ 20,000	\$ 19,000.00	\$ 500.00	\$ 500.00
<b>2004 DISCRETIONARY FUNDS REQUESTED</b>				
6 Aircraft Rescue and Fire Fighting Vehicle	\$ 680,900	\$ 646,855.00	\$ 17,022.50	\$ 17,022.50
7 South Parallel Taxiway Extension(Txy. R)	\$ 4,000,000	\$ 3,800,000.00	\$ 100,000.00	\$ 100,000.00
<b>TOTAL FY 2004 FEDERAL PROJECTS</b>	<b><u>\$ 6,626,165</u></b>	<b><u>\$ 6,294,857</u></b>	<b><u>\$ 165,654</u></b>	<b><u>\$ 165,654</u></b>

The Tri-Cities Airport Commission has requested up to \$6,294,857 in federal grant funds from the FAA through the Airport Improvement Program in FY 2004. Based on the availability of federal discretionary funds, the final grant amount may be less than the total requested federal funds. As determined by the FAA, these funds may be issued in multiple grants prior to September 30, 2004.

Resolution 2004-05-050  
 Page(s) 1 of 1  
 ATTACHMENT

4283256060;

May-4-04 1:04PM;

Page 3/3

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 10  
Executive  
No. 2004-05-051  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize The County Purchasing Agent To Contract With Financial Institutions And/Or Trade References For The Purpose Of Obtaining Procurement/ Credit Cards To Be Used For E-Commerce Procurement Of Products/Services And For Out-Of-County Travel Accommodations**

WHEREAS, the Private Acts of 1947 as amended in 1998, authorizes the County Purchasing Agent to have exclusive power and authority to contract for and purchase any and all materials, supplies, equipment, services, professional services, leases and rentals for use of every official, agent, servant, department or agency of or supported by or under the control of County government; and

WHEREAS, much of today's commerce is managed electronically and requires the use of credit cards to simply transact business, procure products/services or transmit financial requirements; and

Whereas, out-of-county travel accommodations require credit card confirmations and/or payments to be exempted from taxes; and

WHEREAS, the use of procurement/credit cards shall be governed by the rules and regulations set forth in the Purchasing Department's Procurement/Credit Card Policy attached hereto as EXHIBIT A;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Purchasing Agent to contract with financial institutions and/or active trade references to obtain procurement/credit cards to be used for such purposes.**

**WAIVER OF THE RULES REQUESTED**

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested: Jeanie F. Gammon  
Jeanie F. Gammon, County Clerk

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

**Introduced by Commissioner: McConnell**

**Seconded by Commissioner(s): Blackburn, Brittenham, Brotherton, Ferguson, Jones**

2004-05-051	Administrative	Budget	Executive	County Commission
				Approve 5-17-04

Comments:

22 Aye, 1 Nay,  
1 Absent

## **GENERAL PROCUREMENT GUIDELINES**

### **PROCUREMENT/CREDIT CARD POLICY**

The use of procurement/credit cards must be authorized by the Purchasing Agent upon request from each respective official or department head. The Purchasing Agent shall establish credit limits applicable to each card. Any additions, deletions, changes or cancellations must be executed by the Purchasing Agent or by the Accounts/Budgets Director (in the Purchasing Agent's absence).

Procurement/credit cards will be issued in the name of the official, department head or individual employee who is responsible for the use of the card. The official, department head or employee whose name appears on the card is responsible for assuring that all purchases made with the card are in accordance with the rules and regulations set forth in this policy. The person whose name appears on the card may be held personally liable for any unauthorized purchases and/or for any purchases exceeding the limits established by the purchasing agent. Cards which are used in any manner inconsistent with this policy are subject to immediate revocation by the Purchasing Agent. All purchases will be reconciled monthly by the person whose name appears on the card. The appropriate official or department head must approve and sign the monthly statements prior to submitting same to the Accounts/Budgets or School Finance Departments for payment.

