

COUNTY COMMISSION- REGULAR SESSION

MAY 18, 2009

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MAY 18, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

CATHY L. ARMSTRONG	GARTH BLACKBURN
LINDA K. BRITTENHAM	"MOE" BROTHERTON
DARLENE R. CALTON	O. W. FERGUSON
CLYDE GROSECLOSE	LARRY HALL
TERRY HARKLEROAD	JOE HERRON
DENNIS HOUSER	SAMUEL C. JONES
ELLIOTT KILGORE	W. BILL KILGORE
DWIGHT KING	J. BUDDY KING
JAMES L. KING, JR.	BART LONG
WAYNE MCCONELL	W. JOHN MCKAMEY
RANDY MORRELL	MICHAEL SURGENOR
MARK A. VANCE	EDDIE WILLIAMS

24 PRESENT 0 ABSENT (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. Ferguson and seconded by Comm. Buddy King to approve the minutes of the April 20, 2009 Regular Session of County Commission. Said motion was approved by voice vote.

**PUBLIC COMMENTS: MAY 18, 2009**

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

- 
- 1. Comm. Herron recognized representatives with Kingsport Tomorrow after which they presented the Commission with a brief update.**
  - 2. Comm. Herron introduced Constable Bobby DeZarn who was appointed by the Commission last month to fill a vacancy.**
  - 3. Sheila Hunt gave an update on the department of Archives and Tourism.**
  - 4. Dr. Jordan with King College gave a presentation on "A Vision for a New Medical School".**
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# SULLIVAN COUNTY, TENNESSEE

## PROCLAMATION

### TO HONOR AND REMEMBER SABRENA GAIL CARRIER

**Whereas**, Sabrena Gail Carrier was dedicated to Sullivan County, both as a citizen and a very dependable and gifted paramedic working five years for the County EMS; and

**Whereas**, Sabrena Carrier had a determination to be an employee of excellence, she attended paramedic school at Northeast State College and graduated with high honors as a licensed paramedic in October of 2005, and worked as an aero-medical dispatcher for Wings prior to going to work for Sullivan County EMS; and

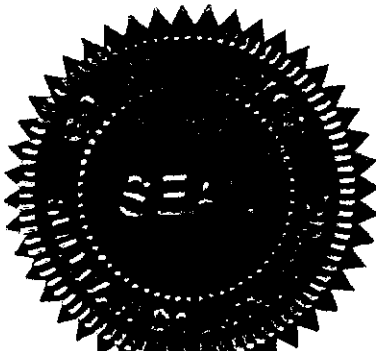
**Whereas**, Sabrena Carrier was directly involved in the production of a video named "Choices" which was recognized by the Governor's Council on Injury Prevention Program and received the Community Collaboration Project Award on April 17, 2008; and

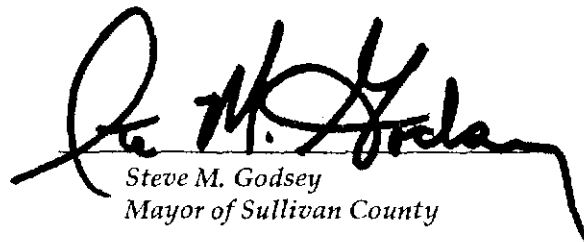
**Whereas**, Sabrena Carrier demonstrated expertise and dedication, along with co-workers A. J. Light and Ben Wexler, when responding to the Kingsport residence of Mr. John Dayton on May 29, 2007 as he was suffering a heart attack. Mr. Dayton identifies Sabrena Carrier as "his hero" because her knowledge concerning cardiac arrest treatment and her quick response allowed his life to be saved that day. Her concern did not end with that call, but she continued to follow Mr. Dayton's progress as he recuperated and was concerned for his family as they cared for him; and

**Whereas**, Sabrena Carrier was highly respected by her EMS colleagues, who miss her greatly, and she was also devoted to her family, especially her son, Austin. She enjoyed life, taking great joy in outdoor activities, and was very happy with her job at EMS.

**Now, therefore**, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners do hereby commend Sabrena Gail Carrier for her efforts on behalf of the Sullivan County Tennessee EMS. We celebrate her life and do hereby encourage all citizens to honor her faithful and dedicated service to our County, as we offer our condolences to her family while we mourn the passing of Sabrena on December 17, 2008.

**In witness whereof**, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 18th day of May, 2009.



  
Steve M. Godsey  
Mayor of Sullivan County



# Sullivan County

3258 HWY. 126  
SUITE 101  
BLOUNTVILLE, TENNESSEE  
37617



BRANCH OFFICES  
Tennessee Courthouse — Bristol  
Bristol 989-4366  
City Hall — Kingsport  
Kingsport 224-1790

**Jeanie F. Gammon**

County Clerk  
Phone 323-6428

May 8, 2009

To: Sullivan County Commissioners  
Re: Appointment of Constable

This is to notify you that there is a vacancy in the 8<sup>th</sup> Civil District of Sullivan County for the office of Constable due to the resignation of Mr. Jeffrey S. Fraysier.

This is to further notify you that the election to fill this vacancy is to be held on May 18, 2009, at the Regular Commission Meeting in the Commission Meeting Room, Blountville, Tennessee, at 9:00 A.M.

This notice is given in accordance with T.C.A. Section 5-5-113, which requires ten (10) days notice, prior to this date.

  
Jeanie Gammon, County Clerk

cc: Mayor Steve Godsey  
County Attorney Dan Street

STATE OF TENNESSEE

This is to

Certify That

CONSTABLE

Jeffrey S. Fraysier

Was Duly Elected and Is Bonded in Sullivan County

Expires 08-31-2012

*Jeanie Gamm*  
COUNTY CLERK

May 8, 2009

Mr. Steve Godsey  
3411 Highway 126  
Blountville, TN 37617

Dear Mr. Godsey:

Effective today, May 8, 2009, I am resigning my position as Constable of Sullivan County District 8. I have always been an officer that enforces the law whether the violator is an ordinary individual, a judge, a District Attorney, or a deputy's wife. However, there are many law enforcement officers within Sullivan County who believe one should look the other way when certain individuals violate the law. I, with good conscience, cannot enforce the law in that manner.

It is regretful that many of our elected officials within Sullivan County believe that certain individuals should be left alone when in violation of the law, while other individuals are put under the jail for the same violation. I cannot comply with this practice.

Since September 8, 2008, I have served the residents of Sullivan County District 8 with honesty and dignity. I wish each of them the very best.

Sincerely,

*Jeffery S. Fraysier*

Jeffery S. Fraysier

*I Jeff Fraysier Turned in I.D. card.*

MAY 08 REC'D

*Teressa Jacobs*

**SULLIVAN COUNTY BOARD OF COMMISSIONERS**  
Blountville, Tennessee

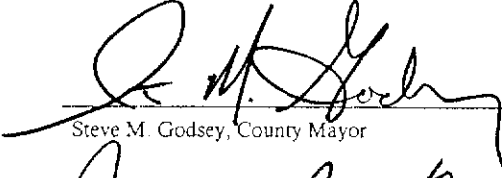
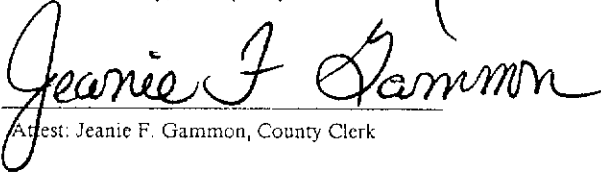
**Appointment As A Constable in Sullivan County**

Pursuant to TCA 8-10-102 To Fill the Unexpired Term of Constable  
Who Resigned In the 8th Civil District -- Term Expires August 2010

Candidates As Follows Who Have Filed Affidavits With  
Sullivan County Clerk's Office:

<u>Wayne Evans</u>	<u>VOTES</u> <u>21</u>
<u>Ruth Mullenix -- Withdrew 05-18-09</u>	<u>0</u>
<u>Onnie Gary Conkin</u>	<u>0</u>
_____	_____
_____	_____

Wayne Evans Has Received The Majority of Votes & Is Approved This 18th Day of May 2009.

  
 Steve M. Godsey, County Mayor  
  
 Attest: Jeanie F. Gammon, County Clerk

Commission Action:

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

AYE	NAY	PASS	ABSENT
<b>21</b>			<b>3</b>

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

*Attn:*  
*Wayne*  
*Evans*

**AFFIDAVIT OF QUALIFICATION  
OFFICE OF CONSTABLE**

I, Wayne Evans, after being duly sworn according to law, depose and say that in accordance with the provisions of Tennessee Code Annotated § 8-10-102:

1. I am at least twenty-one (21) years of age;
2. I am a qualified voter of Constable District 8;
3. I have the ability to read and write;
4. I have not been convicted in any federal or state court of a felony; and
5. I have not been separated or discharged from the armed forces of the United States with other than an honorable discharge.

This 11<sup>th</sup> day of May, 2009.

Wayne L. Evans  
Affiant's Signature

Address: 732 W. Campground Rd.  
Fall Branch, TN. 37656  
Phone: (423) 349-5578

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

Subscribed and sworn to before me, the undersigned Notary for the State and County aforesaid, this 11<sup>th</sup> day of May, 2009.

Qua Scarem-DC  
Notary Public

My Commission Expires: 8/31/2010

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

Withdrawn  
5/18/09

AFFIDAVIT OF QUALIFICATION  
OFFICE OF CONSTABLE

I, Ruth Mullerix, after being duly sworn according to law, depose and say that in accordance with the provisions of Tennessee Code Annotated § 8-10-102:

1. I am at least twenty-one (21) years of age;
2. I am a qualified voter of Constable District 8;
3. I have the ability to read and write;
4. I have not been convicted in any federal or state court of a felony; and
5. I have not been separated or discharged from the armed forces of the United States with other than an honorable discharge.

This 15 day of May, 2009.

