

COUNTY COMMISSION- REGULAR SESSION

MAY 16, 2011

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MAY 16, 2011, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

	TY BOOMERSHINE
MARK BOWERY	BRYAN K. BOYD
LINDA K. BRITTENHAM	"MOE" BROTHERTON
DARLENE CALTON	JOHN K. CRAWFORD
O. W. FERGUSON	JOHN GARDNER
TERRY HARKLEROAD	JOE HERRON
BAXTER HOOD	DENNIS HOUSER
MATTHEW J. JOHNSON	BILL KILGORE
DWIGHT KING	ED MARSH
WAYNE MCCONNELL	RANDY MORRELL
BOB NEAL	MICHAEL B. SURGENOR
R. BOB WHITE	EDDIE WILLIAMS

23 PRESENT 1 ABSENT (ABSENT-ARMSTRONG)

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

Motion was made by Comm. Morrell and seconded by Comm. Ferguson to approve the minutes of the April 18, 2011 Regular Session of County Commission. Said motion was approved by voice vote.

SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

To Honor and Recognize Emergency Medical Services Week

Whereas, emergency medical services is a vital public service; and

Whereas, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

Whereas, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

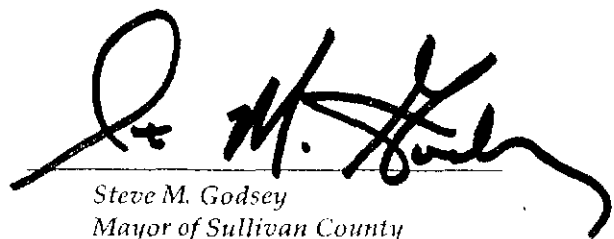
Whereas, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

Now, therefore, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners do hereby endorse May 16 through May 22, 2011 as:

Emergency Medical Services Week

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 16th day of May, 2011.




Steve M. Godsey
Mayor of Sullivan County



SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

To Honor And Recognize Vietnam Veterans Week

Whereas, beginning in the early 1960's young United States citizens were being called out to military service in Vietnam and fought diligently under the American flag; and

Whereas, one of the unfortunate happenings resulting from this conflict was that with many Americans objecting to the war effort itself, it caused the general public to ignore or actually hold disdain for those who had served so loyally; and

Whereas, the Vietnam Veterans served America honorably in a war with circumstances unlike any ever before faced by United States military personnel; and

Whereas, these veterans failed to get the parades and other homecoming accolades that normally accompany the American military when they return to the homeland following a dangerous conflict; and

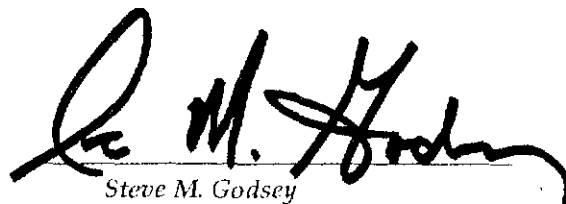
Whereas, the wounds suffered by the Vietnam Veterans were both physical and emotional because of the lack of respect afforded those returning heroes; and

Whereas, America is not afraid to admit its mistakes and right the wrongs of past generations to honor those who unselfishly and with great sacrifice gave their best to serve America and assist oppressed people on another continent.

Now, therefore, I, Steve Godsey, Mayor of Sullivan County, and the Sullivan County Commission do hereby give a much delayed thank you to the Vietnam Veterans, and challenge all Sullivan County Citizens to honor June 25 – June 26, 2011 as a Homecoming with honor for these individuals who have waited with patience for an acknowledgement of their service and sacrifice for this great nation, the United State of America.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 16th day of May, 2011.




Steve M. Godsey
Mayor of Sullivan County



SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

TO HONOR & RECOGNIZE SALVATION ARMY WORKERS IN BRISTOL AND KINGSPORT

WHEREAS, The Salvation Army was described by President Dwight D. Eisenhower in the following words: "Among Americans, the Salvation Army has long been a symbol of wholehearted dedication to the cause of brotherhood. In time of war, the men and women of this organization have brought to those serving their country far from home, friendliness and warm concern. In the quieter days of peace, their work has been a constant reminder to us all that each of us is neighbor and kin to all Americans, giving freely of themselves, the men and women of The Salvation Army have won the respect of all."; and

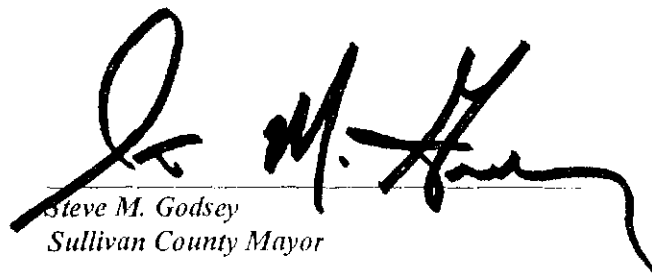
WHEREAS, The first National Salvation Army Week was declared by the United States Congress and proclaimed by President Eisenhower in the winter of 1954. The date has changed with this year's observance having been May 9 through May 15 of 2011. However, the work of The Salvation Army has not changed – to serve those in need without discrimination; and

WHEREAS, the workers and volunteers associated with the local Salvation Army locations in Kingsport and Bristol are a golden example of the sacrificial efforts and time that make this organization stand proud many years past its founding in 1865. We see them ringing the bells during Christmas Season, but they are on the job meeting needs 365 days a year. The absence of Salvation Army workers in our communities would greatly hinder benevolent projects that benefit many individuals. Their programs provide food for the hungry, holiday gifts for underprivileged children, clothing and shelter to the homeless, relief for disaster victims, assistance to the disabled, plus programs for youth, senior citizens, and veterans, which is only a portion of the services rendered.

NOW THEREFORE BE IT PROCLAIMED, that I, Steve M. Godsey, Mayor of Sullivan County, and the Sullivan County Board of Commissioners do hereby honor and recognize both Bristol and Kingsport Salvation Army workers and volunteers as a most valuable asset to our entire region, and encourage all citizens to contribute monetarily, while additionally volunteering to aid their worthy efforts whenever possible.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 16th day of May, 2011.




Steve M. Godsey
Sullivan County Mayor



SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

TO HONOR AND RECOGNIZE Pastor Joe W. Byrd

Whereas, Joseph William Byrd was born on August 3, 1923 in Old Fort, North Carolina which is in McDowell County. He is the son of the late Rev. Allie R. Byrd, Sr. and Gussie Catherine Frazier Byrd of Scott County, Virginia. Pastor Byrd's father, Allie Byrd, was a well-known Baptist evangelist in East Tennessee and Southwest Virginia from 1938 – 1948; and

Whereas, Joe W. Byrd is the eldest of seven children – three brothers and one sister are still living. He attended West View Elementary School, Sullivan High School, Carson-Newman Preachers School, and furthered his studies through the Seminary Extension Department of the Southern Baptist Convention; and

Whereas, Joe W. Byrd married Eileen Barker on September 12, 1942 – they will celebrate 69 years of marriage this year. They have four children – two daughters Yvonne and Teresa, and two sons Ronald and Stephen. Joe W. and Eileen Byrd have seven grandchildren, one deceased, ten great-grandchildren and one great-great granddaughter. He is a veteran of World War II, having served with the First and Third Army as a Reconnaissance Sergeant in England, Wales, France, and Germany; and

Whereas, Joe W. Byrd was ordained as Pastor of Bloomingdale Baptist Church on April 1, 1951. On July 25, 1952 he resigned his position at Tennessee Eastman Company to become the first full-time pastor of Bloomingdale Baptist. He is now in his sixtieth year of service to that congregation having performed 1,303 marriages, 1,002 baptisms, and 3,655 funerals (2,280 being military funerals conducted as Chaplain for the American Legion). Bloomingdale Baptist honored him with a special service on Sunday, April 3, 2011 to celebrate his 60 years of ministry. He has also volunteered 8,600 hours at the Mountain Home V.A. Medical Center in Johnson City. He has served as Chaplain of the American Legion Hammond Post No. 3 and is a lifetime member of the Veterans of Foreign Wars and the Disabled American Veterans.


Now, therefore, I, Steve Godsey, Mayor, and the Board of Commissioners of Sullivan County, do hereby commend and congratulate

Pastor Joe W. Byrd

on behalf of the citizens of Sullivan County, for his faithful service to God, the United States Military, and the people of this area.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 16th day of May, 2011.




Steve M. Godsey
Mayor of Sullivan County



PUBLIC COMMENTS: MAY 16, 2011

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

NONE

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

Notaries to be elected May 16,2011

JANE L. ADAMS	TINA O. ISON
MELINDA B. AKARD	CRYSTAL G. JOHNSON
GARY A. BAGNALL	ANISSA I KITTRELL
MADLIN L. BEARDEN	GREG LAMB
JOHN S. BINGHAM	CLARA J. LEONARD
BRENDA BRADSHAW	KEVIN J. LYTLE
PEGGY G. BUCKLES	EVELYN MINTON
J. RICHARD CARROLL	E. G. MOODY
JOY L. CARTER	FREDA C. MYERS
THOMAS M COLE, JR.	E. RHEA NEWLAND
TRACY LYNN COLLINS	MITZI A. PEARSON
RICHARD M. CURRIE, JR	REX PENDERGRASS
HEATHER MARY DAVIS	JENNY F. PENIX
THOMAS D. DOSSETT	MARILYN JEANETTE POSTON
JUDY A. DULANEY	RUSSELL J RICHARD
TERESA A. DUNHAM	WILLIAM DAVID RICHARDS
JAMES MATTHEW ELLER	JOY F. ROBERTS
JANE T. FLETCHER	D. BRUCE SHINE
SARAH DENISE HALE	VICKIE S. SNODGRASS
AMBER N. HARMAN	DANIEL P. STREET
CAROLYN H. HAWKINS	WHITNEY PAUL TAYLOR
GAY K. HILLMAN	PATRICIA LYNN VANCE
KIMBERLY NICOLE HOPSON	BRANDY C. WOLFE
ANITA R. HUGHES	TERESA C. WORLEY

PERSONAL SURETY
BENNETT AND EDWARDS
J. RICHARD CARROLL
\$10,000.00
DEAN GREER
ANN MOUNTAIN
NELLIE SWAFFORD
ANGELA PROVETT RICKER
N/A
TENNESSEE