Each employee who is authorized to use either type of procurement/credit card must complete and sign a 'cardholder agreement'. All agreements must be signed by the appropriate official and/or department head. Copies of all agreements will be maintained by the Purchasing Agent and the Accounts/Budgets Director or School Finance Officer (whichever applies). Sullivan County will not be responsible for payments of invoices for purchases made using procurement/credit cards by an employee who has not been authorized to use the card and who has not completed a 'cardholder agreement'. It is the responsibility of each official or department head to ascertain that a 'cardholder agreement' has been signed by each designated user in their department and that same has been filed with the Purchasing Department prior to usage of the card. Misappropriation or intentional misuse of a county credit card will be subject to criminal prosecution.

The officials or department heads requesting the credit cards will be responsible for assuring that usage of cards are in compliance with this policy and will be held responsible for making financial settlement in regards to any misuse or unaccountable transactions.

(2)

**A. TRAVEL**

The Purchasing Agent has established a procurement/credit card account for out of county travel expenses. Cards are issued to officials, department heads or employees who frequently travel. 'Generic' cards will be maintained by the Accounts/Budgets Director or School Finance Officer and can be scheduled in and out as needed by officials, department heads or employees who have not been issued individual cards. It is the responsibility of each official, department head or employee to request a sales tax exemption certificate for lodging accommodators from the Purchasing Department prior to travel departure. All travel receipts must accompany a travel request form that has been approved by the appropriate official or department head. Travel request forms for officials and/or department heads must be approved by the Chairman of the Executive Committee or School Board (whichever applies) prior to submitting to the Accounts/Budgets or School Finance Departments for payment.

**B. FUEL**

The Purchasing Agent has established a fleet fuel procurement/credit account for fleet fuel purchases. Fleet fuel cards are issued to officials, department heads or employees who are authorized to drive fleet vehicles. Identification numbers are assigned to each official, department head or employee who is issued a fleet fuel card. The fleet fuel system records all purchases electronically and generates monthly statements to be reconciled by the appropriate official or department head. All applicable receipts must accompany each signed statement prior to submitting to the Accounts/Budgets or School Finance Departments for payment.

**C. GENERAL PROCUREMENT (WHOLESALE/RETAILER)**

The Purchasing Agent has established procurement/credit accounts for the procurement of commodities/services which require credit card confirmation. Procurement/credit cards are subject to all of the rules and regulations applicable to the Purchasing Department and cannot exceed the allowable limits. Procurement/credit cards will be only issued to procurement officer(s) who have been selected by and work directly under the supervision of the Purchasing Agent. The procurement officer is authorized to use his/her card for the purpose of purchasing commodities/services that require credit card confirmations/payments. A paper purchase order will be processed from each appropriate account and will be maintained in a dedicated file to support the monthly statement. The authorized procurement officer must reconcile the monthly statement prior to submitting to the accounts and budgets or school finance departments for payment.

(3)

**SULLIVAN COUNTY PURCHASING  
GENERAL PROCUREMENT GUIDELINES  
PROCUREMENT/CREDIT CARD POLICY  
CARDHOLDER AGREEMENT**

As part of your employment with Sullivan County, you are being entrusted with a procurement/credit card to be used in compliance to the Procurement/Credit Card Policy and as stated in this Cardholder Agreement.

1. This card is issued in my name and I am the only person authorized to use this card. I will not allow anyone else to use the card without prior authorization from the Purchasing Agent.
2. This card is the property of Sullivan County.
3. I understand that I will be making financial commitments on behalf of Sullivan County when I use the Procurement/Credit Card that has been assigned to me.
4. I have read and completely understand the Procurement/Card Policy adopted for Sullivan County.
5. Under no circumstances will I allow this card to be used to make personal purchases, either for myself or others. I understand that personal purchases using this card will be considered misappropriation of Sullivan County funds and that I am financially responsible for restitution and will be subject to criminal prosecution.
6. If the card assigned to me should be lost or stolen, I will immediately notify the Purchasing Agent and the Accounts/Budgets Director or School Finance Officer (whichever applies) by telephone and/or in person.
7. I will obtain receipts and maintain detailed information for each transaction. I understand that it is my responsibility to match receipts to each transaction.
8. I understand that I will receive a monthly statement reporting all card activity and that it is my responsibility to verify accuracy of all charges.
9. I understand that each monthly statement must indicate my signature to verify that all information is true and accurate and must also indicate the signature of the appropriate official or department head.
10. I understand that any violation to this Agreement will be subject to disciplinary action, including termination of my employment with Sullivan County.