Ruth Mullerix  
Affiant's Signature

Address: 227 Mullerix Ln  
Kpt, Tenn 37660  
Phone: 423-349-7415

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

Subscribed and sworn to before me, the undersigned Notary for the State and County aforesaid, this 15 day of May, 2009.

Christa Jacobs  
Notary Public

My Commission Expires: 8/31/10



STATE OF TENNESSEE  
COUNTY OF SULLIVAN

AFFIDAVIT OF QUALIFICATION  
OFFICE OF CONSTABLE

I, OMNIE GARY CONKIN, after being duly sworn according to law, depose and say that in accordance with the provisions of Tennessee Code Annotated § 8-10-102:

1. I am at least twenty-one (21) years of age;
2. I am a qualified voter of Constable District 8;
3. I have the ability to read and write;
4. I have not been convicted in any federal or state court of a felony; and
5. I have not been separated or discharged from the armed forces of the United States with other than an honorable discharge.

This 12 day of MAY, 20 09.

Omnie Gary Conkin  
Affiant's Signature

Address: 1617 ROCK SPRINGS RD  
LEPTON, TN 37064  
Phone: 423-217-2124

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

Subscribed and sworn to before me, the undersigned Notary for the State and County aforesaid, this 12 day of May, 20 09.

Aeresa Jacobs  
Notary Public

My Commission Expires: 8/31/09

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

APRIL 20, 2009

TINA MARIE AUSTIN

AMY LINN BACHMAN

CARRIE ELIZABETH BARE

MARY GRACE BOOHER

KATHY LYNN BROOKS

ROSE MARIE BYINGTON

PATTIE LAVERNE CATRON

JOHN P. CHILES

RICHARD ANDREW CLARK

CHARLES R. FIELDS

DAVID SISSON FRANCIS

NINA GAY

ANGELA B. GRUBBS

TINA C. HENLEY

KENNETH W. HERTEL

SUE T. HUGHES

LINDA GAY JOHNSON

DIANA B. KISTNER

CARLA P. LIGHT

LOUISE GALLIHER MCCALL

CATHERINE G. MCCLELLAND

CAMMIE N. MCDAVID

KRIS MCGRADY

LINDA K. MILLER

DEBORAH A. MORRISON

CHESTALENE B. MYERS

JESSICA LYNN NASH

LUNA JULIA ALMO NAVARRO

SHARON COOK O'DELL

LESIA A. OWENS

CHAD TIMOTHY PARKER

PAMELA B. POPE

ANN ROBERTS PURVIS

BEULAH SALYER

STACEY SALYERS

SHEILA L. SANCHEZ

KAREN L. SHEETS

SYLVIA RHEA THOMAS

GINGER N. WALTERS

**UPON MOTION MADE BY COMM. CALTON AND SECONDED  
BY COMM. DWIGHT KING TO APPROVE THE NOTARY  
APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY  
ROLL CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT**

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
SURETY BONDS

MAY 18, 2009

ZETTA C. BELLAMY

VELMA F. BRAGG

L. BAXTER HOOD

SANDRA T. KILGORE

LUCINDA J. MCFALLS

FRANK WINSTON

UPON MOTION MADE BY COMM. CALTON AND SECONDED BY COMM. DWIGHT KING  
TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION  
WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.

RE THE COMM.	No. Roll Call		No. Election Notaries		No. App Minutes		appt Exemo Constable		No.		No.		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	✓		✓				✓											
Backburn	✓		A				A											
Brittenham	✓		✓				✓											
Watherton	✓		✓				✓											
Calton	✓		✓				✓											
Ferguson	✓		✓				✓											
Prosclose	✓		✓				✓											
Hall	✓		✓				✓											
Harkroad	✓		✓				✓											
Herron	✓		✓				✓											
Houser	✓		✓				✓											
Gomes	✓		✓				✓											
Witt Kilgore	✓		✓				✓											
Bill Kilgore	✓		✓				✓											
Wight King	✓		✓				✓											
Waddy King	✓		✓				✓											
Wes L. King	✓		✓				✓											
Long	✓		✓				✓											
McConnell	✓		✓				✓											
McKamey	✓		✓				✓											
Morrill	✓		A				A											
Surgemer	✓		✓				✓											
Vance	✓		A				A											
Williams	✓		✓				✓											
	24 Present		21 Aye				21 Exemo											
			3 Abs.				3 Abs.											

E THE COMMN.	Resolutions						Resolutions						No.			
	No. 1			No. 2			No. 3			No. 4			No.			
	Aye	Nay		Aye	Nay		Aye	Nay		Aye	Nay		Aye	Nay		
Ferguson			✓						✓							
Grosclose			✓						✓							
Hall			✓						✓							
Harkness			✓						✓							
Herron			✓						✓							
Houser			✓						✓							
Jones			✓						✓							
Wright Kilgore			✓						✓							
Bill Kilgore			✓						✓							
Night King			✓						✓							
Buddy King			✓						✓							
res. L. King			✓						✓							
Long			✓						✓							
McConnell			✓						✓							
McKamey			✓						✓							
Morrell			A						AA							
Surgenor			✓						✓							
Vance			✓						A							
Williams			✓						✓							
Armstrong			✓						✓							
Blackburn			A						A							
Brittenham			✓						✓							
Brotherton			✓						✓							
Calton			✓						✓							
			22 Aye						21 Aye						23 Aye	
			2 ays.						3 ays.						1 ays.	

THE COMM. No. 4 5 6 7 8 9 10 11

MISSIONERS	No. 4		No. 5		No. 6		No. 7		No. 8		No. 9		No. 10		No. 11		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Weselose	✓		✓		✓			✓			✓					✓		
Hall	✓		✓		✓		✓			✓						✓		
Hartbreed	✓		✓		✓			✓			✓					✓		
Herron	✓		✓		✓			✓			✓					✓		
Houser	✓		✓		✓			✓			✓					✓		
Jones	✓		✓		✓			✓			✓					✓		
Diott Kilgore	✓		✓		✓		✓			✓						✓		
Bill Kilgore	✓		✓		✓			✓			✓					✓		
Light King	✓		✓		✓			✓			✓					✓		
Waddy King	✓		✓		✓			✓			✓					✓		
res. King	✓		✓		✓			✓			✓					✓		
Long	✓		✓		✓			✓			✓					✓		
McConnell	✓		✓		✓		✓			✓						✓		
McKamey	✓		✓		✓		✓			✓						✓		
Morrell	A		A		A		A		A		A		A		A		A	
Surgenor	✓		✓		✓		✓			✓						✓		
Vance	✓		✓		✓			✓			✓					✓		
Williams	✓		✓		✓			✓			✓					✓		
Innistrong	✓		✓		✓			✓			✓					✓		
Blackburn	✓		✓		✓			✓			✓					✓		
Brittenham	✓		✓		✓			✓			✓					✓		
Brotherton	✓		✓		✓			✓			✓					✓		
Calton	✓		✓		✓		A		A		A		A		A		A	
Jerguson	✓		✓		✓		✓		A		A		A		A		A	

23 Aye 23 Aye 23 Aye 6 Aye 2 Aye 2 Aye  
 1 abs. 1 abs 1 abs 1 abs 3 abs 3 abs

THE COMM.	No. 12		No. 13/23		No. 14		No. 15		No. 16		No. 17		No. 18		No. 19	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Hall	✓		✓				✓		✓	✓		✓		✓		
Harkness	✓		✓				✓		✓	✓		✓		✓		
Herron	✓		✓				✓		✓	✓		✓		✓		
House	✓		✓				✓		✓	✓		✓		✓		
Gones	✓		✓				✓		✓	A		A		A		
Wm. Kilgore	✓		✓				✓		✓	✓		✓		✓		
Bill Kilgore	✓		✓				✓		✓	✓		✓		✓		
Wight King	✓		✓				✓		✓	✓		✓		✓		
Buddy King	✓		✓				✓		✓	✓		✓		✓		
Wm. King	✓		✓				✓		✓	✓		✓		✓		
Long	✓		✓				✓		✓	✓		✓		✓		
McConnell	✓		✓				✓		✓	✓		✓		✓		
McKamey	✓		✓				✓		✓	✓		✓		✓		
Mornell	A		A		A		A		A	A		A		A		A
Surgenor	✓		✓				✓		✓	✓		✓		✓		
Vance	✓		✓				✓		✓	✓		✓		✓		
Williams	✓		✓				✓		✓	✓		✓		✓		
Armstrong	✓		✓				✓		✓	✓		✓		✓		
Blackburn	✓		✓				✓		✓	✓		✓		✓		
Brittenham	✓		✓				✓		✓	✓		✓		✓		
Brotherton	✓		✓				✓		✓	✓		✓		✓		
Culton	A		A		A		A		A	A		A		A		A
Ferguson	A		A		A		A		A	A		A		A		A
Mosedale	✓		✓				✓		✓	✓		✓		✓		
	2/Aye		2/Aye				2/Aye		1/Aye	20/Aye		20/Aye		20/Aye		
	3als		3als				3als		10/Nay	4als		4als		4als		
									3als							

RE THE COMMN.