UPON MOTION MADE BY COMM. MCCONNELL AND SECONDED BY COMM. KILGORE
AND COMM. CALTON TO APPROVE THE NOTARY APPLICATIONS HEREON, SAID MOTION
WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
SURETY BONDS

MAY 16, 2011

<u>NAME OF NOTARY</u>	<u>PERSONAL SURETY</u>	<u>PERSONAL SURETY</u>
SHIRLEY A. CHURCHWELL	LELAND C. LEONARD	JOHN W. LEONARD
MITCHELL L. CLARK	ROY MATTHEWS, JR.	R. A. CLARK
RICHARD CLARK	ROY MATTHEWS	MARIAN EDWARDS
TRACI D. HAGA	GREG FAHN	A.D. JONES, JR.
KATHY D. HARRISON	DAVID E. PETERS, SR.	SHELLEY SPARROW
SUSAN K. LLOYD	J. MICHAEL NIDIFFER	J. BRENT ROSWALL
ANNA M. MORELOCK	BRENDA LITTLETON	NATHAN MULLENIX
KATHY SHADDEN	BRIAN C. STILL	JOHN D. CHAPMAN

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

IE THE COMM.	Zoning Text <i>Amendment</i>		No.		No.		Resolutions		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
							1	2	3	4				
MISSIONERS														
Williams	✓							✓		✓				
Armstrong	A							A		A				
Boomer	✓							✓		A				
Bowery	✓							✓		✓				
Boyd	✓							✓		✓				
Brittenham	✓							✓		✓				
Brotherton	✓							✓		✓				
Calton	✓							✓		✓				
Crawford	✓							✓		✓				
Ferguson	✓							✓		✓				
Gardner	✓							✓		✓				
Harkness	✓							✓		✓				
Herron	✓							✓		✓				
Hood	✓							✓		✓				
Houser	✓							✓		✓				
Johnson	✓							✓		✓				
Kilgore	✓							✓		✓				
King	✓							✓		✓				
Marsh	✓							✓		✓				
McConnell		✓						✓		✓				
Marrell	✓							✓		✓				
Neal	✓							✓		✓				
Surgenor	✓								✓	A				
White	✓							✓		✓				
	<i>22 Aye</i>								<i>22 Aye</i>		<i>21 Aye</i>			
	<i>1 Nay</i>								<i>1 Nay</i>		<i>3 Abs</i>			
	<i>1 Abs</i>								<i>1 Abs</i>					

IS BEFORE THE COMMN.

No. 5 6 7 8 9 10 11 12 ^{No.} ^{To} ^{order} ^{#05}

S OF COMMISSIONERS

	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Armstrong	A		A		A		A		A		A		A		A		A	
Boomershine		✓		✓		✓							✓		✓		✓	
Bowery		✓		✓		✓							✓		✓		✓	
Boyd		✓		✓		✓							✓		✓		✓	
Brittenham		✓		✓		A							A		✓			✓
Brotherton		✓		✓		✓							✓		✓			✓
Cotton		✓		✓		✓							✓		✓		✓	
Crawford		✓		✓		✓							✓		✓		✓	
Jerguson		✓		✓		A							A		A			✓
Gardner		✓		✓		✓							✓		✓		✓	
Harkness		✓		✓		✓							✓		✓		✓	
Herron		✓		✓		✓							✓		✓		✓	
Hood		✓		✓		✓							✓		✓		✓	
Houser		✓		✓		✓							✓		A			✓
Johnson		✓		✓		✓							✓		✓		✓	
Kilgore		✓		✓		✓							✓		✓		✓	
King		✓		✓		✓							✓		✓		✓	
Marsh		✓		P		✓							✓		✓		✓	
McCormell		✓		✓		✓							✓		✓			✓
Morrell		✓		✓		✓							✓		✓			✓
Neal		✓		✓		✓							✓		✓		✓	
Surgenor		✓		✓		✓							✓		✓		✓	
White		✓		✓		✓							✓		✓		✓	
Williams		✓		✓		✓							✓		✓		✓	

23 Aye 22 Aye 21 Aye
 1 Aye 1 Nay 3 Aye
 1 Absent

20 Aye 21 Aye 11 Aye
 1 Nay 3 Aye 9 Nay
 3 Abs

AGENDA
Sullivan County Board of County Commission
May 16, 2011

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, May 16, 2011 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

NO REZONING

- (1) Zoning Text Amendment
Cargo shipping Containers

F. AMENDMENTS TO THE ZONING PLAN – MAP/REZONING REQUESTS – *No rezoning cases scheduled*

F1. Zoning Text Amendment – Cargo Shipping Containers

- Consider the amendment of article 3-102.4, Accessory Uses and Activities Table to allow the adaptive reuse of steel cargo shipping containers on five acre minimum tracts zoned A-1 only with the following supplemental design guidelines and definitions added to Appendix, A-103.6, add number 7. Definition proposed by County Commissioner; and Appendix B, B-105.2, add number 7, Accessory Uses and Activities - to read:
 - Steel Storage/Cargo Shipping Containers may be adapted and re-used as residential or agricultural storage buildings with the following supplemental design criteria:
 - Conditional Use reviewed for approval by the Board of Zoning Appeals;
 - Tract of land must be a minimum of five acres and zoned A-1;
 - An evergreen planted buffer around the perimeter of the structure (see buffer code in Article 8) may be required at the discretion of the Board of Zoning Appeals based upon site visibility to neighbors;
 - Added structural pitched roof built to current building code;
 - Anchored/tied down containers that are set plumb and level at grade;
 - No commercial activity within;
 - Cannot exceed two containers high;
 - Total structure shall be setback a minimum of 30 feet along all property lines;
 - Shall not exceed the square footage limitation set forth in article 3-103.6 for Customary Residential Accessory Structures;
 - Building permit required.
 - Definition to read:
 - Steel Storage Container Structure (SSCS): The standard steel cargo container sizes are 20 feet long by 8 feet wide by 8 ½ feet high or 40 feet long by 8 feet wide by 8 ½ feet high.

Discussion at Planning Commission:

- *John Crawford asked staff to make sure this amendment did not affect the local fire departments' training facilities.*
- *She explained that they do not fall under the residential accessory structure category of land use; rather under administrative services under the community facilities category of land use -- which was previously revised to accommodate their needs.*
- *Staff will forward this text amendment to the city planning departments for consideration at their next Planning Commission meetings in April. It will appear before the County Commission for a public hearing on the amendment in May (TBA).*

Sullivan County Regional Planning Commission Action – Zoning Text Amendment Recommendation	
Recommendation in favor: <i>McIntire, Settle – passed unanimously (7 yes, 2 absent)</i>	
Recommendation against:	Reason for opposition:
Deferred:	Reason for deferral:

COUNTY COMMISSION ACTION – APPROVED 05-16-11 Roll Call Vote 22 Aye, 1 Nay, 1 Absent



THE CITY OF BRISTOL, TENNESSEE

104 8th Street
P. O. Box 1189
Bristol, Tennessee 37621-1189

Community Development Department

Telephone: (423) 989-5514
Facsimile: (423) 989-5717
Email: sbrown@bristoltn.org

April 21, 2011

Ms. Ambre Torbett
Sullivan County Planning and Zoning
Planning Director
3411 Highway 126, Suite 30
Blountville, Tennessee 37617-4564

Dear Ms. Torbett:

The Bristol Tennessee Municipal Regional Planning Commission acted upon the Sullivan County Zoning Resolution amendment request April 18, 2011, concerning conditional use for residential or commercial storage within A-1 zones. The commissioners forwarded a favorable recommendation to the Sullivan County Tennessee Commission for all the proposed amendments. The vote was unanimous, with one member absent. A copy of the staff report has been attached.

If you have any further questions, please contact my office by phoning 989-5514 or by e-mail, sbrown@bristoltn.org.

Sincerely,

Shari Brown, AICP
Community Development Director

**SULLIVAN COUNTY TEXT AMENDMENT
STAFF REPORT
DRAFT**

Background and Analysis:

The Sullivan County Tennessee Planning Commission unanimously recommended amending the Sullivan County Zoning Resolution to include zoning classification and use criteria for cargo shipping containers. The container is proposed to be defined as follows:

Steel Storage Container Structure (SSCS): the standard steel cargo container sizes are 20 feet long by 8 feet wide by 8 ½ feet high or 40 feet long by 8 feet wide by 8 ½ feet high.

The proposed text amendment would include the containers as a Conditional Use for residential or commercial storage within A-1 zones on parcels that are a minimum of 5 acres in size. The approval of the Board of Zoning Appeals would review the Conditional Use request and would use the following criteria for review of the application:

- Tract of land must be a minimum of five acres and zoned A-1
- An evergreen planted buffer may be required around the perimeter of the structure as prescribed by Article 8 of the Sullivan County Zoning Resolution. The buffer will be based upon visibility to neighbors and at the discretion of the Board of Zoning Appeals.
- A structural, pitched roof must be built to the current building code.
- Containers must be anchored/tied down and set plumb and level at grade.
- The containers may not be used for any commercial activity.
- The height of the structure is limited to a maximum of two containers stacked upon one another.
- The required setback for the structure in its entirety is 30 feet along all property lines.
- The square footage limitation set forth in Article 3-103.6 for Customary Residential Accessory Structures may not be exceeded.
- A building permit is required.

The inclusion of steel storage containers in the Sullivan County Zoning Resolution requires amendment of Table 3-102A, Accessory Uses and Activities. The design guidelines and definitions would be added to Appendix A-103.6, as number 7, and Appendix B, B-105.2, adding number 7, for Accessory Uses and Activities.

Please note that the proposed recommendation is in addition to the amendment made in May 2010 which allowed fire departments to use cargo containers for training purposes. That particular use is allowed through the amended Table 5-102a Uses And Structures Allowable Within Manufacturing Districts which includes approved Alternative Training Facilities (for fire departments) Use of Cargo Shipping Containers for Administrative Services as approved for use with Supplemental Design Guidelines in Appendix B-104.6 Subpart 1D.

Staff Recommendation:

Staff recommends sending a favorable recommendation to the Sullivan County Commission for review at their May 2011 meeting.

A-103.6 Accessory Activities

1. Accessory Apartment - An apartment shall be considered an accessory use to any single-family dwelling when such apartment is occupied by a family member and complies with the provisions of Appendix B, Section B-105.1. #2.