EMPLOYEE NAME: \_\_\_\_\_ DEPARTMENT: \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

OFFICIAL/DEPARTMENT HEAD SIGNATURE: \_\_\_\_\_



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

Item 11  
Budget  
No. 2004-05-052

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize Tax Releases for the Year 2002 from the Office of Trustee, Frances Harrell**

WHEREAS, Frances Harrell, Trustee of Sullivan County, wishes to submit the following releases in the total amount of \$1,068,278.50 which have been checked and approved by Property Assessor, Bob Icenhour.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby releases Frances Harrell, Trustee of the following total amount of \$1,068,278.50 for the year of 2002, as set out below:

Pick Up & Increases	\$	894,312.75
LESS: County Releases	\$	125,831.88
State Releases	\$	49,584.49
	\$	<u>718,896.38</u>

Delinquent Taxes Filed for Collection \$ 894,312.75

**A copy of the above referenced records is available in the Office of the County Clerk for those who wish to review the report.**

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

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

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

at

2004-05-052	Administrative	Budget	Executive	County Commission

Comments: 1st Reading 05-17-04;

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

Item 12  
Budget  
No. 2004-05-053

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize Amending The 2003 – 2004 General Purpose School Budget For The Adult Education Programs In The Amount Of \$7,206.39 With Prior Year Carry-Over Funds**

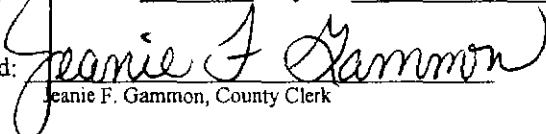
WHEREAS, the Sullivan County Department Board of Education has approved amending the General Purpose School Budget, now

**THEREFORE BE IT RESOLVED** that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:  
**(1<sup>st</sup> Reading)**

Account Number	Account Description	Amount
<b>Expenditures</b>		
47120.000	Adult Education State Grant Program	7,206.39
71600.116	Teachers	3,462.05
71600.201	Social Security	20.92
71600.204	State Retirement	11.48
71600.210	Unemployment Compensation	.74
71600.212	Employer Medicare	4.90
71600.429	Instructional Supplies and Materials	3,383.60
72620.206	Life Insurance	4.68
72620.207	Medical Insurance	285.19
72620.208	Dental Insurance	14.00
72620.355	Travel	18.83

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested:   
Jeanie F. Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Introduced by Commissioner: Larry Hall**

**Seconded by Commissioner(s): Dennis Houser, John Crawford**

at

2004-05-053	Administrative	Budget	Executive	County Commission
				Approved 5-17-04

Comments:

23 Aye, 1 Absent

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

Item 13  
Budget  
No. 2004-05-054

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize Amending The 2003 – 2004 General Purpose School Budget For The Education Edge Grant In The Amount Of \$1,957.14 With Prior Year Carry-Over Funds**

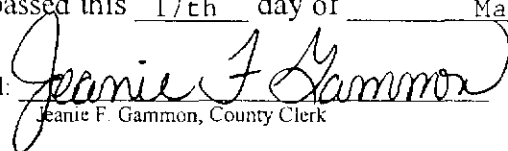
WHEREAS, the Sullivan County Department Board of Education has approved amending the General Purpose School Budget, now

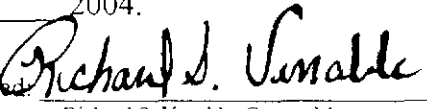
**THEREFORE BE IT RESOLVED** that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:  
**(1<sup>st</sup> Reading)**

Account Number	Account Description	Amount
<b>Expenditures</b>		
47144.000	Education Edge Program (Revenue)	1,957.14
72240.399	Other Contracted Services (Expenditure)	1,957.14