20 21 22 23 24 25 26

MISSIONERS	No. 20		No. 21		No. 22		No. 23		No. 24		No. 25		No. 26					
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Harpleoad ✓					✓						✓							
Herron ✓					✓						✓							
Houser ✓					✓						✓							
Gones A					A						A							
Riott Kilgore ✓					✓						✓							
Bill Kilgore ✓					✓						✓							
wight D King ✓					✓						✓							
waddy King ✓					✓						✓							
res L. King ✓					✓						✓							
Long ✓					✓						✓							
McConnell ✓					✓						✓							
McKamey ✓					✓						✓							
Mornell A	A		A		A		A		A		A		A		A			
Surgenor ✓					✓						✓							
Vance ✓					✓						✓							
Williams ✓					✓						✓							
Armstrong ✓					✓						✓							
Blackburn ✓					✓						✓							
Brittenham ✓					✓						✓							
Brotherton ✓					✓						✓							
Colton A	A		A		A		A		A		A		A		A			
Ferguson A	A		A		A		A		A		A		A		A			
Messelose ✓					✓						✓							
Hall ✓					✓						✓							
	20 Aye		20 Aye		20 Aye		20 Aye		20 Aye		20 Aye		20 Aye					
	Falls		Falls		Falls		Falls		Falls		Falls		Falls					



	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
THE COMMN.	27	28								

SSIONERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
----------	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

Herron ✓																		
Houser ✓																		
Jones A																		
E. Kilgore ✓																		
Bill Kilgore ✓																		
ight King ✓																		
ddy King ✓																		
mes L King ✓																		
Jong ✓																		
McConnell ✓																		
McKamey ✓																		
Morrell A			A															
Jurgens ✓																		
Chance ✓																		
Williams ✓																		
umstrong ✓																		
lacklusion ✓																		
Wittenham ✓																		
therton ✓																		
Calden A			A															
Ferguson A			A															
oeckoe ✓																		
Nall ✓																		
orkleoad ✓																		

20 Age  
falls.



# AGENDA

## Sullivan County Board of County Commission

*May 18, 2009*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, May 18, 2009 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 03/09#1 Jackie Owens  
Reclassify A-1 property located at 846 Hwy 44 to A/R for the purpose of allowing an expansion of a campground. Property ID No Tax Map 23, Parcel 54.50 located in the 22 Civil District. **Sullivan County Planning**
- (2) File No. 03/09#2 William Rowland  
Reclassify 5.01 acres of property located at 3460 Hwy -75 from R-3A to B-3 for the purpose of allowing for mini-warehouses. Property ID No Tax Map 107, Parcel 26.00 located in the 18<sup>th</sup> Civil District. **Sullivan County Planning**
- (3) Purposed New Zoning District  
The Piney Flats Village Historic Overlay District.

PETITION TO SULLIVAN COUNTY FOR REZONING # 03/09/1

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

<p>Property Owner: <u>Jackie Owens</u></p> <p>Address: <u>5810 Old Jonesboro Road</u> <u>Bristol, Tn 37620</u></p> <p>Phone <u>878-2260</u> Date of Request <u>02/20/2009</u></p> <p>Property Located in <u>22</u> Civil District</p> <p><u><i>Jackie Owens</i></u> Signature of Applicant</p>	<p><u>OFFICE USE ONLY</u></p> <p>Meeting Date <u>04/21/09</u> Time <u>7:00 pm</u></p> <p>Place <u>2<sup>nd</sup> floor-Courthouse Main St</u></p> <hr/> <p>Planning Commission Approved <input checked="" type="checkbox"/> <u>          </u> Denied <u>          </u></p> <p>County Commission Approved <u>          </u> Denied <u>          </u></p> <p>Other <u>WITHDRAWN BY APPLICANT</u></p> <p>Final Action Date <u>05-18-09</u></p>
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PROPERTY IDENTIFICATION

Tax Map No. 023 / Group        / Parcel 05450

Zoning Map 11 / Zoning District A-1 / Proposed District AR

Property Location : 846 Hwy 44

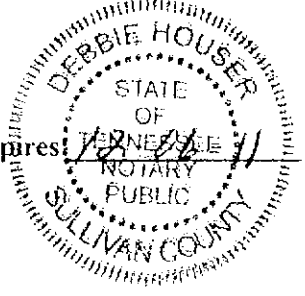
Purpose of Rezoning: To allow an expansion of campground

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.

*Jackie Owens*

SWORN TO AND SUBSCRIBED before me this 20th day of Feb, 2009.

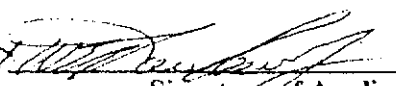
My Commission Expires: 12/31/11



*Debbie Houser*  
Notary Public

PETITION TO SULLIVAN COUNTY FOR REZONING # 03/09 # 2

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

<p>Property Owner: <u>William Rowland</u></p> <p>Address: <u>6602 Kingsport Hwy</u> <u>Gray, Tn 37615</u></p> <p>Phone <u>384-8222</u> Date of Request <u>03/11/09</u></p> <p>Property Located in <u>18</u> Civil District</p> <p> Signature of Applicant</p>	<p><u>OFFICE USE ONLY</u></p> <p>Meeting Date <u>4/21/09</u> Time <u>7:00 pm</u></p> <p>Place <u>2<sup>nd</sup> floor Courthouse</u></p> <hr/> <p>Planning Commission Approved <input checked="" type="checkbox"/> Denied _____</p> <p>County Commission Approved <input checked="" type="checkbox"/> Denied _____</p> <p>Other <u>Roll Call Vote 22 Aye, 2 Absent</u></p> <p>Final Action Date <u>05-18-09</u></p>
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PROPERTY IDENTIFICATION

Tax Map No. 107 / Group \_\_\_\_\_ / Parcel 02600

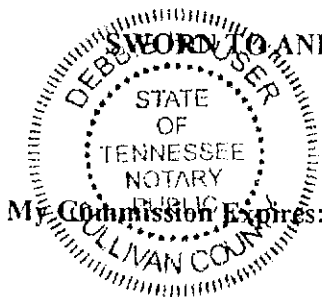
Zoning Map 25 Zoning District R-3A/B-3 Proposed District B-3

Property Location : 3460 Hwy 75

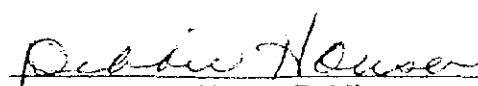
Purpose of Rezoning: To allow a mini-warehouse

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 11<sup>th</sup> day of March 2009.

  
Notary Public

HZ - HISTORIC OVERLAY DISTRICT

**6-401 INTENT:** The Historic and Conservation Overlay District provisions are established in order that appropriate measures may be taken to ensure preservation of structures of historic value to Blountville, Piney Flats, or any other community, neighborhood, or individual properties that are considered of significant historical value. pursuant to the authority contained in Section 13-7-401 to 13-7-410 of the *Tennessee Code Annotated*. The general intent includes, among others, the following specific purposes:

- A. To preserve and protect the historical and/or architectural value of buildings, other structures, or historically significant areas;
- B. To regulate exterior design, arrangement, texture, and materials proposed to be used within the historic district to ensure compatibility;
- C. To create an aesthetic appearance, which complements the historic buildings or other structures;
- D. To stabilize and improve property values;
- E. To foster civic beauty;
- F. To strengthen the local economy; and
- G. To promote the use of Historic/Conservation Overlay Districts for the education, pleasure, and welfare of the present and future citizens of Sullivan County.

Map will read:

H-1 = Blountville Historic District

H-2 = Piney Flats Village Historic District

**COMMISSION ACTION:** APPROVED 05-18-09  
ROLL CALL VOTE 23 AYE, 1 ABSENT

**RESOLUTIONS ON DOCKET FOR MAY 18, 2009**

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULL CO ZONING RESOLUTION	APPROVED 05-18-09
#2 TO IMPROVE FIRE SAFETY WITHIN THE BORDERS OF SULLIVAN COUNTY	DEFERRED 05-18-09
#3 TO REQUEST THE STATE OF TENNESSEE PASS A LAW PERTAINING TO THE APPOINTMENT OF THE DIRECTOR OF SCHOOLS	WITHDRAWN 05-18-09
#4 TO ACCEPT AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDS FROM THE STATE OF TENN DEPT OF TRANSPORTATION REGARDING IMPROVEMENTS AT THE INTERSECTION OF BLOOMINGDALE ROAD AND NEW BEASON WELL ROAD	APPROVED 05-18-09
#5 AMEND THE BUDGETS FOR THE SULLIVAN COUNTY PLANNING & ZONING DEPT AND THE GEOGRAPHICAL INFORMATION SYSTEMS (GIS) PROGRAM WITHIN THE GENERAL FUND	APPROVED 05-18-09
#6 WAIVING SULLIVAN COUNTY'S RIGHT OF FIRST REFUSAL AND OTHERWISE REJECTING SULLIVAN COUNTY'S OPTION TO PURCHASE LYNN VIEW SCHOOL PROPERTY IF SOLD TO THE CITY OF KINGSPORT	APPROVED 05-18-09
#7 ADOPTING THE PROPERTY TAX FREEZE PROGRAM AS PROVIDED FOR IN 2007 PUBLIC CHAPTER 581	FAILED 05-18-09
#8 AUTHORIZE ESTABLISHMENT OF A POLICY GOVERNING PROCEDURES FOR CONSTRUCTING ACCESS (DRIVEWAYS) TO COUNTY ROADS	DEFERRED 05-18-09
#9 AUTHORIZE SALE OF CERTAIN SURPLUS ANTIQUES AT THE DEERY INN AND DESIGNATE THE PROCEEDS TO BE APPLIED FOR FUTURE IMPROVEMENTS AT THE SITE	APPROVED 05-18-09
#10 AUTHORIZE PLACING 25 MPH SPEED LIMIT SIGNS ON BELSAY DRIVE IN THE 8 <sup>TH</sup> COMM. DISTRICT	APPROVED 05-18-09
#11 AUTHORIZE CHANGING THE SPEED LIMIT AT SULLIVAN SOUTH HIGH SCHOOL FROM 15 MPH TO 25 MPH IN THE 8 <sup>TH</sup> COMM. DISTRICT IN ORDER TO STANDARDIZE ALL HIGH SCHOOL ZONE SPEED LIMITS IN SULLIVAN COUNTY	APPROVED 05-18-09
#12 AMEND SHERIFF'S BUDGET FOR WAL-MART DONATION IN THE AMOUNT OF \$2,000	APPROVED 05-18-09