2. Bed and Breakfast Establishments

A. Bed and Breakfast Homestay – A minor home occupation that provides one (1) to three (3) rooms for occasional paying guests on an overnight basis for periods not to exceed fourteen (14) days with one (1) daily meal being available on the premises. A bed and breakfast homestay is allowable only in a building originally constructed as a single-family dwelling.

B. Bed and Breakfast Inn - An operator or owner occupied residence that provides between four (4) and twelve (12) rooms for paying guests on an overnight basis for periods not to exceed fourteen (14) days with one (1) daily meal being available on the premises. A bed and breakfast inn is allowable only in a building originally constructed as a residence. Bed and breakfast inns are subject to approval by the Tennessee Department of Environment and Conservation, Ground Water Protection County Office, in addition to all local requirements.

3. Farm Employee Housing - A single family or singlewide mobile home dwelling unit provided for an individual employed full-time at the farm on which the unit is located shall be considered as accessory to an agricultural use when such dwelling is in addition to another existing legal residence and complies with the provisions of Appendix B, Section B-105.1 (Accessory Uses Permitted).

4. Home Occupation – An accessory use of a dwelling unit for gainful employment which: a) is clearly incidental and subordinate to the use of the dwelling unit as a residence; b) is carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwelling; c) is located in a residential district; and no article is for sale except such services produced by such home occupation.

5. Truck Farming – A type of rural home occupation, which is accessory to the general agricultural use of the land wherein agricultural products are sold on the premises or within 500 feet of the farm. For purposes of this resolution, truck farming shall not be considered the same as a flea market or farmers market, but shall be an accessory use to the farming operation on a temporary and seasonal basis.

6. Residential Accessory Storage Structures – An accessory structure to the principal dwelling that may be used for the storage of residential goods, such as automobiles, lawn mowers, bicycles, toys, seasonal decorations, patio furniture, etc. Such structures may be detached garages, pool houses, gazebos, carports, utility sheds, garden/potting sheds or other similar structures that cannot be classified otherwise.

B-105.2 Special Exception Accessory Uses (BZA) or Uses-on-Review (PC) - In addition to the requirements established for accessory uses generally, the specific standards set out below for individual accessory uses and activities shall be met as part of the conditions for issuing the use permit. Upon issuance of any permit for a conditional accessory use or use-on-review as specified by this section such use or activity shall be continuously subject to compliance with any operational standard or criteria established by the Board of Appeals or Planning Commission and limitations imposed upon such use by virtue of its being classified as "accessory" to a principal use or activity.

All accessory activities to a special exception (BZA) use shall be approved in accordance with the procedure set out in ARTICLE XII, Section 12-105, for review and approval of conditional uses generally. An accessory activity may be approved along with the principal conditional use or at any point subsequent thereto in the manner provided, herein. Any use-on-review (PC) shall be reviewed by the Planning Commission along with the following provisions. Accessory uses with supplemental provisions include the following:

1. Accessory Day Care (PC approval) - Childcare for preteen age children shall be considered an accessory use when operated by a health care, commercial or manufacturing activity where the

care is provided solely for the children of their employees and meets all applicable state and local regulations for a childcare center for children.

2. Bed and Breakfast Inn (PC approval in Commercial Zones or BZA approval in Agricultural and Residential Zones as permitted) - Bed and breakfast inns (see definition) may be permitted subject to the following conditions:

- a. Individual rooms, which are rented, shall not contain cooking facilities.
- b. The owner and/or operator must reside on the premises.
- c. The bed and breakfast establishment shall not create noise, light, or traffic conditions detrimental to neighboring properties.
- d. No exterior alterations other than those necessary to assure safety of the structure, shall be made to any building for the purpose of providing a bed and breakfast establishment.
- e. The bed and breakfast establishment must front on or have direct access to a public street of adequate design for the proposed use.
- f. Off-street parking shall be provided, however no off-street parking is permitted in the front yard area.
- g. One (1) off-street parking space shall be for each guest/rental room in addition to the spaces required for the dwelling. Maneuvering area shall be provided on-site to allow vehicles to exit property front-end first.
- h. Screening may be required of off-street parking areas to minimize any detrimental impact to adjoining properties.
- i. The bed and breakfast establishment shall be service by a public water and wastewater system.
- j. A landscaping plan shall be required that is compatible with neighboring properties.
- k. A total of one (1) yard sign, not exceeding six (6) square feet in area and three and one-half (3 1/2) feet in height may be permitted provided it is situated in a manner so as not to adversely affect traffic safety, corner vision or similar condition. The sign may only be indirectly illuminated. Banners, flags, noise making or musical devices, portable or lighted signs are not permitted.

3. Operation of a Cafeteria (PC approval) - Operation of a cafeteria for employees, residents, patrons or others participating in the principal activity conducted by an organization engaged in community facility activity on the same zone lot. Where the community facility is permitted as a conditional use an accessory cafeteria must be approved as a part of the action granting said permit.

4. Residential Occupancy in Connection with Nonresidential Activity (PC approval) - Residential occupancy may be permitted as an accessory use to a principal nonresidential activity located on the same zone lot subject to the following:

- a. Only One Unit Permitted - No more than one (1) dwelling or rooming unit may be permitted in connection with a principal nonresidential activity located upon the same zone lot.
- b. Occupancy Limited - Any dwelling or rooming unit permitted under the provisions of this section shall be limited to occupancy by person(s) employed in the principal nonresidential activity located upon the same zone lot.
- c. Residential Occupancy Prohibited - No dwelling or rooming unit may be located upon any site with a nonresidential activity that is defined by this resolution as a **"hazardous occupancy."**

5. Special Public Event on Private Property (BZA approval) - Any special event, such as a wedding ceremony, reception, shower or other private party held at a private residence shall be permitted. In the event that a residence holds facilities and makes accommodations for such private parties as a service for a fee, such accessory use shall be considered a type of major home occupation requiring Board of Zoning Appeals approval. The following supplemental provisions shall apply:

- a. The property shall be a minimum of five (5) acres in order to accommodate parking, diffuse noise and lighting;
- b. The party shall conform to those operational performance standards as described in Article VIII;

- c. The accommodation of special events/parties open to the public as a service for a fee shall be seasonal in nature;
- d. The owner of the property shall present to the BZA written consent from the adjacent property owners;
- e. A declaration of intent shall be presented to the BZA illustrating the nature of the accessory use;
- f. The site shall have direct access to a public street and accessible road frontage to the public street;
- g. All other home occupational standards shall apply.

6. Residential Accessory Structure as Principal Structure – Under unique circumstances, a residential accessory structure may be permitted on a parcel wherein a principal structure is not established, subject to BZA approval when the following conditions are present:

- a. The parcel of land was created prior to the adoption of the first zoning code, September 1, 1988;
- b. The parcel has no feasible access for sanitary sewer and/or cannot support subsurface sewage disposal system due to poor soils, terrain, slopes or other geographical and geological reasons and a written statement from the public sewer agency or state environmentalist declares such situation unsuitable for a dwelling;
- c. The accessory use would not be out of character with the neighborhood;
- d. The residential principal setbacks shall be satisfied for the accessory structure;
- e. A natural established vegetative buffer is preserved and maintained or a buffer strip shall be required on all sides and rear property lines abutting agricultural or residential zoning districts;
- f. Only one such accessory structure may be permitted on the parcel;
- g. The land is also unsuitable for agricultural uses due to topography;
- h. The accessory structure shall not be used to operate a business of any kind or be used for a permanent or temporary dwelling.

Ambre Torbett

From: Meredith, Jason [JasonMeredith@KingsportTN.gov]
Sent: Tuesday, April 26, 2011 5:04 PM
To: Ambre Torbett
Subject: RE: text amendment clarification

Ambre,

At their April regular meeting, the Kingsport Regional Planning Commission unanimously voted to send a positive recommendation to the Sullivan County Commission regarding the zoning text amendment to allow adaptive reuse of cargo shipping containers in A-1 only. Please let me know if you have any questions.

Best regards,

Jason W. Meredith
Planner
City of Kingsport
201 West Market Street
Kingsport, TN 37660
423.224.2877 (o)
423.229.9318 (f)

From: Ambre Torbett [<mailto:planning@sullivancounty.org>]
Sent: Thursday, April 07, 2011 8:24 AM
To: 'Patricia Oldham'; Meredith, Jason
Subject: text amendment clarification

Dear Tish and Jason,

Per your question yesterday Tish, yes Table 3-102 (page 14 of my zoning book) will be amended for Accessory Uses and Activities to allow adaptive reuse of cargo shipping containers in A-1 only. So yes all columns will be X out with A-1 having a BZA.

I guess it was not totally clear in my staff report but I did mention the table amendment. Thanks for asking and hope this helps.

Thanks!

Ambre M. Torbett, AICP
Director of Planning & Codes
Nation's Public (TN)

Sullivan County Government
5411 Hwy 12e, Suite 30
Blountville, TN 37617
email: planning@sullivancounty.org
web-site: www.sullivancounty.org
423.279.2835 - direct

ZONING TEXT AMENDMENT REPORT
File No.: 11-801-00001

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Jason Meredith, Planner

DATE: 5 April 2011

APPLICANT: Sullivan County Planning

REQUESTED ACTION: Sullivan County Zoning Text Amendment Review & Approval

STAFF REPORT: From time to time, as the Sullivan County Planning Commission determines need, zoning resolution text amendments are necessary to maintain standards in good keeping with modern demands of Sullivan County zoning. This text amendment proposes to amend article ~~3-~~**102A, Accessory Uses and Activities Table** to allow the adaptive reuse of steel cargo shipping containers on five acre minimum tracts zoned **A-1 only** with the following supplemental design guidelines and definitions added to **Appendix A-103.6, add number 7**. Definition proposed by County Commissioner; and **Appendix B, B-105.2, add number 7, Accessory Uses and Activities-** to read:

- Steel Storage/Cargo Shipping Containers may be adapted and re-used as residential or agricultural storage buildings with the following supplemental design criteria:
 - Conditional Use reviewed for approval by the Board of Zoning Appeals;
 - Tract of land must be a minimum of five acres and zoned A-1;
 - An evergreen planted buffer around the perimeter of the structure (see buffer code in Article 8) may be required at the discretion of the Board of Zoning Appeals based upon site visibility to neighbors;
 - Added structural pitched roof built to current building code;
 - Anchored/tied down containers that are set plumb and level at grade;
 - No commercial activity within;
 - Cannot exceed two containers high;
 - Total structure shall be setback a minimum of 30 feet along all property lines;
 - Shall not exceed the square footage limitation set forth in article 3-103.6 for Customary Residential Accessory Structures;
 - Building permit required.