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested:   
Jeanie F. Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Introduced by Commissioner: Larry Hall**  
**Seconded by Commissioner(s): Dennis Houser, John Crawford**

at

2004-05-054	Administrative	Budget	Executive	County Commission
				Approved 5-17-04

Comments: 23 Aye, 1 Absent

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

Item 14  
Budget  
No. 2004-05-055

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

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**RESOLUTION To Authorize Amending The 2003-2004 General Purpose School Budget For The High Schools That Work Grant In The Amount Of \$10,000.00**

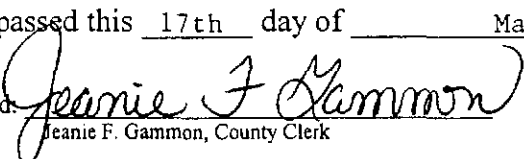
WHEREAS, the Sullivan County Department Board of Education has approved amending the General Purpose School Budget, now

**THEREFORE BE IT RESOLVED** that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:  
**(1<sup>st</sup> Reading)**

Account Number	Account Description	Amount
<b>Expenditures</b>		
47590.000	Other Federal Thru State	10,000.00
71300.355	Vocational Education Program (Direct)	10,000.00

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

Duly passed this 17th day of May 2004.

Attested:   
Jeanie F. Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Introduced by Commissioner: Larry Hall**  
**Seconded by Commissioner(s): Dennis Houser, John Crawford**

at

2004-05-055	Administrative	Budget	Executive	County Commission
				Approved 5-17-04

Comments: 23 Aye, 1 Absent

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

Item 15  
Budget  
No. 2004-05-056

To Honorable Richard S. Venable, Mayor of Sullivan County and Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize Amending The 2003-2004 General Purpose School Budget As Follows Within The Appropriated Budgeted Amount**

WHEREAS, the Sullivan County Department Board of Education has approved amending the General Purpose School Budget, now

**THEREFORE BE IT RESOLVED** that the Sullivan County Board of Commissioners assembled in Session approve amending the General Purpose School Budget as follows:

**(1<sup>st</sup> Reading)**

Account Number	Account Description	Amount
<b>Expenditures</b>		
71100.116	Regular Instruction - Teachers	-163,035.00
71100.117	Regular Instruction - Career Ladder Program	-173,000.00
71100.207	Regular Instruction - Medical Insurance	-140,000.00
71100.449	Regular Instruction - Textbooks	-131,600.00
71200.117	Special Education - Career Ladder Program	-38,000.00
71300.117	Vocational Education - Career Ladder Program	-32,000.00
72410.117	Office of the Principal - Career Ladder Program	-21,665.00
72510.119	Fiscal Services - Accountants/Bookkeepers	-14,000.00
72510.207	Fiscal Services - Medical Insurance	-3,639.00
72310.506	Board of Education - Liability Insurance	+60,000.00
72310.513	Board of Education - Workers' Comp. Insurance	+159,200.00
72320.101	Director of Schools - County Official/Admin.	+32,000.00
72320.207	Director of Schools - Medical Insurance	+11,500.00
72610.434	Operation of Plant - Natural Gas	+65,000.00
72610.454	Operation of Plant - Water and Sewer	+100,000.00
72710.315	Transportation - Contracts with Vehicle Owners	+271,600.00
72810.189	Central and Other - Other Salaries and Wages	+15,000.00
72810.201	Central and Other - Social Security	+930.00
72810.204	Central and Other - State Retirement	+1,491.00
72810.212	Central and Other - Employer Medicare	+218.00

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

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

**Introduced by Commissioner: Larry Hall**

**Seconded by Commissioner(s): Dennis Houser, John Crawford**

at

2004-05-056	Administrative	Budget	Executive	County Commission
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Comments:

1st Reading 05-17-04;

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 16  
Budget  
No. 2004-05-057

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize the Approval of Statutory Bond for County Official**

WHEREAS, Tennessee Code Annotated authorizes counties to approve the statutory bonds for elected and appointed officials; and,

WHEREAS, certain county officials within Sullivan County are required to have such statutory bonds and in compliance with the statute the County's legislative body is required to approve such bonds;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the statutory bonds for Larry Bailey, Director of Accounts and Budgets.**

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

Duly passed this 17<sup>th</sup> day of May 2004.