#13 AMEND THE 2008-2009 GENERAL PURPOSE SCHOOL BUDGET FOR THE EARLY CHILDHOOD EDUCATION PRE-K GRANT RECEIVED FROM THE STATE OF TENNESSEE IN THE AMOUNT OF \$18,364.42	APPROVED 05-18-09
#14 AUTHORIZING AESTHETIC IMPROVEMENTS TO HISTORIC BLOUNTVILLE TO BE IMPLEMENTED BY THE BLOUNTVILLE BEAUTIFICATION PROJECT	APPROVED 05-18-09
#15 REQUIRE ANY UTILITY, CITY, OR CONTRACTOR TO GET PERMISSION AND NEGOTIATE REPAIRS WITH THE SULLIVAN COUNTY HIGHWAY DEPT. WHEN COUNTY ROADS ARE DISTURBED IN A WORK PROJECT	APPROVED 05-18-09
#16 LIMIT THE NUMBER OF TIMES A RESOLUTION CAN BE DEFERRED TO THREE (3) TIMES	FAILED 05-18-09
#17 AMEND ANIMAL SHELTER BUDGET TO APPROPRIATE REVENUE RECEIVED FROM ANIMAL CRUELTY CASE TO EXPENDITURE ACCOUNTS	APPROVED 05-18-09
#18 APPOINTING MEMBERS TO HISTORICAL PRESERVATION AND TOURISM ADVISORY BOARD	APPROVED 05-18-09
#19 AUTHORIZING SULLIVAN COUNTY LITTER GRANT PROGRAM FOR FY 2009-2010	APPROVED 05-18-09
#20 AMEND THE SULL. CO. HEALTH DEPT. BUDGET FOR TOBACCO USE PREVENTION SERVICES GRANT IN THE AMOUNT OF \$36,800 AND THE MEDICAL RESERVE CORPS GRANT IN THE AMOUNT OF \$5,000 AND THE CHILDRENS SPECIAL SERVICES GRANT IN THE AMOUNT OF \$8,200 AND THE CPI GRANT (FRONTIER HEALTH) IN THE AMOUNT OF \$16,685	APPROVED 05-18-09
#21 REQUEST THAT OFFICIALS IN THE CITY OF BRISTOL, TENN. LEND SUPPORT TO CITIZENS REQUESTS ALONG HOLSTON AVENUE TO SLOW TRAFFIC SPEEDS	APPROVED 05-18-09
#22 AUTHORIZE A CONTINUING BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2009; THE ISSUANCE OF TAX ANTICIPATION NOTES; AND THE EXPENDITURE OF FUNDS BY VARIOUS COUNTY OFFICES AND DEPARTMENTS	APPROVED 05-18-09
#23 AMEND THE 2008-2009 GENERAL PURPOSE SCHOOL BUDGET BY \$3,551.90 FOR HEALTH SERVICES	APPROVED 05-18-09
#24 AMEND THE 2008-09 GENERAL PURPOSE SCHOOL BUDGET BY \$388,273.00 FOR OPERATION OF PLANT	APPROVED 05-18-09



#25 ALLOW THE PURCHASING AGENT TO RE-NEGOTIATE THE CONTRACT FOR THE JAIL COMMISSARY	APPROVED 05-18-09
#26 AUTHORIZING THE ADOPTION OF THE 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING THE CONSTRUCTION, ALTERATION, ENLARGEMENT, REPLACEMENT, REPAIR, LOCATION AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN THREE STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE UNINCORPORATED AREAS OF SULLIVAN COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION FEES	1 <sup>ST</sup> READING 05-18-09
#27 AMEND THE OBSERVATION KNOB PARK FUND BUDGET FOR 2009 FY	APPROVED 05-18-09
#28 PROVIDE FOR EDUCATION INCENTIVE PAYMENTS TO OFFICIALS AND EMPLOYEES OF SULLIVAN COUNTY GOVERNMENT	1 <sup>ST</sup> READING 05-18-09

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2009-05-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May 2009.

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

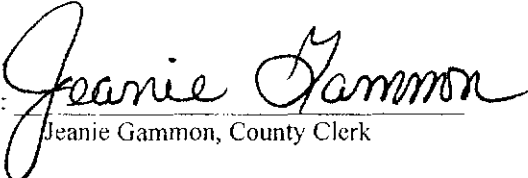
WHEREAS, the attached rezoning petitions have been duly initiated; have been before the Planning Commission (recommendations enclosed); and have received a public hearing as required; and,


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 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2009-05-00	County Commission
ACTION	Approved 05-18-09 21 Aye, 3 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

Item 2  
Administrative  
No. 2008-12-134

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of December, 2008.

**RESOLUTION To Improve Fire Safety Within The Borders Of Sullivan County**

WHEREAS, Sullivan County has the obligation to our citizens to improve fire safety; and

WHEREAS, Sullivan County has no standards on the size of water service lines or the placement of fire hydrants serviced by any public utility provider; and

WHEREAS, there are areas within the borders of Sullivan County with insufficient supply line sizing and lack of sufficient fire hydrants for adequate fire safety.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby require all water utilities within the County, including all municipalities, to install fire hydrants and supply lines in all new, replacement, and upgrade construction to the standards required within residential areas inside the city limits of Kingsport or Bristol, Tennessee; and these be checked and maintained on a regular basis on a schedule no less than what's provided within the boundaries of the cities.

**BE IT FURTHER RESOLVED** that if any utility provides service to an industrial park or other major industrial site, sufficient water supply, line sizing and fire hydrants must be installed to meet or exceed any codes required within the city limits of Kingsport, Bristol, Tennessee, or any other utility district providing service in Sullivan County.

~~**BE IT FURTHER RESOLVED** that money to help facilitate this resolution be earmarked from the Health and Safety Program or Homeland Security Program in an amount no less than five thousand dollars (\$5,000) annually and be dedicated to the rural portions of the County that have utility supplied water service and an insufficient supply line sizing or an insufficient number of fire hydrants.~~

**BE IT FURTHER RESOLVED** that \$5,000 annually be put in each year's budget to help facilitate this resolution. This money is to be put in the Health & Safety program overall Planning & Zoning Department's Budget. The \$5,000 annually to be dedicated to the rural portions of the County that have utility supplied water service and no fire hydrants or an insufficient number of fire hydrants.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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

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

**Sponsored By: James "Moe" Brotherton**

**Prime Co-Sponsor(s): Sam Jones, Terry Harkleroad, Larry Hall, Darlene Calton**

2008-12-134	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 12-1-08, No Action 1-5-09, No Action 2-2-09, No Action 3-2-09, No Action 4-6-09, No Action 5-4-09	No Action 12-4-08; Deferred 1-8-09, No Action 2-5-09, No Action 3-5-09, Deferred 4-9-09, Deferred 5-7-09	Approved 12-3-08, No Action 1-7-09, No Action 2-9-09, No Action 3-4-09, No Action 4-1-09, No Action 5-6-09	

Notes: 1st Reading 12-15-08;

Amended by Sponsor as reflected above in Resolution 01-20-09; Deferred 01-20-09;  
Deferred 02-17-09; Deferred 03-16-09; Deferred 04-20-09; **Deferred 05-18-09;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 3  
Administrative/Executive  
No. 2009-03-26  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 16th day of March, 2009.

**RESOLUTION To Request The State Of Tennessee Pass A Law Pertaining To The Appointment Of The Director Of Schools**

WHEREAS, the individual counties within the State of Tennessee be allowed to have a local option to either elect or to appoint the Director of Schools; and

WHEREAS, the counties be allowed to make this decision by a resolution passed by the County Commission.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby requests that a state law be drawn that allows Tennessee counties to either appoint or to elect the Director of Schools based on their individual discretion.**

**BE IT FURTHER RESOLVED that a copy of this resolution be sent to all of Sullivan County's State and Federal representatives.**

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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

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

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

2009-03-26	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Deferred 3-2-09, No Action 4-6-09, No Action 5-4-09	No Action 3-5-09, No Action 4-9-09, No Action 5-7-09	Failed 3-4-09, No Action 4-1-09, No Action 5-6-09	

Notes: 1st Reading 03-16-09; Deferred 04-20-09; **Withdrawn 05-18-09.**

HB0952

by Winningham **Education** - As introduced, provides for re-establishment of elected office of school superintendent for counties or cities upon two-thirds vote of governing body; any such ordinance or resolution once approved is not operative until approved in an election; provides for qualifications of candidates.

SB0908

by Burks **Education** - As introduced, provides for re-establishment of elected office of school superintendent for counties or cities upon two-thirds vote of governing body; any such ordinance or resolution once approved is not operative until approved in an election; provides for qualifications of candidates.

Sullivan County, Tennessee  
Board of County Commissioners

Item 4  
Executive  
No. 2009-04-39

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of April, 2009.

**RESOLUTION To Accept *American Recovery And Reinvestment Act* Grant Funds From The State Of Tennessee Department Of Transportation Regarding Improvements At The Intersection Of Bloomingdale Road And New Beason Well Road**

WHEREAS, the acceptance of this grant also requires Sullivan County to meet responsibilities as required in the contract and needs the approval of the County Commission to proceed; and

WHEREAS, the detailed estimates, plans and specifications for using these funds as listed in PIN 112440.00 must be received for review in the State of Tennessee Headquarters Construction Office by November 30, 2009; and

WHEREAS, this contract has been reviewed by the Sullivan County Attorney and is deemed to be acceptable for this project; and

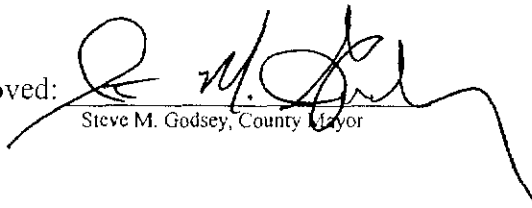
WHEREAS, a copy of this contract is available for review by all Sullivan County Commissioners.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize acceptance of the contract identified as PIN 112440.00 from the State of Tennessee Department of Transportation for *American Recovery And Reinvestment Act* Grant monies to make improvements at the intersection of Bloomingdale Road and New Beason Well Road.