○ Definition to read:

- Steel Storage Container Structure (SSCS): The standard steel cargo container sizes are 20 feet long by 8 feet wide by 8 ½ feet high or 40 feet long by 8 feet wide by 8 ½ feet high.

During their March regular meeting, the Sullivan County Planning Commission voted unanimously in favor of these text amendments.

OPTIONS:

The Planning Commission's options are as follows:

1. Approve the zoning text amendment, sending a favorable recommendation to the Sullivan County Commission.
2. Disapprove the zoning text amendment and state the reasons for denial in writing.
3. Postpone action pending receipt of additional information.

STAFF RECOMMENDATION:

Staff recommends Option 1.

RESOLUTIONS ON DOCKET FOR MAY 16, 2011

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 05-16-11
#2 SELL COUNTY OWNED DELINQUENT TAX PROPERTY AT BIG ARM BRANCH IN THE 16 TH CIVIL DISTRICT	APPROVED 05-16-11
#3 SELL COUNTY OWNED DELINQUENT TAX PROPERTY ON WINDSOR FOREST DRIVE; KINGSPORT, TENNESSEE IN THE 14 TH CIVIL DISTRICT	APPROVED 05-16-11
#4 SELL COUNTY OWNED DELINQUENT TAX PROPERTY ON 1108 HARRISON AVENUE; KINGSPORT, TENNESSEE IN THE 12 TH CIVIL DISTRICT	WITHDRAWN 05-16-11
#5 AUTHORIZING PAY RAISE FOR ALL GENERAL, HIGHWAY, SOLID WASTE, HEALTH & EMS FUND EMPLOYEES IN 2011-2012 BUDGET IN THE SAME PERCENTAGE AMOUNT GIVEN TO EMPLOYEES OF THE STATE OF TN IN THE STATE'S 2011-2012 BUDGET, AND ADOPTING PROCEDURE FOR FUTURE RAISES	DEFERRED 05-16-11
#6 AUTHORIZE TAX RELEASES FOR THE 2009 TAX YEAR FROM THE OFFICE OF COUNTY TRUSTEE	APPROVED 05-16-11
#7 AMEND THE 2010-2011 FISCAL YEAR GENERAL FUND BUDGET APPROPRIATIONS FOR COURT ORDERED MENTAL HEALTH EVALUATIONS	APPROVED 05-16-11
#8 AUTHORIZE A CONTINUING BUDGET FOR THE FY BEGINNING JULY 1, 2011; THE ISSUANCE OF TAX ANTICIPATION NOTES; AND THE EXPENDITURE OF FUNDS BY VARIOUS COUNTY OFFICES AND DEPARTMENTS	APPROVED 05-16-11
#9 AUTHORIZING SULLIVAN COUNTY LITTER GRANT PROGRAM FOR FY 2011-2012	1 ST READING 05-16-11
#10 AMEND THE OBSERVATION KNOB PARK FUND BUDGET FOR 2011 FY BY \$25,000	1 ST READING 05-16-11
#11 AUTHORIZING AS OF JULY 1, 2011 LEASE AGREEMENT BETWEEN SULL. CO, TN AND SULL. CO-BLUFF CITY-KINGSPORT ANIMAL CONTROL CENTER, INC. FOR LEASE OF CURRENT SULL. COUNTY ANIMAL FACILITY AND AUTHORIZING TRANSFER OF CERTAIN PERSONAL PROPERTY AND MOTOR VEHICLES TO SULL. COUNTY-BLUFF CITY-KINGSPORT ANIMAL CONTROL CENTER, INC	APPROVED 05-16-11

#12 ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE SULLIVAN COUNTY LIBRARY	APPROVED 05-16-11
#13 AUTHORIZING ARCHIVES AND RECORDS MANAGEMENT FEE AS ESTABLISHED IN ACCORDANCE WITH TCA 10-7-408	1 ST READING 05-16-11
#14 REQUESTING THE GRANTING OF A QUITCLAIM DEED FROM SULL. CO. GOVERNMENT TO MR. PAUL ROLLER FOR THE ABANDONMENT OF UNOPENED EXCESS RIGHT-OF-WAY RUNNING PARALLEL TO HIGHWAY 11W RIGHT-OF-WAY, WHICH WAS ORIGINALLY RESERVED FOR A FUTURE FRONTAGE ROAD	1 ST READING 05-16-11
#15 TO AMEND 2011 FY HIGHWAY FUND BUDGET FOR \$335,200 STATE AID FUNDS TO BE EXPENDED ON JARED DRIVE	APPROVED 05-16-11
#16 AMEND THE HIGHWAY FUND BUDGET FOR 2010-2011 FISCAL YEAR TO TRANSFER REMAINING BALANCES INTO ASPHALT PLANT ACCOUNT	APPROVED 05-16-11
#17 SUPPORTING THE APPOINTMENT OF BARRY STAUBUS AS DISTRICT ATTORNEY GENERAL FOR THE 2 ND JUDICIAL DISTRICT	APPROVED 05-16-11

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2011-05-00

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 May 2011.

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsor: John Crawford
Prime Co-Sponsor(s): O.W. Ferguson

2011-05-00	County Commission
ACTION	Approved 05-16-11 Voice Vote

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Budget/Executive
No. 2011-04-34
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 April, 2011.

RESOLUTION To Sell County Owned Delinquent Tax Property At Big Arm Branch In The 16th Civil District

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding; and

WHEREAS, the current amount owed against the property is \$2,578.40 for this parcel; and

WHEREAS, a bid in the amount of \$200.00 has been received from Randall and Michelle McMillian for this parcel of land located in the 16th Civil District identified as Tax Map 137, Parcel 034.01; and

WHEREAS, in accordance with T.C.A. §67-5-2507 a legal notice has been published in a newspaper of general circulation in Sullivan County advising the public of such bid and potential sale of land; and

WHEREAS, during the ten day period after publication, the Office of the County Mayor received no raised bids on such property; and

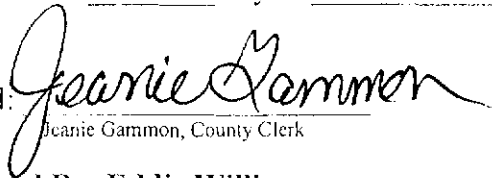
WHEREAS, the Sullivan County Delinquent Tax Committee has reviewed the delinquency period, location, condition, and value of the property and took into consideration the bid placed upon the property; and the Committee has recommended that the County accept the bid.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the sale of property located in the 16th Civil District identified as Tax Map 137, Parcel 034.01 to Randall and Michelle McMillian for the amount of \$200.00 for the parcel in accordance with T.C.A. § 67-5-2507.

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 16th day of May 2011.

Attested:


Jeanie Gammon, County Clerk

Approved:


Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams

Prime Co-Sponsor(s): Joe Herron

2011-04-34	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-2-11	Approved 5-5-11	Approved 5-3-11	Approved 05-16-11 22 Aye, 1 Nay, 1 Absent

Notes: 1st Reading 04-18-11;

**OFFER TO PURCHASE
COUNTY OWNED TAX PROPERTY**

I, Randall McMillian (Bidder's Name), on this the 17th day of March, 2011, hereby submit this Offer to Purchase to the Office of the County Mayor of Sullivan County located in Blountville, Tennessee, and hereby offer to purchase a particular piece of property located at:

Big Army Branch (street address) in _____
Sullivan County, Tennessee, for the sum of \$ 200.00

This property is identified by the Sullivan County Property Assessor's Office as:
Civil District 16th, Tax Map 137, Group _____, Parcel 034.01

I understand and agree that the Office of the County Mayor shall cause a one-time legal notice of this bid to be published in a newspaper(s) of general circulation within the county, as required by law, and I agree to be liable for the costs thereof, even if I later withdraw my bid. I understand that in the event raised bids are placed by other parties, if I am the high bidder I will be responsible for full costs of the legal notice publication.

I have enclosed \$ 20.00 as a 10% deposit on the bid hereby submitted. I further understand that the county will be depositing these funds into their general account. In the event I withdraw my bid, I understand that my bid may be refunded less the cost of the legal notice publication costs; or in the event I am not the successful bidder I understand that I will be entitled to a full refund of my deposit.

I fully understand that in addition to this bid I am responsible for the full amount of the current year's Sullivan County taxes owed against this property. I fully understand that in addition to this bid all city taxes, delinquent or current, must be paid to the appropriate municipality.

Bidder: Randall McMillian 3-17-11
Signature Date

Address: 218 Sasanua Ct
Kingsport TN 37664

Phone: 423-349-7210

Name(s) as they should appear on deed: Randall and Michelle McMillian

RECEIVED BY: Office of the County Mayor: [Signature] 3-17-11 1:42 pm
Signature Date/Time

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN March 27, 2011

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 3/19/11, and appearing 1 consecutive weeks/times, as per order of

Sullivan County Mayor Office

Signed B. Little Dugas

NOTICE OF PROPOSED SALE

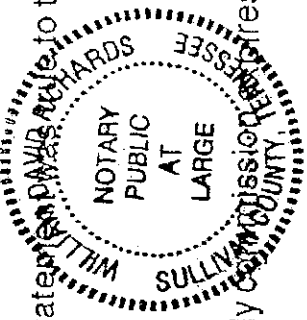
Pursuant to TCA 67-5-2507 (b), notice is hereby given that Randall McMillian placed the following bids: \$200.00 for real property located in the 13th Civil District, acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 090, Parcel 102.00; \$200.00 for real property located in the 14th Civil District, acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 092A, Group C, Parcel 011.10; \$200.00 for real property located in the 16th Civil District, acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 137, Parcel 034.01. Raised bids will be accepted at the Office of the County Mayor, Sullivan County Courthouse, 3411 Hwy 126, Ste 206, Blountville, Tennessee; for ten days after publication of this notice; however, raised bids must exceed the amount of the bid herein by a minimum of ten percent (10%); Said property to be sold without warranties. Steve Godsey, County Mayor

Pub 1T: 03/19/2011

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 22nd day of March 2011, B. Little Dugas

of the Kingsport Times-News and in due form of law made oath that the foregoing stated was true to the best of my knowledge and belief.