Attested: Jeanie F. Gammon  
Jeanie F. Gammon, County Clerk

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

**Introduced by Commissioner: Williams**

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

sl

2004-05-057	Administrative	Budget	Executive	County Commission
				Approved 5-17-04

Comments:

23 Aye, 1 Absent

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 17  
Executive  
No. 2004-05-058

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize Traffic Sign Changes in the 11<sup>th</sup> Civil District**

WHEREAS, on February 16, 2004, the Sullivan County Commission approved the posting of "No Parking" signs along both sides of Northcott Circle; and,

WHEREAS, the residents in the area have requested the signs read "No Parking on Pavement";

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby rescind Resolution No. 2004-02-012 approved February 2004 and hereby approve changes to traffic signs in the 11<sup>th</sup> Civil District as follows:**

**To place "No Parking on Pavement" signs along both sides of Northcott Circle.**

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

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

**Introduced by Commissioner: Kilgore  
Seconded by Commissioner(s): Crawford**

at	2004-05-058	Administrative	Budget	Executive	County Commission

Comments: 1st Reading 05-17-04;

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

Item 18  
Budget  
No. 2004-05-059  
*ATTACHMENT*

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Authorize Entering Agreements with Comprehensive Community Services to Provide Services for Adult Drug Court Programs in Bristol and Kingsport**

WHEREAS, Comprehensive Community Services has applied for a grant in an amount up to \$400,000 per court program to provide treatment services, probation services, urine screens, and program coordination for participants in the Adult Drug Court Program in the cities of Bristol and Kingsport; and,

WHEREAS, Comprehensive Community Services wishes to enter into an agreement with Sullivan County wherein Sullivan County would receive grants funds from the Edward Byrne Memorial Grant Program and disburse monthly the funds for expenditures incurred by Comprehensive Community Services; and,

WHEREAS, any matching funds required by the Edward Byrne Memorial Grant Program grant would be paid by Comprehensive Community Services;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Mayor to sign the attached agreements contracting with Comprehensive Community Services to provide Adult Drug Court Programs in the cities of Bristol and Kingsport.

**BE IT RESOLVED** that the County shall maintain and provide all reports, documentation, and records of any kind or nature required by the Edward Byrne Memorial Grant Program.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby agrees to contract with Comprehensive Community Services and to accept grant funds from Edward Byrne Memorial Grant Program in an amount up to \$800,000 during the period of July 1, 2004 through June 30, 2008.

***WAIVER OF THE RULES REQUESTED***

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

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

**Introduced by Commissioner: Herron**  
**Seconded by Commissioner(s): Crawford**

at

2004-05-059	Administrative	Budget	Executive	County Commission

Comments: 1st Reading 05-17-04;



**Agreement**  
**Between**  
**SULLIVAN COUNTY**  
**and**  
**COMPREHENSIVE COMMUNITY SERVICES**  
**Regarding**  
**Bristol Drug Court Program**

This is an Agreement made and entered into by and between **SULLIVAN COUNTY**, a political subdivision of the State of Tennessee, its successors and assigns, hereinafter referred to as "**SULLIVAN COUNTY**" and **COMPREHENSIVE COMMUNITY SERVICES**, hereinafter referred to as "**CCS**".

**WITNESSETH;**

**WHEREAS**, if **SULLIVAN COUNTY** is awarded a grant from the **EDWARD BYRNE MEMORIAL GRANT PROGRAM**, hereinafter referred to as "**BYRNE**" , to provide funding for an Adult Drug Court Program; and

**WHEREAS**, **CCS** has agreed to provide treatment services, probation services, urine screens, and program coordination for participants in the Adult Drug Court Program, as well as all other services for an amount not to exceed \$400,000.