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Terry Harkleroad**  
**Prime Co-Sponsor(s): Michael Surgenor, Larry Hall**

2009-04-39	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Deferred 4-6-09, No Action 5-4-09	Approved 4-9-09, No Action 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>23 Aye, 1 Absent</b>

Notes: 1st Reading 04-20-09;

Sullivan County, Tennessee  
Board of County Commissioners

Item 5  
Executive  
No. 2009-04-43

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of April, 2009.

**RESOLUTION to amend the budgets for the Sullivan County Planning & Zoning Department and the Geographical Information Systems (GIS) Program within the General Fund**

WHEREAS, while the workload of the GIS division has increased substantially this fiscal year, the contracted services funds have been under-budgeted in order to continue; and

WHEREAS, the Planning & Zoning Department has several on-going and outstanding projects requiring the need for GIS mapping and database solutions, such as the digitization of the zoning maps, base-mapping, special project mapping for Health & Safety, Litter Control, site development, land-use and transportation planning, flood insurance program and floodplain management, Historic Zoning Commission mapping, as well as coordinating with other county departments, such as the 911-Addressing Office and the Highway Department to name a few; and

WHEREAS, the Geographical Information Systems (GIS) program was formerly established under the Planning & Zoning appropriation with a special program number (51720, Pgrm. 733), but has been changed to a separate appropriation number (51760) and therefore budget transfers shall now require changes by resolution; and

WHEREAS, the Planning & Zoning Director has managed the contracted services of the GIS Program for nine years within the department.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the transfer of funds from the Planning & Zoning Department to the Geographical Information Systems (GIS) Program as follows:**

*From Planning & Zoning:*

51720.300 (Program 732/Historic Zoning Commission) - \$1,900.00  
51720.300 (Remaining Planning Contracted Services) - \$3,100.00


*To Geographical Information Systems (GIS) Program:*

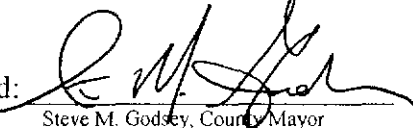
51760 Contracted Services + \$ 5,000.00



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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Dennis Houser**

2009-04-43	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 5-4-09	Approved 4-9-09, No Action 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>23 Aye, 1 Absent</b>

Notes: 1st Reading 04-20-09;

Sullivan County, Tennessee  
Board of County Commissioners

Item 6  
Budget  
No. 2009-04-47

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of April, 2009.

**RESOLUTON Waiving Sullivan County's Right of First Refusal and Otherwise Rejecting Sullivan County's Option to Purchase Lynn View School Property If Sold to the City of Kingsport.**

WHEREAS, by Resolution No. 2003-10-107 as amended and approved November 17, 2003, and as thereafter amended by voice vote in January and February, 2004, the Sullivan County Board of Commissioners authorized Sullivan County to enter into a Lease with Option to Purchase Agreement with Tri-Cities Christian Schools, Inc. for the Lynn View School property excluding the stadium and ball fields [hereinafter "subject property"]; and

WHEREAS, Tri-Cities Christian Schools, Inc. thereafter exercised its option to purchase the subject property and pursuant to Resolution No. 2005-05-039 approved June 27, 2005 the Sullivan County Board of Commissioners authorized Sullivan County to transfer title to the subject property to Tri-Cities Christian Schools, Inc. pursuant to the terms of the Lease Agreement; and

WHEREAS, the subject property was conveyed to Tri-Cities Christian Schools, Inc. by deed dated September 1, 2005 with language in the Deed such that Sullivan County reserved and retained the right of first refusal to repurchase the subject property pursuant to the terms and conditions specified in the Lease Agreement should Tri-Cities Christian Schools, Inc. decide to sell the subject property in the future; and

WHEREAS, the city of Kingsport, TN has offered to buy the subject property from Tri-Cities Christian Schools, Inc.; and


WHEREAS, Tri-Cities Christian Schools, Inc. has agreed to sell the subject property to the city of Kingsport; and

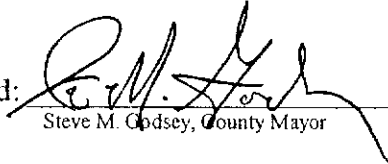
WHEREAS, Sullivan County approves of the sale of the subject property to the city of Kingsport by Tri-Cities Christian Schools, Inc.

**NOW THEREFORE BE IT RESOLVED that with regards to the sale of the subject property to the City of Kingsport, but as to such sale only, Sullivan County does hereby forever waive its right of first refusal regarding the subject property and does hereby forever reject its option to purchase the subject property back from Tri-Cities Christian Schools, Inc. and the Sullivan County Mayor is hereby authorized to notify Tri-Cities Christian Schools, Inc. accordingly.**

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

Sponsored By: Wayne McConnell

Prime Co-Sponsor(s): O. W. Ferguson *Joe Hreco*

2009-04-47	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>23 Aye, 1 Absent</b>

Notes: 1st Reading 04-20-09;

# Sullivan County Department of Education

Director of Schools  
Mr. Jack Barnes

Assistant Director of Schools  
Dr. Gene Johnson

P.O. Box 306  
Blountville, Tennessee 37617  
Phone: (423) 354-1000 Fax: (423) 354-1004

Board of Education  
Ron Smith, Chairman  
Betty Combs, Vice-Chairman  
Jack Bales  
Jerry Greene  
Larry D. Harris  
Jim Kiss  
Dan Wells



May 18, 2009

Dear Mayor Godsey,

This is to notify you that on May 4, 2009, the Sullivan County Board of Education transferred ownership of Lynn View Athletic Facilities (ball fields) to the County Commission.

The Board lawyer has notified the Lynn Garden Optimist Club of the termination of the Agreement.

Sincerely,

Jack Barnes  
Director of Schools

Sullivan County, Tennessee  
Board of County Commissioners

Item 7  
Budget  
No. 2009-04-48

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of April, 2009.

**RESOLUTION Adopting the Property Tax Freeze Program as Provided for in 2007 Public Chapter 581**

**WHEREAS**, Chapter 581 of the Public Acts of 2007, codified in Tennessee Code Annotated §67-5-705, is a local option law which authorizes counties to adopt a property tax freeze program; and

**WHEREAS**, the Sullivan County Legislative Body has determined that it is in the best interest of Sullivan County that the county adopt the property tax freeze program;

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

**SECTION 1.** The property tax freeze program as provided for in Chapter 581 of the Public Acts of 2007, codified in Tennessee Code Annotated §67-5-705, is hereby adopted by the County Legislative Body of Sullivan County.

**SECTION 2.** The property tax freeze program shall be implemented and administered in accordance with Tennessee Code Annotated §67-5-705 and the rules promulgated by the State Board of Equalization through the Division of Property Assessments.

**SECTION 3.** The County Clerk shall file a copy of this resolution with the Division of Property Assessments within 45 days of its adoption.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

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

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

**Sponsored By: John McKamey**  
**Prime Co-Sponsor(s): Wayne McConnell; Elliott Kilgore**

2009-04-48	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Deferred 5-4-09	Deferred 5-7-09	Approved 5-6-09	

Notes: 1st Reading 04-20-09; **Failed 05-18-09.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Executive  
No. 2009-04-49

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of April, 2009.

**RESOLUTION To Authorize Establishment of a Policy Governing Procedures for Constructing Access (Driveways) to County Roads**

WHEREAS, the Sullivan County Highway Department oversees the maintenance of the many miles of county roads; and,

WHEREAS, establishing private driveways to the County Roads is of considerable importance in the location and design to the safety of our citizens and the maintenance of the County Roads; and,

WHEREAS, currently the Sullivan County Highway Department assists the property owners in constructing the access to the county roads without a formalized policy established by this body to oversee all access driveways.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session approve the establishment of procedure whereby all new driveways accessing county roads must be approved by a permit issued by ~~either by the Planning Office~~ <sup>the Highway Department</sup> which provides for a subsequent inspection by the Sullivan County Highway Department; and,

**THAT** the detailed implementation of this policy be a joint effort by the Highway Department and the Planning Office; and,

**THAT** any driveway not established by obtaining a permit or installed without compliance with the approval of the Highway Department will be the responsibility of the property owner for correcting the design or the removal.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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

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

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

2009-04-49	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Deferred 5-4-09	Approved 5-7-09	Approved 5-6-09	

Notes: 1st Reading 04-20-09; Amended by Sponsor that the Highway Dept. will issue the permits and also that a policy will be established 05-18-09; Deferred 05-18-09;

Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Executive  
No. 2009-04-50

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of April, 2009.

**RESOLUTION To Authorize Sale of Certain Surplus Antiques At The Deery Inn And Designate The Proceeds To Be Applied For Future Improvements At The Site**

WHEREAS, the collection of antiques for the Derry Inn has accumulated a surplus in certain items which have value but are beyond the needs of the Inn; and


WHEREAS, value of these surplus items could be sold to provide additional funding for needed improvements at the Derry Inn and the grounds.

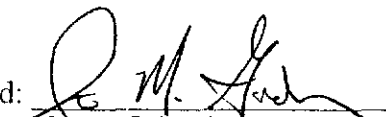
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session authorize the Purchasing Agent to sale by the most appropriate methods (either sealed bids or public auction) to obtain a reasonable value for these surplus items; and**

**THAT the proceeds from these sales shall be deposited with the county Trustee and appropriated by this governing body for improvements at the Deery Inn and it's grounds.**

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2009-04-50	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>21 Aye, 3 Absent</b>

Notes: 1st Reading 04-20-09;

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Executive  
No. 2009-05-51  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May 2009.