William David Roberts
NOTARY PUBLIC

My Commission Expires 7-2-11

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Budget/Executive
No. 2011-04-35
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 April, 2011.

RESOLUTION To Sell County Owned Delinquent Tax Property On Windsor Forest Drive; Kingsport, Tennessee In The 14th Civil District

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding; and

WHEREAS, the current amount owed against the property is \$1,891.83 for this parcel; and

WHEREAS, a bid in the amount of \$200.00 has been received from Randall and Michelle McMillian for this parcel of land located in the 14th Civil District identified as Tax Map 092-A, Group C, Parcel 011.10; and

WHEREAS, in accordance with T.C.A. §67-5-2507 a legal notice has been published in a newspaper of general circulation in Sullivan County advising the public of such bid and potential sale of land; and

WHEREAS, during the ten day period after publication, the Office of the County Mayor received no raised bids on such property; and


WHEREAS, the Sullivan County Delinquent Tax Committee has reviewed the delinquency period, location, condition, and value of the property and took into consideration the bid placed upon the property; and the Committee has recommended that the County accept the bid.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the sale of property located in the 14th Civil District identified as Tax Map 092-A, Group C, Parcel 011.10 to Randall and Michelle McMillian for the amount of \$200.00 for the parcel in accordance with T.C.A. § 67-5-2507.

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Joe Herron

2011-04-35	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-2-11	Approved 5-5-11	Approved 5-3-11	Approved 05-16-11 21 Aye, 3 Absent

Notes: 1st Reading 04-18-11;

**OFFER TO PURCHASE
COUNTY OWNED TAX PROPERTY**

I, Randall McMillian (Bidder's Name), on this the 17th day of March, 2011, hereby submit this Offer to Purchase to the Office of the County Mayor of Sullivan County located in Blountville, Tennessee, and hereby offer to purchase a particular piece of property located at: Windsor Forest Dr. (street address) in Kingsport TN Sullivan County, Tennessee, for the sum of \$ 200,000

This property is identified by the Sullivan County Property Assessor's Office as: Civil District 14th, Tax Map 092A, Group C, Parcel 011.10

I understand and agree that the Office of the County Mayor shall cause a one-time legal notice of this bid to be published in a newspaper(s) of general circulation within the county, as required by law, and I agree to be liable for the costs thereof, even if I later withdraw my bid. I understand that in the event raised bids are placed by other parties, if I am the high bidder I will be responsible for full costs of the legal notice publication.

I have enclosed \$ 20,000 as a 10% deposit on the bid hereby submitted. I further understand that the county will be depositing these funds into their general account. In the event I withdraw my bid, I understand that my bid may be refunded less the cost of the legal notice publication costs; or in the event I am not the successful bidder I understand that I will be entitled to a full refund of my deposit.

I fully understand that in addition to this bid I am responsible for the full amount of the current year's Sullivan County taxes owed against this property. I fully understand that in addition to this bid all city taxes, delinquent or current, must be paid to the appropriate municipality.

Bidder: Randall McMillian 3-17-11
Signature Date

Address: 218 Sasamea Ct
Kingsport TN 37604

Phone: 423-349-7210

Name(s) as they should appear on deed: Randall and Michelle McMillian

RECEIVED BY: Office of the County Mayor

Marlene B. [Signature]
Signature

3-17-11 1:44pm
Date/Time

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN March 22, 2011

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 3/19/11, and appearing 1 consecutive weeks/times, as per order of _____

Sullivan County Mayor's Office

Signed Bette Hayes

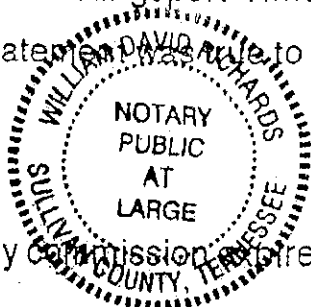
NOTICE OF PROPOSED SALE

Pursuant to TCA 87-5-2507 (b), notice is hereby given that Randall McMillian placed the following bids: \$200,000 for real property located in the 13th Civil District acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 090, Parcel 102.00; \$200,000 for real property located in the 14th Civil District acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 092A, Group C, Parcel 011.10; \$200,000 for real property located in the 16th Civil District acquired by Sullivan County pursuant to a lien for delinquent taxes, known as Tax Map 137, Parcel 034.01. Raised bids will be accepted at the Office of the County Mayor, Sullivan County Courthouse, 3411 Hwy 126, Ste 206, Blountville, Tennessee, for ten days after publication of this notice; however, raised bids must exceed the amount of the bid herein by a minimum of ten percent (10%). Said property to be sold without warranties. Steve Godsey, County Mayor

Pub IT: 03/19/2011

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 22nd day of March 2011, Bette Hayes of the Kingsport Times-News and in due form of law made oath that the foregoing statement is true to the best of my knowledge and belief.



William David Richards
NOTARY PUBLIC

My Commission Expires 7-2-11

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Budget/Executive
No. 2011-04-36
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 April, 2011.

RESOLUTION To Sell County Owned Delinquent Tax Property On 1108 Harrison Avenue; Kingsport, Tennessee In The 12th Civil District

WHEREAS, Sullivan County acquired real property through a delinquent property tax proceeding; and

WHEREAS, the current amount owed against the property is \$2,806.05 for this parcel; and

WHEREAS, a bid in the amount of \$1,515.00 has been received from Jimmy and Freda Castle for this parcel of land located in the 12th Civil District identified as Tax Map 29-E, Group A, Parcel 024.00; and

WHEREAS, in accordance with T.C.A. §67-5-2507 a legal notice has been published in a newspaper of general circulation in Sullivan County advising the public of such bid and potential sale of land; and

WHEREAS, during the ten day period after publication, the Office of the County Mayor received no raised bids on such property; and

WHEREAS, the Sullivan County Delinquent Tax Committee has reviewed the delinquency period, location, condition, and value of the property and took into consideration the bid placed upon the property; and the Committee has recommended that the County accept the bid.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the sale of property located in the 12th Civil District identified as Tax Map 29-E, Group A, Parcel 024.00 to Jimmy and Freda Castle for the amount of \$1515.00 for the parcel in accordance with T.C.A. § 67-5-2507.

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Joe Herron

2011-04-36	Administrative	Budget	Executive	County Commission
ACTION	Deferred 5-2-11	Approved 5-5-11	Deferred 5-3-11	

Notes: 1st Reading 04-18-11; **Withdrawn 05-16-11.**

OFFER TO PURCHASE
COUNTY OWNED TAX PROPERTY

I, Jimmy & Freda Castle (Bidder's Name), on this the 10 day of March, 2011, hereby submit this Offer to Purchase to the Office of the County Mayor of Sullivan County located in Blountville, Tennessee, and hereby offer to purchase a particular piece of property located at:

1108 HARRISON AVE. (street address) in Kingsport, TN. Sullivan County, Tennessee, for the sum of \$ 1515.⁰⁰

This property is identified by the Sullivan County Property Assessor's Office as: Civil District 12, Tax Map 29-E, Group A, Parcel 02400

I understand and agree that the Office of the County Mayor shall cause a one-time legal notice of this bid to be published in a newspaper(s) of general circulation within the county, as required by law, and I agree to be liable for the costs thereof, even if I later withdraw my bid. I understand that in the event raised bids are placed by other parties, if I am the high bidder I will be responsible for full costs of the legal notice publication.

I have enclosed \$ 152.⁰⁰ as a 10% deposit on the bid hereby submitted. I further understand that the county will be depositing these funds into their general account. In the event I withdraw my bid, I understand that my bid may be refunded less the cost of the legal notice publication costs; or in the event I am not the successful bidder I understand that I will be entitled to a full refund of my deposit.

I fully understand that *in addition to this bid* I am responsible for the full amount of the current year's Sullivan County taxes owed against this property. I fully understand that *in addition to this bid* all city taxes, delinquent or current, must be paid to the appropriate municipality.

Bidder: Jimmy & Castle 3/10/11
Signature Date

Address: 1112 Harrison Avenue
Kingsport, In 37665

Phone: 423-246-9276

Name(s) as they should appear on deed: Jimmy & Freda Castle

RECEIVED BY: Office of the County Mayor: Wade Bata 3-10-11 1:47p.m.
Signature Date/Time

KINGSPORT TIMES-NEWS

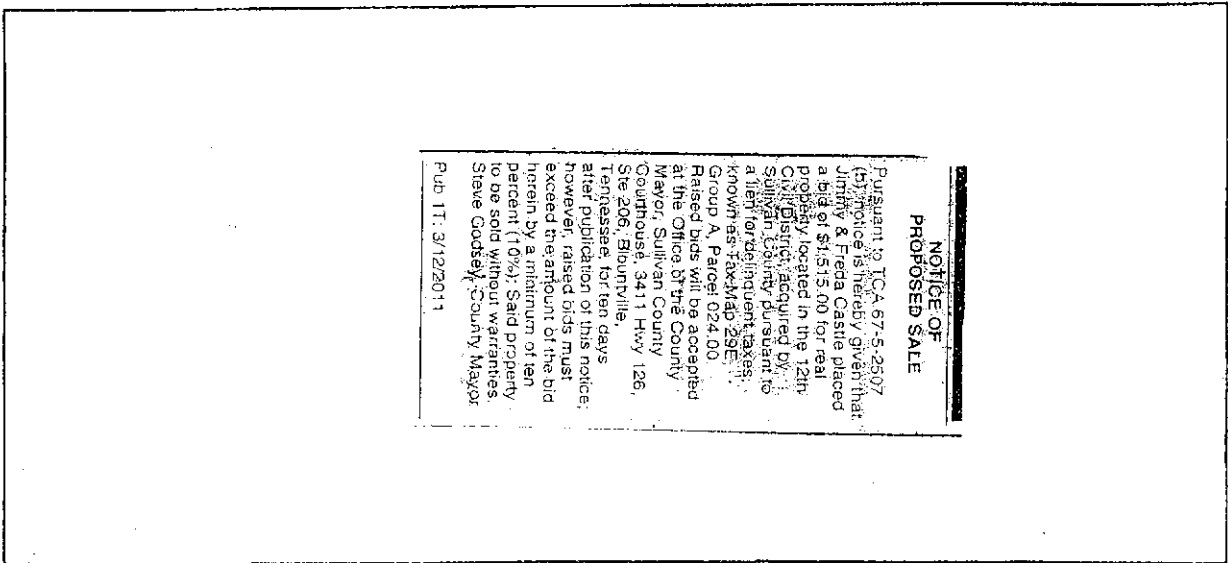
PUBLICATION CERTIFICATE

Kingsport, TN March 14, 2011

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 3/12/11, and appearing 1 consecutive weeks/times, as per order of _____

Sullivan County Mayors Office

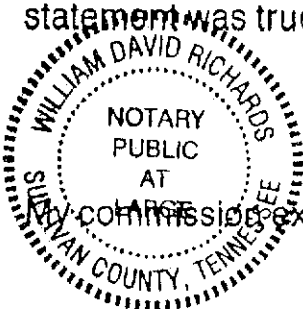
Signed Debra Hays



STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 14th day of March 2011, Debra Hays of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

William David Richards
NOTARY PUBLIC



My commission expires 7-2-11

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Administrative
No. 2011-04-37

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 April, 2011.