**NOW, THEREFORE, IN CONSIDERATION** of promises and mutual covenants hereinafter contained, the parties agree as follows:

1. **CCS** agrees to perform all of the services as set forth in the awarded Grant Application for Drug Court Implementation.
2. **SULLIVAN COUNTY** agrees to receive the **BYRNE** funds and to reimburse **CCS** on a monthly basis for expenditures involving **BYRNE** funding, not to exceed the maximum amount of the **Byrne Funds** awarded.
3. **SULLIVAN COUNTY** shall maintain and provide all reports, documentation, and records of any kinds or nature required by **BYRNE** and **SULLIVAN COUNTY** regarding this project and the use of funds provided.
4. **CCS** shall be responsible for reimbursing for all funds spent in violation of this Agreement or disallowed by **BYRNE** for reimbursement.
5. All matching funding required by **BYRNE** shall be provided from **CCS** sources and not from **SULLIVAN COUNTY**.

- 7. **CCS shall establish goals and performance standards as set forth by the Edward Byrne Memorial guidelines.**
- 8. **SULLIVAN COUNTY agrees to be bound by the terms and conditions of the Grant Application and Award Certificate.**
- 9. **All services provided under this Agreement and pursuant to this project, shall be by and through employees and agents of CCS, an independent contractor, and subject to supervision by CCS and not as officers, employees or agents of SULLIVAN COUNTY.**
- 10. **To the extent provided by law, CCS agrees to indemnify and hold harmless SULLIVAN COUNTY, its officers, employees or agents, from any and all SULLIVAN COUNTY liability arising from damage to any property or any person incurred by way of the acts or omissions of CCS, its employees or agents, regarding the services to be performed under this Agreement and per this project.**
- 11. **The term of this agreement shall be the same as the Grant Period from AGREEMENT BETWEEN SULLIVAN COUNTY and STATE OF TENNESSEE, July 1, 2004 through June 30, 2008.**

**IN WITNESS WHEREOF**, the parties have made and executed this agreement of the respective dates under such signature:

**SULLIVAN COUNTY** through its **COUNTY MAYOR** signing, is authorized to execute this agreement and **COMPREHENSIVE COMMUNITY SERVICES** signing by and through its **PRESIDENT** duly authorized to execute same.

**SULLIVAN COUNTY**

\_\_\_\_\_  
Richard Venable, County Mayor

**COMPREHENSIVE COMMUNITY SERVICES**

\_\_\_\_\_  
Reve E. McDavid, President

**Agreement**  
**Between**  
**SULLIVAN COUNTY**  
**and**  
**COMPREHENSIVE COMMUNITY SERVICES**  
**Regarding**  
**Kingsport Drug Court Program**

This is an Agreement made and entered into by and between **SULLIVAN COUNTY**, a political subdivision of the State of Tennessee, its successors and assigns, hereinafter referred to as "**SULLIVAN COUNTY**" and **COMPREHENSIVE COMMUNITY SERVICES**, hereinafter referred to as "**CCS**".

**WITNESSETH;**

**WHEREAS**, if **SULLIVAN COUNTY** is awarded a grant from the **EDWARD BYRNE MEMORIAL GRANT PROGRAM**, hereinafter referred to as "**BYRNE**" , to provide funding for an Adult Drug Court Program; and

**WHEREAS**, **CCS** has agreed to provide treatment services, probation services, urine screens, and program coordination for participants in the Adult Drug Court Program, as well as all other services for an amount not to exceed \$400,000.

**NOW, THEREFORE, IN CONSIDERATION** of promises and mutual covenants hereinafter contained, the parties agree as follows:

1. **CCS** agrees to perform all of the services as set forth in the awarded Grant Application for Drug Court Implementation.
2. **SULLIVAN COUNTY** agrees to receive the **BYRNE** funds and to reimburse **CCS** on a monthly basis for expenditures involving **BYRNE** funding, not to exceed the maximum amount of the **Byrne Funds** awarded.
3. **SULLIVAN COUNTY** shall maintain and provide all reports, documentation, and records of any kinds or nature required by **BYRNE** and **SULLIVAN COUNTY** regarding this project and the use of funds provided.
4. **CCS** shall be responsible for reimbursing for all funds spent in violation of this Agreement or disallowed by **BYRNE** for reimbursement.
5. All matching funding required by **BYRNE** shall be provided from **CCS** sources and not from **SULLIVAN COUNTY**.