**RESOLUTION To Authorize Placing 25 MPH Speed Limit Signs On Belsay Drive in the 8th Commissioner District**

WHEREAS, Commissioner Eddie Williams requested the Sullivan County Highway Department to make this change; and,

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

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

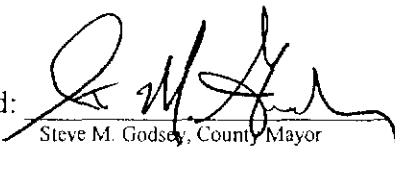
**8th Commission District**

**To Place 25 MPH Speed Limit Signs  
On Belsay Drive**

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Garmon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2009-05-51	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	Approved 05-18-09 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**



**RESOLUTION REQUEST REVIEW**

**DATE:** April 20, 2009

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Eddie Williams

**SUBJECT:** To place 25 MPH Speed Limit signs on Belsay Dr.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 **COMMISSIONER DISTRICT** Darlene Calton  
\_\_\_\_\_  
\_\_\_\_\_

X **RECOMMENDED BY HIGHWAY DEPARTMENT**

       **NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

**COMMENT:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

  
\_\_\_\_\_  
**HIGHWAY COMMISSIONER**

4/20/2009

4/20/2009

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Executive  
No. 2009-05-52  
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May 2009.

**RESOLUTION To Authorize Changing The Speed Limit At Sullivan South High School From 15 MPH To 25 MPH In The In 8th Commissioner District In Order To Standardize All High School Zone Speed Limits In Sullivan County**

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

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

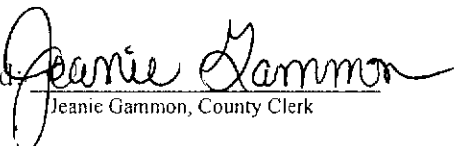
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placements in Sullivan County:**

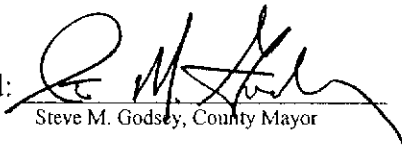
**8th Commission District**

**To Change The Speed Limit  
From 15 MPH To 25 MPH  
At Sullivan South High School**

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

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

2009-05-52	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b>

Notes: **Waiver of rules requested.**

**RESOLUTION REQUEST REVIEW**

**DATE:** April 23, 2009

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Darlene Calton

**SUBJECT:** To change the school zone speed limit at South High School from 15 mph to 25 mph. This action will standardize all High School zone speed limits in Sullivan County.

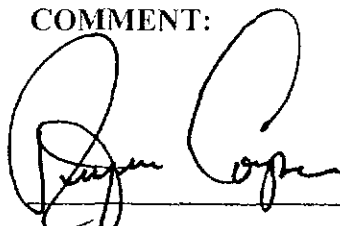
8th **CIVIL DISTRICT**

Eddie Williams  
James Brotherton

X **APPROVED BY HIGHWAY DEPARTMENT**

       **DENIED BY HIGHWAY DEPARTMENT**

**COMMENT:**



4/23/2009

**TRAFFIC COORDINATOR**



4/23/2009

**HIGHWAY COMMISSIONER**

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Budget  
No. 2009-05-53

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend Sheriff's Budget For Wal-Mart Donation in the Amount of \$2,000**

**WHEREAS**, Sullivan County Sheriff's Office has received a donation from Wal-Mart to be used exclusively for the purchase of GPS systems for process and warrants service; and

**WHEREAS**, in the year 2008, the Sullivan County Sheriff's Office received 22,489 civil and criminal warrants to be served, and the Process Officers spent an enormous amount of time searching for addresses; therefore, the GPS systems will enable the officers to spend more time serving warrants and less time searching for addresses.


**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve appropriating the \$2000 of donated funds for the purchase of GPS systems for the Sheriff's office process vehicles. The accounts codes are as follows:


54110.400	\$2,000
48610	\$2,000

*Waiver Of Rules Requested*

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Linda Brittenham**  
**Prime Co-Sponsor(s): Joe Herron**

2009-05-53	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	Approved 05-18-09 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Budget  
No. 2009-05-54

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend The 2008-2009 General Purpose School Budget for the Early Childhood Education Pre-K Grant Received From The State Of Tennessee In The Amount Of \$18,364.42**

WHEREAS, the additional grant funds have been made available from the State of Tennessee for this program; and

WHEREAS, these monies will be used to replace obsolete and non-functional technology within these Pre-K classrooms; and


WHEREAS, the Sullivan County Department of Education Board approved a budget for this grant.

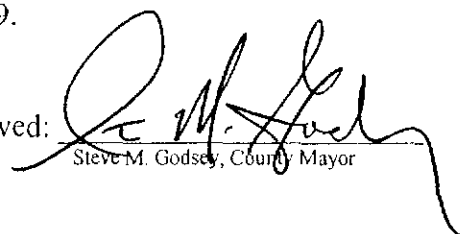
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
46515.000	Early Childhood Education – Pre-K (Revenue)	+\$18,364.42
71100.722	Regular Instructional Equipment (Expenditure)	+\$18,364.42

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Sam Jones**  
**Prime Co-Sponsor(s): Dennis Houser**

2009-05-54	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>21 Aye, 3 Absent</b>

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Executive  
No. 2009-05-55

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION Authorizing Aesthetic Improvements To Historic Blountville To Be Implemented By The Blountville Beautification Project**

WHEREAS, the Sullivan County Department of Archives and Tourism is primarily focusing in 2009 on the development of tourism in historic Blountville, the county seat of Sullivan County; and

WHEREAS, there is need for overall aesthetic improvements to the main street of Blountville proper in order to draw more visitors to the area; and

WHEREAS, the Sullivan County Department of Archives and Tourism has formed a Blountville Beautification Project Committee, an independent entity comprised of independent businesses and private individuals interested in restoring the beauty of historic Blountville; and

WHEREAS, the Blountville Beautification Project Committee would like to implement several aesthetic improvements to the area immediately alongside Great Stage Road between Highway 394 and Massengill Road; and

WHEREAS, the Blountville Beautification Project Committee has conceptual plans for these aesthetic improvements to include flowers, flower containers, benches for visitors, welcome signs with matching hanging signs for businesses/churches, welcome banners, and an historic mural for an exterior wall of the Sullivan County Department of Archives and Tourism; and

WHEREAS, the Blountville Beautification Project Committee will seek any necessary prior approval of the Historic Zoning Board as needed; and

Whereas, the Blountville Beautification Project Committee plans to seek private donations to fund the project; and

Whereas, the Blountville Beautification Project Committee seeks the approval of the full Board of County Commissioners for the committee to move forward with the implementation this project.

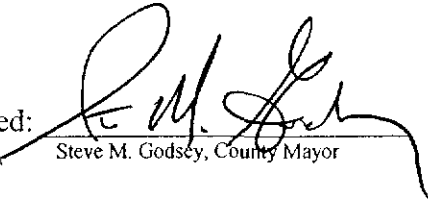
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the Blountville Beautification Project Committee to implement aesthetic improvements with funding from private donations.**

*Waiver Of Rules Requested*

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: James King, Jr.**  
**Prime Co-Sponsor(s): Linda Brittenham**

2009-05-55	<b>Administrative</b>	<b>Budget</b>	<b>Executive</b>	<b>County Commission</b>
<b>ACTION</b>	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>Voice Vote</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Executive  
No. 2009-05-56

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Require Any Utility, City, Or Contractor To Get Permission And Negotiate Repairs With The Sullivan County Highway Department When County Roads Are Disturbed In A Work Project**

WHEREAS, Sullivan County Highway Department diligently works to maintain the roadways under their care in an efficient and economical fashion; and

WHEREAS, it creates an extra hardship on County finances, Highway Department work schedules, and citizens traveling those routes when an entity has to take up sections of pavement to accomplish a project, but does not repair the same after their work is completed; and

WHEREAS, it is prudent that a demonstration of respect should exist between all entities that when a road is disturbed in a city, utility, or contractor project, they should, in turn, return that location to the same or better standard of repair in which it was originally found.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Sullivan County Highway Department to require that any City, Utility, or Contractor who has a need to disturb a driving surface in the County must first get permission from the Highway Department; repairs must be made after the project is completed, and the work must then be approved by the Sullivan County Highway Department. *+ ARE IN COMPLIANCE WITH STATE LAW*

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

Approved this 18th day of May 2009.

Attested:

*Jeanie Gammon*  
Jeanie Gammon, County Clerk

Approved:

*Steve M. Godsey*  
Steve M. Godsey, County Mayor

Sponsored By: **Dwight King**

Prime Co-Sponsor(s): **Eddie Williams**

*All Voting "Aye"*

2009-05-56	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Deferred 5-4-09	Approved 5-7-09	Approved 5-6-09	Approved 05-18-09 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**



Sullivan County, Tennessee  
Board of County Commissioners

Item 16  
Administrative/Budget/Executive  
No. 2009-05-57

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Limit The Number Of Times A Resolution Can Be Deferred To Three (3) Times**

WHEREAS, after the County Commission has had three (3) to four (4) months to review a resolution in all committees and before the full Commission, there should be ample information available for decision making.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby limit the number of times a resolution can be deferred to three (3) times.**

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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

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

**Sponsored By: W. G. "Bill" Kilgore**  
**Prime Co-Sponsor(s): James "Buddy" King**

2009-05-57	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Deferred 5-4-09	Approved 5-7-09	Deferred 5-6-09	<b>Failed 05-18-09</b> <b>11 Aye, 10 Nay, 3 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 17  
Administrative  
No. 2009-05-58

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend Animal Shelter Budget To Appropriate Revenue Received From Animal Cruelty Case to Expenditure Accounts**

WHEREAS, Sullivan County Animal Shelter has received \$4,382.50 from an Animal Cruelty Case to be used exclusively for the welfare of the animals in the Animal Shelter; and

WHEREAS, the Circuit Court Clerk of Sullivan County has issued a check to Sullivan County Friends of the Animal Shelter in restitution from an Animal Cruelty Case and this check has been deposited in a general fund revenue account.