RESOLUTION Authorizing Pay Raise For All General, Highway, Solid Waste, Health & EMS Fund Employees In 2011-2012 Budget In The Same Percentage Amount Given To Employees Of The State Of Tennessee In The State's 2011-2012 Budget, And Adopting Procedure For Future Raises

WHEREAS, employees in Sullivan County's General, Highway, Solid Waste, Health & EMS Funds have not received an annual raise since the 2007-2008 budget; and

WHEREAS, Governor Haslam has proposed a raise of 1.6% for all state employees in his proposed 2011-2012 budget for the State of Tennessee; and

WHEREAS, it is the desire of Sullivan County to provide its employees in the General, Highway, Solid Waste, Health & EMS Funds with a pay raise equal in percentage to that which state employees receive upon adoption of the 2011-2012 budget for the State of Tennessee; and

WHEREAS, it is the desire of Sullivan County to provide its employees in the General, Highway, Solid Waste, Health & EMS Funds with future pay raises equal in percentage to that of state employees upon adoption of future state budgets;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of April, 2011 hereby approve a pay raise for all Sullivan County General, Highway, Solid Waste, Health & EMS Fund employees in the same percentage amount adopted by the Tennessee General Assembly as a raise for state employees in the 2011-2012 budget for the State of Tennessee, said raise to be retroactive to July 1, 2011 in the event Sullivan County's 2011-2012 budget is approved after that date. The Director of Accounts and Budgets is hereby directed to reallocate such funds as may be necessary to cover the additional cost of the aforesaid increase in wages.

BE IT FURTHER RESOLVED that beginning with the 2012-2013 fiscal year and each year thereafter, employees in Sullivan County's General, Highway, Solid Waste, Health & EMS Funds shall receive a pay raise equal in percentage to that of state employees for that budget cycle and such raises shall be automatically calculated into the proposed budget prior to passage by the County Commission.

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 _____ 2011.

Attested: _____
Jeanie Gannon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Wayne McConnell
Prime Co-Sponsor(s): James "Moe" Brotherton

2011-04-37	Administrative	Budget	Executive	County Commission
ACTION	Motion Failed 5-2-11	Deferred 5-5-11	Deferred 5-3-11	

Notes: 1st Reading 04-18-11; **Deferred 05-16-11;**
Amendment made by Crawford and accepted by McConnell "that the raises be tied to general employees, not cabinet members", 05-16-11.

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Budget
No. 2011-04-38

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 April, 2011.

RESOLUTION To Authorize Tax Releases For The 2009 Tax Year From The Office Of County Trustee.

WHEREAS, The Trustee of Sullivan County, pursuant to Tennessee statutes wishes to submit the following county tax releases.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby releases the Sullivan County Trustee's Office of the following amounts (details are on file) for the 2009 Tax Year:


Reconciliation of 2009 Tax Rolls

2009 Tax Aggregate	\$ 76,820,294.70
Add: Increases by Assessor	328,786.93
Less: Releases by Assessor & State	<u>(938,208.84)</u>
Adjusted 2008 Tax Aggregate	<u>\$ 76,210,872.79</u>
Taxes Paid	\$ 74,896,584.99
Add: Taxes Filed in Chancery Court	<u>1,314,287.80</u>
Total Taxes Accounted For by Trustee	<u>\$ 76,210,872.79</u>
Balance (Difference)	<u>\$ <u> </u></u>

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-04-38	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-2-11	Approved 5-5-11	Approved 5-3-11	Approved 05-16-11 23 Aye, 1 Absent

Notes: 1st Reading 04-18-11;

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Budget
No. 2011-04-39

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 April, 2011.

RESOLUTION To Amend The 2010-2011 Fiscal Year General Fund Budget Appropriations For Court Ordered Mental Health Evaluations.

WHEREAS, historically the State of Tennessee has funded the cost of Mental Health Evaluations for misdemeanor cases; and

WHEREAS, the state of Tennessee discontinued funding these services and a projected amount of \$15,000 was provided in the current year's original budget to fund this service; and


WHEREAS, billings for this service as of this date has exceeded the \$15,000 by \$14,250 leaving an unpaid balance.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, amend the General Fund Appropriations for this service in the amount of \$20,000 to be funded from the Fund Balance Account. (Account codes to be assigned by the Director of Accounts and Budgets).

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-04-39	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-2-11	Approved 5-5-11	Approved 5-3-11	Approved 05-16-11 22 Aye, 1 Pass, 1 Absent

Notes: 1st Reading 04-18-11; Amendment proposed by Crawford, seconded by Brittenham that the Mayor put together a committee consisting of a Sheriff's Dept. representative, an EMS representative as well as a few Commissioners to review & determine the statistics for the State as well as our body, just what it's costing & other perhaps options & alternatives. Amendment accepted by Sponsor Williams and approved with Resolution 05-16-11.

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Budget
No. 2011-05-41

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 May, 2011.

RESOLUTION To Authorize A Continuing Budget For The Fiscal Year Beginning July 1, 2011; The Issuance Of Tax Anticipation Notes; And The Expenditure Of Funds By Various County Offices And Departments

WHEREAS, in the event the Fiscal Year 2011-2012 Budget of Sullivan County is not approved by July 1, 2011, 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 2011-2012 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, 2012.

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 2010-2011 appropriations and that the various offices and departments are authorized to expend funds at the same level as the previous year.

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.

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 16th day of May 2011.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

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

2011-05-41	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-5-11	Approved 5-3-11	Approved 05-16-11 21 Aye, 3 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Budget
No. 2011-05-42

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 May, 2011.

RESOLUTION Authorizing Sullivan County Litter Grant Program For FY 2011-2012

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 2011-2012 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 _____ day of _____ 2011.

Attested: _____
 Jeanie Gammon, County Clerk

Approved: _____
 Steve M. Godsey, County Mayor

Sponsor: Joe Herron
Prime Co-Sponsor(s): Ed Marsh

2011-05-42	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-5-11		

Notes: **1st Reading 05-16-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Budget
No. 2011-05-43

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 May, 2011.

RESOLUTION To Amend The Observation Knob Park Fund Budget For 2011 FY By \$25,000.

WHEREAS, the 2011 FY budget for Observation Knob Park projected less revenues than collected for the first half of the fiscal year by over \$10,000; however, expenditures have exceeded last year's expenditure by approximately \$25,000 due primarily to one-time expenditures and utilities; and

WHEREAS, revenues are currently projected to outpace the prior year and the budgeted level by more than the \$10,000 needed to cover a portion of the increase in expenditures for the current operating year.

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 \$25,000 for the remainder of the fiscal year to cover operating expenses to be funded from increases in revenues (\$10,000) and fund balance (\$15,000). (Account codes to be assigned by the Director of Accounts and Budgets).

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-05-43	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-5-11		

Notes: **1st Reading 05-16-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Administrative
No. 2011-05-44
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 May, 2011.

RESOLUTION Authorizing As Of July 1, 2011 Lease Agreement Between Sullivan County, Tennessee And Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. For Lease Of Current Sullivan County Animal Shelter Facility And Authorizing Transfer Of Certain Personal Property And Motor Vehicles To Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2011-03-31 on April 18, 2011, a copy of which is attached, authorizing a Lease Agreement between Sullivan County, Tennessee and Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. for the use of the Sullivan County Animal Shelter facility and authorizing the donation and transfer of personal property and motor vehicles as shown on inventory attached to said Resolution; and

WHEREAS, Resolution No. 2011-03-31 further provided that said Lease Agreement and transfer of personal property and motor vehicles shall not take effect nor occur until the Internal Revenue Service approves Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.'s application for 501(c)(3) tax status; and

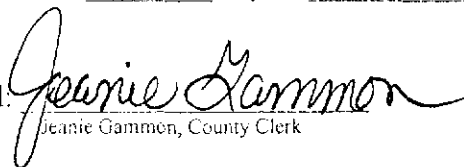
WHEREAS, approval of Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.'s application for 501(c)(3) tax status is taking longer than originally anticipated and it is the desire of all parties involved that the Lease Agreement and transfer of personal property and motor vehicles become effective with the change of the fiscal year on July 1, 2011;


NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 16th day of May, 2011 hereby authorize that the Lease Agreement between Sullivan County, Tennessee and the Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. and the transfer of personal property and motor vehicles set forth on the inventory as authorized by Resolution No. 2011-003-31 may occur as of July 1, 2011.

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron

Prime Co-Sponsor(s): Cathy Armstrong, Dwight King

2011-05-44	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-5-11		Approved 05-16-11 20 Aye, 1 Nay, 3 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Administrative
No. 2011-03-31
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of March, 2011.

RESOLUTION Authorizing Lease Agreement Between Sullivan County, Tennessee And Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. For Lease Of Current Sullivan County Animal Shelter Facility, More Particularly Described As The Building And A Fifty-Foot Radius Of Surrounding Real Property, And Authorizing Transfer Of Certain Personal Property And Motor Vehicles To Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.