- 7. **CCS** shall establish goals and performance standards as set forth by the Edward Byrne Memorial guidelines.
- 8. **SULLIVAN COUNTY** agrees to be bound by the terms and conditions of the Grant Application and Award Certificate.
- 9. All services provided under this Agreement and pursuant to this project, shall be by and through employees and agents of **CCS**, an independent contractor, and subject to supervision by **CCS** and not as officers, employees or agents of **SULLIVAN COUNTY**.
- 10. To the extent provided by law, **CCS** agrees to indemnify and hold harmless **SULLIVAN COUNTY**, its officers, employees or agents, from any and all **SULLIVAN COUNTY** liability arising from damage to any property or any person incurred by way of the acts or omissions of **CCS**, its employees or agents, regarding the services to be performed under this Agreement and per this project.
- 11. The term of this agreement shall be the same as the Grant Period from **AGREEMENT BETWEEN SULLIVAN COUNTY and STATE OF TENNESSEE**, July 1, 2004 through June 30, 2008.

**IN WITNESS WHEREOF**, the parties have made and executed this agreement of the respective dates under such signature:

**SULLIVAN COUNTY** through its **COUNTY MAYOR** signing, is authorized to execute this agreement and **COMPREHENSIVE COMMUNITY SERVICES** signing by and through its **PRESIDENT** duly authorized to execute same.

**SULLIVAN COUNTY**

\_\_\_\_\_  
Richard Venable, County Mayor

**COMPREHENSIVE COMMUNITY SERVICES**

\_\_\_\_\_  
Reve E. McDavid, President

SULLIVAN COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

Item 19  
Budget  
No. 2004-05-060

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of May 2004.

**RESOLUTION To Request The Sullivan County Budget Committee To Place Special Emphasis On The Wages Of Sullivan County Employees**

WHEREAS, our employees are the most important part of government services, meeting the public, answering questions and delivering services for each office; and,

WHEREAS, our employees have not had an increase in wages or a cost of living increase in many years; and,

WHEREAS, many of our employees are actually taking home less pay than they did five or six years ago;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby recommend to the Budget Committee that the number one priority in preparing the 2004-2005 budget be the employees of our county departments and school department with special attention given to the lower wage earners.

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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

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

**Introduced by Commissioner: McKamey**

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

at

2004-05-060	Administrative	Budget	Executive	County Commission

**Comments:** 1st Reading 05-17-04;

Amendment made by Williams "That the commission would vote for a six cents increase to provide those increases that are so badly needed." Amendment not accepted by McKamey. Amendment withdrawn by Williams this 17th day of May, 2004.

~~PROPOSED AMENDMENT TO~~

RES. # \_\_\_\_\_ - \_\_\_\_\_ MOTION  
\_\_\_\_\_

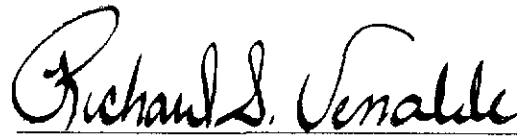
Amendment follows:

MOTION made by Comm. Vance that the County Commission go on record to encourage and support Senator Ramsey's amendment to the allocation of the over-collection of state revenues and a letter of support be written by Mayor Venable and forwarded to the Legislation.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Introduced by: Vance  
Seconded by: Sitgreaves

COMMENTS: Motion approved by voice vote of the Commission this  
17th day of May, 2004.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECESSED  
AND THEREUPON COUNTY COMMISSION ~~ADJOURNED~~ UPON  
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR  
SESSION JUNE 21, 2004, SUBJECT TO CALL.

A handwritten signature in black ink, reading "Richard S. Venable". The signature is written in a cursive style with a large initial "R".

---

RICHARD VENABLE

COMMISSION CHAIRMAN