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby Amend the appropriations accounts for the Animal Shelter as follows:

42990.000 \$4,382.50

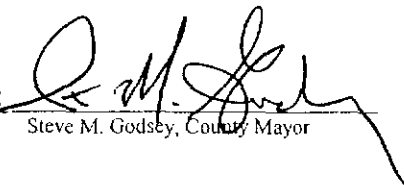
55120.400 \$4,382.50

*Waiver Of Rules Requested*

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Joe Herron**  
**Prime Co-Sponsor(s): Cathy Armstrong**

2009-05-58	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approved 5-4-09	Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>20 Aye, 4 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 18  
Administrative  
No. 2009-05-59

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION Appointing Members To Historical Preservation And Tourism Advisory Board**

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2009-02-14 (Item No. 3) on March 16, 2009 dissolving the Sullivan County Historical Advisory Board and establishing the Historical Preservation and Tourism Advisory Board; and

WHEREAS, said Resolution provides that the Historical Preservation and Tourism Advisory Board shall consist of three (3) County Commissioners (one from each of the three sections of the county: Bristol, Blountville and Kingsport) who shall be appointed by the Board of Commissioners and whose term shall be coterminous with their current term as a County Commissioner, the Director of the Sullivan County Department of Archives and Tourism, the President of the Historic Preservation Association, the President of the Historical and Genealogical Society, and the County Historian, and that the County Mayor shall be requested to serve on said Board as an ex-officio member.

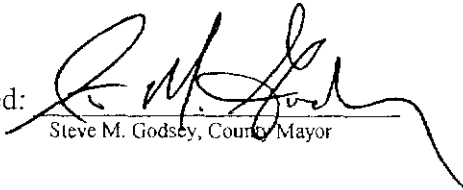
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby appoint Linda Brittenham, James "Moe" Brotherton, and Bart Long to serve on the Historical Preservation and Tourism Advisory Board.

*Waiver Of Rules Requested*

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser**  
**Prime Co-Sponsor(s): Joe Herron**

2009-05-59	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>20 Aye, 4 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 19  
Administrative  
No. 2009-05-60

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION Authorizing Sullivan County Litter Grant Program for FY 2009-2010**

WHEREAS, Sullivan County has participated in a litter abatement program through the State of Tennessee, Department of Transportation for several years; and,

WHEREAS, the County wishes to submit an application for FY 2009-2010 for the Tennessee Department of Transportation Litter Grant Program;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the County Mayor submitting an application to the State of Tennessee, Department of Transportation on behalf of Sullivan County for a litter and trash collection grant.**

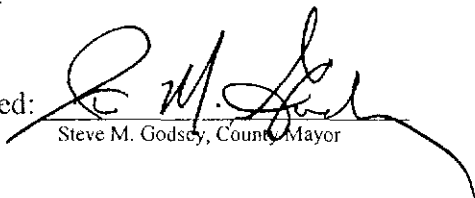
**BE IT RESOLVED that the Board acknowledges that Litter Prevention Education is included in the program plan and will be funded at the required level.**

**BE IT FURTHER RESOLVED that upon approval by the State of Tennessee, Department of Transportation, that the County Mayor is hereby authorized to execute any and all contracts or other necessary documents which may be required to accept the grant funds.**

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsor: James "Buddy" King**  
**Prime Co-Sponsor(s): Eddie Williams**

2009-05-60	Administrative	Budget	Executive	County Commission
<b>ACTION</b>		Approved 5-7-09	Approved 5-6-09	<b>Approved 05-18-09</b> <b>20 Aye, 4 Absent</b>

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 20  
Administrative/Budget  
No. 2009-05-61

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend the Sullivan County Health Department Budget for Tobacco Use Prevention Services Grant in the amount of \$36,800 and the Medical Reserve Corps Grant in the amount of \$5,000 and the Childrens Special Services Grant in the amount of \$8,200 and the CPI Grant (Frontier Health) in the amount of \$16,685.**

WHEREAS, the Sullivan County Health Department has received a grant from the State of Tennessee in the amount of \$36,800 to provide Tobacco Prevention Services for the community. The Sullivan County Health Department has also received a grant from the State of Tennessee in the amount of \$90,000 to provide services for children with special needs; of which \$81,800 was already in the budget. The Sullivan County Health Department has also received an additional grant from the National Association of County and City Health Officials (NACCHO) in the amount of \$5,000 to build the capacity of local Medical Reserve Corps units. The Sullivan County Health Department also received a CPI grant from the State of TN for Frontier Health. This is flow through money. All services will be provided by Frontier Health; and

WHEREAS, these funds are 100% funded by the State of Tennessee and NACCHO

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the amending the Health Department Budget as follows:**

**Appropriations-**

55180.100	Personal Services	\$ 8,200
55190P118.400	Supplies and Materials	\$ 5,000
55190P119.300	Contracted Services	\$16,685
55190P120.100	Personal Services	\$22,800
55190P120.200	Benefits	\$ 1,700
55190P120.300	Contracted Services	\$ 2,500
55190P120.400	Supplies and Materials	<u>\$ 9,800</u>
	<b>Total</b>	<b>\$66,685</b>

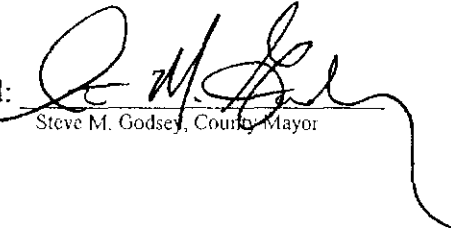
**Revenue Sources-**

47590P118	Medical Reserve Corp	\$ 5,000
46980P119	CPI – Frontier Health	\$16,685
46980P180	Other State Grants - CSS	\$ 3,280
47590P180	Federal Thru State – CSS	\$ 4,920
47590P120	Federal Thru State – Tobacco	<u>\$36,800</u>
	<b>Total</b>	<b>\$66,685</b>

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: James "Buddy" King**  
**Prime Co-Sponsor(s): Eddie Williams**

2009-05-61	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-7-09	Approved 5-6-09	Approved 05-18-09 20 Aye, 4 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 21  
Executive  
No. 2009-05-62

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Request That Officials In The City Of Bristol, Tennessee Lend Support To Citizens' Requests Along Holston Avenue To Slow Traffic Speeds**

**WHEREAS**, several citizens in that area have requested that either speed bumps or raised crosswalks be installed because traffic regularly moves so quickly that there is fear of injury to pedestrians, other cars driving at approved speeds or parked on the street, and/or crashes into existing lawns that could cause injury, especially to children; and

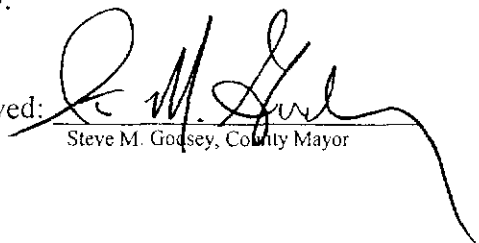
**WHEREAS**, Sullivan County and the surrounding municipalities have worked cooperatively through the years to protect citizens as safety issues are addressed, we again need their support to avoid this current hazardous condition on Holston Avenue.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby request the officials in Bristol, Tennessee to address and remedy these traffic safety issues on Holston Avenue.

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Bart Long**  
**Prime Co-Sponsor(s): James "Buddy" King**

2009-05-62	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				<b>Approved 05-18-09</b> <b>Voice Vote - 1 Nay</b>

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 22  
Budget  
No. 2009-05-63

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Authorize a Continuing Budget for the Fiscal Year Beginning July 1, 2009; the Issuance of Tax Anticipation Notes; and the Expenditure of Funds by Various County Offices and Departments**

**WHEREAS**, in the event the Fiscal Year 2009-2010 Budget of Sullivan County is not approved by July 1, 2009, and it is therefore necessary to provide temporary approval of operations for Sullivan County; and,

**WHEREAS**, in the event Tax Anticipation Notes are issued, the following guidelines will apply: The notes will be pre-approved by the State Director of Local Finance; Said notes will not exceed sixty percent of the appropriations of each individual fund; The proceeds of said notes will be used to pay authorized expenses of the County until taxes and other revenues for the fiscal year 2009-2010 are collected; The notes evidencing the loans authorized under this resolution shall be issued under the authority of T.C.A. §9-21-202, et seq; and said notes will mature and be paid in full with renewal on or before June 30, 2010.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the continuance of the amounts set forth in the 2008-2009 appropriations and that the various offices and departments are authorized to expend funds at the same level as the previous fiscal year or as otherwise further restricted by the Budget Committee.

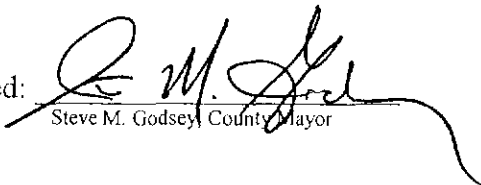
**BE IT RESOLVED** that the County Mayor is authorized to borrow money on Tax Anticipation Notes.

**BE IT FURTHER RESOLVED** that no local funds can be expended or obligated that exceed the previous year's budget appropriation until a new budget is adopted and that expenditures mandated by the State or rules and regulations adopted by the State are incorporated into this Continuing Budget.

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): James "Buddy" King**

2009-05-63	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-18-09 20 Aye, 4 Absent

Notes: **Waiver of rules requested.**



Sullivan County, Tennessee  
Board of County Commissioners

Item 23  
Executive  
No. 2009-05-64

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend The 2008 – 2009 General Purpose School Budget By \$3,551.90 For Health Services**

**WHEREAS**, the Sullivan County Department of Education has determined that expenditures for the Coordinated School Health Program have exceeded original budget estimates for other supplies and materials; and

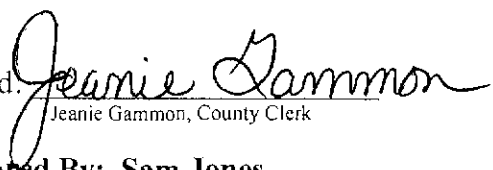
**WHEREAS**, funds for the Coordinated School Health Program are available from Reserve Funds.