WHEREAS, Sullivan County entered in an Interlocal Agreement on January 31, 2011 with the Cities of Kingsport and Bluff City for the purpose of creating a non-profit corporation known as "Sullivan County-Bluff City-Kingsport Animal Control Center, Inc." as authorized by Resolution No. 2010-11-107 approved by the Sullivan County Board of Commissioners on December 20, 2010; and

WHEREAS, the Charter for the newly created non-profit corporation known as "Sullivan County-Bluff City-Kingsport Animal Control Center, Inc." was filed with the Tennessee Secretary of State's Office on February 8, 2011; and

WHEREAS, Sullivan County desires to lease to Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. certain real property currently being utilized in the operation of the Sullivan County Animal Shelter, more particularly described as the building and a fifty-foot radius of surrounding real property, located at 380 Massengill Road, Blountville, Tennessee; and

WHEREAS, Sullivan County desires to transfer certain personal property and motor vehicles currently being utilized by Sullivan County Animal Shelter personnel, as set forth in the attached Inventory, to Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of March, 2011 hereby authorize the ATTACHED LEASE AGREEMENT between Sullivan County, Tennessee and the Sullivan County-Bluff City-Kingsport Animal Control Center, Inc. for use of the Sullivan County Animal Shelter facility more particularly described as the building and a fifty-foot radius of surrounding real property located at 380 Massengill Road, Blountville, Tennessee. The County Mayor is hereby authorized to execute the Lease Agreement on behalf of Sullivan County.

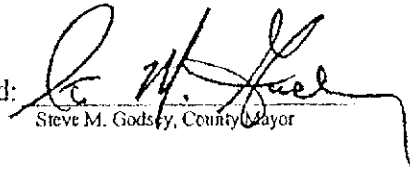
BE IT FURTHER RESOLVED that certain motor vehicles and other personal property currently being utilized by Sullivan County Animal Shelter personnel and specifically identified in the ATTACHED INVENTORY shall be donated and transferred to Sullivan County-Bluff City-Kingsport Animal Control Center, Inc., and the County Mayor is hereby authorized to execute such documents as may be necessary to transfer title to said vehicles and personal property.

BE IT FURTHER RESOLVED, however, that the Lease Agreement and transfer of motor vehicles and other personal property as authorized above shall not take effect nor occur until the Internal Revenue Service approves Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.'s application for 501(c) (3) tax status.

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 April 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-03-31	Administrative	Budget	Executive	County Commission
ACTION	No Action 4-4-11	Approved 4-7-11	Approved 4-5-11	Approved 04-18-11 22 Aye, 1 Pass, 1 Absent

Notes: 1st Reading 03-21-11;

ATTACHMENT TO RESOLUTION _____

LEASE AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2011, by and between COUNTY OF SULLIVAN, TENNESSEE, hereinafter called "Lessor", and SULLIVAN COUNTY-BLUFF CITY-KINGSPORT ANIMAL CONTROL CENTER, INC., a Tennessee non-profit corporation, hereinafter called "Lessee";

WITNESSETH:

That for and in consideration of the mutual covenants and agreements herein contained, it is mutually agreed as follows:

1. Lessor does hereby demise, let and lease to Lessee certain real property generally known as the Sullivan County Animal Shelter Property located at 380 Massengill Road, Blountville, Tennessee, in the 5th Civil District of Sullivan County, Tennessee and being a portion of Parcel 47.00 on Sullivan County Tax Map 51. Real property herein leased shall and does consist of the current Sullivan County Animal Shelter building together with a fifty foot (50') perimeter of land around the outside of the building (fifty foot radius out from building), the parking lot adjacent to the building, and non-exclusive ingress and egress along and across the access road from Massengill Road (hereinafter "Access Road") as it currently exists (all together hereinafter referred to as "Premises"). Premises shall at all times be subject to any and all covenants, conditions, restrictions and reservations contained in former deeds and other instruments of record applicable to said property, insofar as same are presently binding thereon, and to any easements apparent from an inspection of said property.

2. The term of this Lease shall be for a period of one (1) year beginning _____, 2011 and ending at midnight on _____, 2012. This Lease shall automatically renew on _____ 1st of each year for an additional one (1) year term unless either party terminates this Lease Agreement. In spite of the above

language, Lessor may terminate this Lease Agreement for any or no cause at any time upon sixty (60) days notice. However, this Lease Agreement shall not take effect nor occur until the Internal Revenue Service approves Sullivan County-Bluff City-Kingsport Animal Control Center, Inc.'s application for 501(c) (3) tax status.

3. Lessee shall pay rent at the rate of \$1.00 per year, said rent payable at the end of each year. Said rent shall be paid to the Lessor at the Office of Sullivan County Mayor, Courthouse, 3411 Highway 126, Suite 206, Blountville, Tennessee 37617.

4. Premises demised herein shall be used by Lessee for purposes ordinarily and customarily associated with governmental animal control services and the operation of an animal shelter associated therewith. This covenant of the Lessee is an essential condition, term, and covenant of this Lease Agreement and a non-discretionary obligation of the Lessee to perform. In the event the Lessee should fail to carry out its' activities in accordance with the aforesaid covenant such breach of Lessee's covenant shall be good cause for this Lease Agreement to be terminated upon thirty (30) days written notice to Lessee by Lessor.

5. Lessee shall not assign this Lease nor sub-let or lend Premises without prior written consent of Lessor, nor shall Lessee at any time sell, transfer, give away or in any other way dispose of any portion of Premises without first obtaining prior written consent from Lessor.

6. All additions, fixtures or improvements which may be made by Lessee during the term of this Lease Agreement or any extension thereof shall, unless otherwise agreed upon, become the property of Lessor and remain upon Premises as a part thereof and shall be surrendered with Premises at the termination of this Lease Agreement as provided herein at no cost or additional expense to Lessor.

7. All personal property placed or moved upon or into the above described Premises shall be at the sole risk of Lessee and/or owner of such personal property and Lessor shall not be liable for any damages to such personal property. Further Lessor shall not be liable to Lessee or third parties for damages caused by bursting or leaking of water pipes, roof leaks, fire or any other

casualty to any improvement or property, real or personal, presently located on the Premises or hereafter located or constructed, or for other casualty of any sort, or for damages resulting from any negligence of Lessee, its officers, employees or agents or any third party, or any occupant, invitee or user of Premises, or from any volunteer, spectator or any other person whomsoever. Lessee agrees to hold harmless and indemnify Lessor from any such loss and/or liability including Lessor's reasonable attorney fees and expenses and shall insure Lessor as hereinafter provided.

8. (a) Lessee agrees to hold harmless and indemnify Lessor from and against all loss, liability, claim and/or expense relating to injury to person or property that may be incurred by Lessee or any third party by reason of any accident or by reason of any damage, neglect, or misadventure arising from or in any way growing out of the use, misuse or abuse of Premises demised herein, and Lessee will maintain adequate insurance for such purposes, including general public liability insurance in the minimal amounts set forth in subsection (b) of this paragraph. Lessor shall not be liable to Lessee or to any other person for injury, claim, loss or damage to any property or to any person, for which loss Lessee shall insure and save Lessor harmless therefrom.

(b) Lessee agrees to maintain at all times during the term of this Lease Agreement general public liability insurance in the minimal amount of One Million Dollars (\$1,000,000) per person and One Million Dollars (\$1,000,000) per occurrence and shall list Sullivan County as an additional insured on the policy.

(c) Lessee shall maintain fire insurance on any and all buildings existing at the time of this Agreement and any building or addition constructed hereafter. Lessor shall not be required to insure any building, addition or structure.

(d) Lessee agrees to furnish to Lessor Certificates of Insurance demonstrating that the Lessee has complied with the terms of this section of this Lease Agreement.

9. Lessee covenants and agrees to retain all utility billings in Lessee's name, and to pay or cause to be paid fully and promptly all utility charges billed for utilities consumed on Premises. As used herein the term "utility" is used to mean all electricity, gas, oil, water, sewer,

garbage service, and any other type of service provided for or furnished to or for the benefit of the Premises.

10. (a) Lessee accepts the Premises as is. Lessee shall be responsible for the prompt maintenance and repair of the Premises and all improvements thereon at Lessee's sole risk, cost, and expense during the term of this Lease and any extension thereof including, but not limited to, plumbing, HVAC and other mechanical and electrical systems, maintenance of utility service, walls, roof, windows, parking areas, sidewalks and structures. Lessee shall at all times maintain the interior and exterior of the Premises in a clean, well maintained, sightly and safe condition free from any dangerous condition, nuisance, litter, clutter, trash and/or waste and shall make all repairs thereto, ordinary and extraordinary, foreseen and unforeseen. Lessee shall be responsible for, and bear the sole cost of the consequences of any damage to the Premises resulting from the delay in making needed repairs. Lessee shall keep the Premises in as good a condition as when first let, reasonable wear and tear excepted, and shall promptly undertake any actions as may be necessary to repair or restore the Premises in the event of any physical damage thereto. Lessor shall bear no obligation to maintain Premises in any way whether considered normal maintenance or capital improvement.

(b) Lessor shall maintain the Access Road in its current condition. Any improvements to the Access Road above and beyond its current condition shall be the sole responsibility of Lessee.

11. Lessee agrees not to make any alterations, additions, improvements or changes to Premises, interior or exterior, including, but not limited to, equipment and fixtures provided by Lessor or to install any major appliances in Premises without first obtaining the written consent of Lessor.

12. Lessor shall have the right to enter Premises at any and all times and this right shall exist whether or not Lessee shall be on Premises at such time.

13. It is understood that Lessor is a tax-exempt entity. In the event that this Lease be recharacterized such that taxes be assessed against the Premises, then this Lease shall be subject to termination and an appropriate adjustment shall be made by the parties in the form of additional rent, if necessary.

14. Upon termination or expiration of this Lease Agreement, Lessee shall peacefully surrender Premises to Lessor in as good a condition as is now, ordinary wear and tear excepted.

15. All notices herein provided to be given or which may be given by either party to the other shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid, and addressed as follows:

To Lessor At: Office of the County Mayor
Courthouse
3411 Highway 126, Suite 206
Blountville, Tennessee 37617

To Lessee At: Sullivan County-Bluff City-Kingsport Animal
Control Center, Inc.

IN WITNESS-WHEREOF, the parties hereto have executed their signatures of the day and year first above written.

SULLIVAN COUNTY, TENNESSEE

BY: _____
Steve Godsey, County Mayor

Attest:

LESSOR

Jeanie Gammon, County Clerk

SULLIVAN COUNTY-BLUFF CITY-
KINGSPORT ANIMAL CONTROL
CENTER, INC.