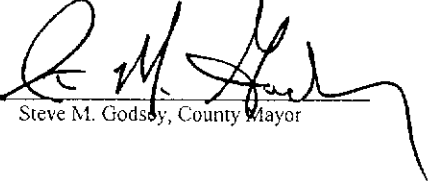
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
34391.000	Reserve for Coordinated School Health Program	-3,551.90
72120.499	Health Services-Other Supplies/Materials	+3,551.90

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Sam Jones**  
**Prime Co-Sponsor(s): Dennis Houser**

2009-05-64	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-18-09 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 24  
Executive  
No. 2009-05-65

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend The 2008 – 2009 General Purpose School Budget By \$388,273.00 For Operation of Plant**

**WHEREAS**, the Sullivan County Department of Education has determined that certain funds will not be expended in Series 72710-Transportation as originally budgeted; and

**WHEREAS**, the Department of Education has determined that these funds are needed to cover the increased cost of electricity and natural gas.


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

Account Number	Account Description	Amount
72710.142	Mechanic(s)	-31,990.00
72710.201	Social Security	-1,983.00
72710.204	State Retirement	-4,683.00
72710.206	Life Insurance	-45.00
72710.207	Medical Insurance	-8,895.00
72710.208	Dental Insurance	-168.00
72710.210	Unemployment Compensation	-45.00
72710.212	Employer Medicare	-464.00
72710.315	Contract with Vehicle Owners	-340,000.00
72610.415	Electricity	+340,000.00
72610.434	Natural Gas	+48,273.00

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Dennis Houser**  
**Prime Co-Sponsor(s): Sam Jones**

2009-05-65	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				<b>Approved 05-18-09</b> <b>21 Aye, 3 Absent</b>

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 25  
Budget  
No. 2009-05-66

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Allow The Purchasing Agent To Re-Negotiate The Contract For The Jail Commissary**

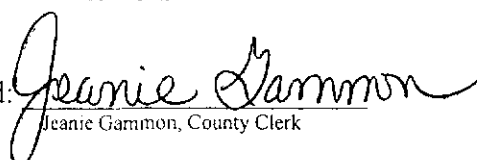
WHEREAS, the Jail is currently under contract with Tennessee Business Enterprises, which is operated by Tennessee Human Services Division for the Blind and Visually Impaired. According to TCA 71-4-501, blind vendors are to be given priority in the operation of vending facilities on property owned by local government entities in the State of Tennessee; and

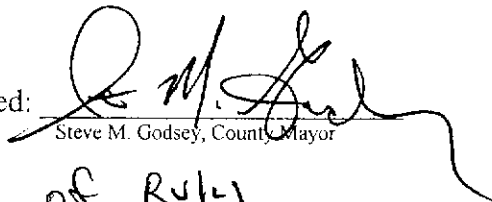
WHEREAS, the jail will continue to stay under contract with TBE, it is necessary at this time to negotiate a new contract for operations of the Commissary and be in place July 1, 2009.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session allow the purchasing agent to negotiate a new contract with Tennessee Business Enterprises to operate the Commissary at the Sullivan County Jail.**

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams  
Prime Co-Sponsor(s): Cathy Armstrong

*Waiver of Rules*

2009-05-66	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-18-09 20 Aye, 4 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee  
Board of County Commissioners

Item 26  
Executive  
No. 2009-05-67

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION Authorizing The Adoption Of The 2006 Edition Of The International Residential Code, Regulating And Governing The Construction, Alteration, Enlargement, Replacement, Repair, Location And Demolition Of Detached One And Two Family Dwellings And Multiple Single Family Dwellings (Townhouses) Not More Than Three Stories In Height With Separate Means Of Egress In The Unincorporated Areas Of Sullivan County; Providing For The Issuance Of Permits And Collection Fees**

WHEREAS, the Commissioners of Sullivan County does ordain as follows: That a copy be on file in the office of the Building Commissioner/Building Official of Sullivan County, being marked and designated as the International Residential Code, 2006 Edition, Chapters 1-11, including Appendix H, J, L (see International Residential Code Section R102.5, 2006 edition), and the 2006 International Property Maintenance Code as published by the International Code Council, be and is hereby adopted as the Residential Code and Property Maintenance Code of Sullivan County, in the State of Tennessee for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided for the issuance of permits and collection of fees therefore; and each and all of the regulation, provisions, penalties, conditions and terms of said Residential Code, Property Maintenance Code on file in the office of the Building Commissioner/Building Official are hereby referred to, adopted and made a part hereof, as if fully set out in this resolution, with the additions, insertions, deletions and changes, prescribed in this Resolution.

WHEREAS, the following section are hereby revised:

Section R101.1 Insert: Sullivan County

Table R301.2 (1) Insert: Ground Snow Load, Wind Speed, Seismic Design, Frost Line Depth, And Termite Design Criteria

Deletion of the Mechanical, Plumbing, and Electrical Codes.

WHEREAS, if any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution. The Sullivan County Commission hereby declares that it would have passed this resolution, and each section, subsections, clause thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases be declared unconstitutional; and

WHEREAS, that nothing in this resolution or in the Residential Code, Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court,

or any rights acquired, or liability incurred, or any cause of action acquired or existing, under any act or resolution hereby repealed in this resolution: nor shall any just or legal right or remedy of any character be lost, impaired or affected by this resolution.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby this resolution and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect January 1, 2010 from and after the date of its final passage and adoption.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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

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

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Buddy King, Bart Long**

2009-05-67	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: **1st Reading 05-18-09;**

Sullivan County, Tennessee  
Board of County Commissioners

Item 27  
Budget  
No. 2009-05-68

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Amend the Observation Knob Park Fund Budget for 2009FY**

**WHEREAS**, the 2009 FY budget for Observation Knob Park projected \$110,000 to fund operations for the current fiscal year; and

**WHEREAS**, the appropriations based upon the available funding were very limited to cover the operating cost and necessary maintenance; and

**WHEREAS**, currently the fees collected to date have exceeded the projected revenue of \$110,000 with a month and a half to go in this budget year; and

**WHEREAS**, these additional revenues are needed to assure the orderly operation of the Park through June 30th, 2009.

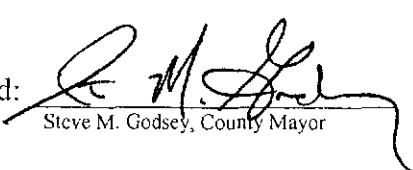
**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amendments to the Park Fund appropriations in the amount of \$5,000 for the remainder of the fiscal year to cover operating expenses to be funded from increases in revenues. (Account codes to be assigned by the Director of Accounts and Budgets).

*Waiver Of Rules Requested*

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

Approved this 18th day of May 2009.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Steve M. Godsey, County Mayor

**Sponsored By: Linda Brittenham**

**Prime Co-Sponsor(s): Bart Long, Dennis Houser, Randy Morrell** *Con. King*

2009-05-68	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-18-09 20 Aye, 4 Absent

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 28  
Budget  
No. 2009-05-69

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of May, 2009.

**RESOLUTION To Provide For Education Incentive Payments To Officials And Employees Of Sullivan County Government**

WHEREAS, under T.C.A. § 5-1-310(1), counties are authorized and encouraged to provide in the annual budget for payment of an educational incentive to employees (as defined in T.C.A. § 29-20-102(2) who attain the designation of "Certified Public Administrator" under the Training Program (COCTP); and

WHEREAS, Sullivan County desired to provide for such an incentive payment in its budget for the fiscal year 2009; and

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize Incentive Payments to Officials and Employees of Sullivan County Government as follows:**

**SECTION 1.** Any employee of Sullivan County, as defined in T.C.A. § 29-20-102 (2), who has completed the COCTP and attained the designation of Certified Public Administrator and who submits to the County Mayor proof of such attainment on or before \_\_\_\_\_, 2009, shall be paid the sum of \$1,500 out of County funds appropriated for that purpose for the fiscal year.

**SECTION 2.** This resolution shall take effect upon its passage and approval, the public welfare requiring it.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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

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

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

2009-05-69	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: **1st Reading 05-18-09;**

# Attachment To Resolution No. 2009-05-69

## RELEVANT STATUTES:

T.C.A. § 5-1-310

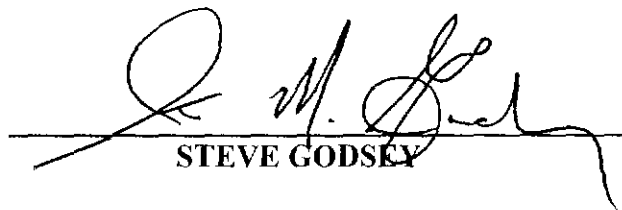
(i) Each county is encouraged and authorized to provide in its annual budget for payment of an annual educational incentive to employees as defined in § 29-20-102(2) who attain the designation of a "certified public administrator" pursuant to § 5-1-308 in an amount not to exceed three thousand dollars (\$3,000) less any payment received from the state of Tennessee as provided in subsection (a). The incentive provided by this section shall be paid from funds appropriated for such purpose and shall be paid in one (1) payment, no later than October 31. In any county providing such an incentive, the county mayor shall provide to the state treasurer the amount of any educational incentive paid in the county and the number of persons receiving such incentive which the state treasurer shall compile in an annual report.

T.C.A. § 29-20-102

(2) "Employee" means and includes any official (whether elected or appointed), officer, employee or servant, or any member of any board, agency, or commission (whether compensated or not), or any officer, employee or servant thereof, of a governmental entity, including the sheriff and the sheriff's employees and, further including regular members of voluntary or auxiliary firefighting, police, or emergency assistance organizations.



**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. BLACKBURN TO MEET AGAIN IN REGULAR  
SESSION JUNE 15, 2009.**

  
**STEVE GODSEY**  
**COMMISSION CHAIRMAN**