BY: _____
Title: _____

LESSEE

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Steve Godsey, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainer, and who, upon oath, acknowledged himself to be the County Mayor of Sullivan County, Tennessee, one of the within named bargainors, a political subdivision of the State of Tennessee, and that he as such County Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of said political subdivision by himself as County Mayor.

WITNESS my hand and official seal this ____ day of _____, 2011.

Notary Public

My commission expires: _____

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, of the state and county aforesaid, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the _____ of Sullivan County-Bluff City-Kingsport Animal Control Center, Inc., a Tennessee corporation, one of the within named bargainors, and that he as such President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as _____.

WITNESS my hand and seal, this ____ day of _____, 2011.

Notary Public

My commission expires: _____

ANIMAL SHELTER SUPPLY'S

4 OFFICE DESKS
3 COMPUTER DESKS
11 FILE CABINETS
2 REFRIGERATORS
15 STORAGE/BOOK SHELVES
6 COMPUTERS/ACCESSORIES
1 STEREO
1 CAMERA MONITOR
16 CAMERA SYSTEM
3 FAX MACHINES
7 OFFICE CHAIRS
6 LOBBY CHAIRS
1 SMALL TV AND VCR
1 AUDIO HEAD UNIT
1 MIC.
2 EAR PLUG CONTAINERS
2 PHONES
4 KODAK DIGITAL CAMERAS
1 NET GUN
2 DART GUNS
1 BLOW DART GUN
1 SYRNINGE POLE
1 WASHER
3 DRYERS
2 PRESSURE WASHERS
1 SHOP VAC
14 DRUMS AND LIDS
13 DOG TRAPS
MULTIPLE PET CARRIERS
9 CAT TRAPS
3 CAT TONGS
10 CATCH POLES
2 SCOOPERS
3 DOG LEASH CABLES
3 MTS 2000 PORTABLE RADIO WITH CASE
3 ASPS
3 ASP HOLDERS
2 PEPPER SPRAY WITH CASE
2 VIDEO CAMCORDERS
4 MOTOROLA MOBILE RADIOS
3 MAGLITE FLASHLIGHTS
3 VERIZON PHONES WITH CHARGERS
4 GPS TOM-TOM
2 12 VOLT D.C. TO 120 VOLT A.C. INVERTER
6 TRUCKS

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Administrative/Budget
No. 2011-05-45

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 May, 2011.

RESOLUTION To Accept And Appropriate Grant Funds For The Sullivan County Library

WHEREAS, a grant has become available through the Tennessee State Library and Archives in an amount up to \$2,288.00 for the computer software and network printers for all library locations; and

WHEREAS, the Sullivan County Library has anticipated and planned for this project and has chosen to spend a portion of their budget on this project.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting and appropriating funds in an amount up to \$2,288.00 from the Department of State, Tennessee State Library and Archives.

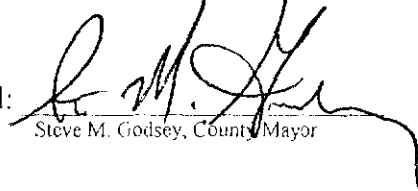
BE IT RESOLVED that the Sullivan County Library will provide matching funds per grant guidelines from their current budget (No New Money Involved). Account Codes assigned by the Office of Accounts & Budgets as follows:

Revenue 101.46990.Pgm 141
Appropriation 101.56500.700. Pgm 141

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Linda Brittenham
Prime Co-Sponsor(s): Terry Harkleroad

2011-05-45	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-5-11		Approved 05-16-11 21 Aye, 3 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Administrative/Budget/Executive
No. 2011-05-46

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 May, 2011.

RESOLUTION Authorizing Archives And Records Management Fee As Established In Accordance With Tennessee Code Annotated §10-7-408

WHEREAS, Tennessee Code Annotated §10-7-408 permits counties to enact an archives and record management fee to fund county archives, and

WHEREAS, the Sullivan County Department of Archives and Tourism is in dire need of space for records, and personnel for managing, scanning, and accessing its archival records;

WHEREAS, the Sullivan County Historic Preservation and Tourism Advisory Board unanimously recommends the creation of an archives and record management fee for Sullivan County;

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SULLIVAN COUNTY, TENNESSEE THAT:

SECTION 1. In accordance with Tennessee Code Annotated §10-7-408, which authorizes counties to establish an archives and record management fee, the county legislative hereby creates an archives and record management fee in accordance with the following schedule:

Courts of General Sessions, Circuit, Criminal, Probate, and Chancery:

A fee of \$5.00 for all public records filed with the clerks of court for the purpose of initiating a legal proceeding.

County Clerk:

A fee of \$5.00 for all marriage license applications

A fee of \$5.00 for all beer permit applications

A fee of \$5.00 for all notary public applications

A fee of \$5.00 for all vehicle titles, to include replacement titles

A fee of \$5.00 for all business license applications

Zoning Department:

A fee of \$5.00 for all building permit applications

A fee of \$5.00 for all rezoning requests

A fee of \$5.00 for all variance applications

A fee of \$5.00 for all stormwater permits

Highway Department:

A fee of \$5.00 for all driveway permits

A fee of \$5.00 for all road cut permits

SECTION 2. Funds collected through this fee are designated exclusively for duplicating, storing, and maintaining any records required by law to be kept.

SECTION 3. For purposes of collection, this Resolution shall take effect on the first day of July 2011.

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Joe Herron

2011-05-46	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 05-16-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Executive
No. 2011-05-47
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 May, 2011.

RESOLUTION Requesting The Granting Of A Quitclaim Deed From Sullivan County Government To Mr. Paul Roller For The Abandonment Of Unopened Excess Right-Of-Way Running Parallel To Highway 11W Right-Of-Way, Which Was Originally Reserved For A Future Frontage Road, Located Within The 10th Civil District And Being More Specifically Illustrated On The Attached Survey, As Prepared By Joe Fugate Jr., Dated March 7, 2011.

WHEREAS, the original subdivision plat called the Evergreen Ledge Subdivision, Block 6, lots 1 and 2 illustrate a portion of a frontage road right-of-way, which was originally reserved for the development of a frontage road along Highway 11W. Pursuant to the recorded plat of record, dated July of 1955, such land was dedicated or set aside by the developer but was neither paved nor opened to the public for use nor adopted by Sullivan County as a county road; and

WHEREAS, this portion of the undeveloped right-of-ways has never been considered a county maintained road; and

WHEREAS, the applicant owns both of the lots fronting this unopened and unpaved road; and

WHEREAS, the area of the proposed abandonment will not affect any other landowners as illustrated on the plat; and

WHEREAS, the abandonment of such described right-of-way illustrated on the survey has been recommended for approval by the Planning Director and the Highway Commissioner; and

WHEREAS, the Sullivan County Regional Planning Commission has considered this petition for right-of-way abandonment through a proposed survey at their April 19, 2011 meeting and forwards a favorable recommendation to the County Commission; and

WHEREAS, the applicant shall be responsible for any deed preparation and recordation at no cost to the county.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, in order to help clarify title to this property, does hereby approve this request by granting a Quitclaim Deed to Mr. Paul Roller for the abandonment of the unopened and unpaved portion of excess right-of-way formerly reserved for a frontage road, located with the 10th civil district of the Blountville area as illustrated on the attached survey. However, notice is hereby given to Mr. Roller and all interested parties that Sullivan County claims no interest whatsoever in this property and makes no representation otherwise.

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 _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Terry Harkleroad
Prime Co-Sponsor(s): John Crawford

2011-05-47	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 05-16-11;**

3/31/09

**WAIVER/RELEASE OF DAMAGES ASSOCIATED WITH
CLOSURE, ABANDONMENT, CHANGE AND/OR TRANSFER
OF ADJACENT COUNTY ROAD AND/OR RIGHT-OF-WAY**

I/We Paul Robler
(Name of Owner(s))

being owner(s) of land touched by the highway, road, and/or right-of-way proposed to be closed, abandoned, changed, and/or transferred to others by Sullivan County, Tennessee,

being more particularly described as Evergreen hedge s/d lots 1-7
(Description of Highway, Road, Right-of-Way)

off of Hwy. N-W Blountville
do hereby waive any and all claims for damages, past, present and future, known and unknown, that I/We might sustain by such closure, abandonment, change and/or transfer, and hereby release Sullivan County, Tennessee therefrom.

8-28-10
Date
Gary Osborne
Witness

Carole Osborne
SIGNATURE OF OWNER
Carole Osborne
Printed Name of Owner

Date

Witness

SIGNATURE OF OWNER

Printed Name of Owner

D. SUBDIVISION PLATS AND PLANS:

D2. RE-PLAT OF EVERGREEN LEDGE SUBDIVISION – EXCESS R-O-W

FINDINGS OF FACT:

Property Owner/Representative: Paul and Senia Roller
 Current Resident/tenant: vacant
 Parcel ID: Tax Map 033A, Group A, Parcel 010.00
 Location: Lots 1-7 of the Evergreen Ledge Subdivision
 Applicable Setbacks: Setbacks: 30’F, 30’R, 12’ Sides
 Water District: Bloomingdale Utility District
 Sewer or Septic: septic
 Growth Boundary: rural area
 Existing Zoning: R-1, Single Family Residential

Neighborhood Opposition/Support: *none noted prior to meeting*

Staff Field Notes and General Comments:

- The purpose of this request is to consider the combination of lots 1-7 of the Evergreen Ledge Subdivision and to ask the county to quitclaim the landowner a deed for the excess right-of-way from behind the state’s r-o-w and his land.
- Attached is the plat of record.
- Staff is waiting on a revised final combination plat, which will detail the dimensions of the excess r-o-w.
- This entire parcel is designated as being within the flood hazard area of AE. Any development of this lot would require a Flood Elevation Certificate and an engineered plan for filling for a house seat, including a no-rise certification for adjoining parcels or parcels downstream.

Discussion at Planning Commission:

- *Staff read her report and presented the preliminary plat for review.*
- *Mr. Paul Roller was present.*
- *Staff explained the process for approval as established by the county. This will require a recommendation by the Planning Commission and Executive Committee then two readings of the resolution by the County Commission. She will prepare the resolution and seek commissioner sponsors.*
- *Discussion followed. Recommendation approved.*

Sullivan County Regional Planning Commission Action – Preliminary Re-Plat and Recommendation to CC	
Approval: King, Settle – passed unanimously (5 yes, 4 absent)	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

Sullivan County Executive Committee Action – Preliminary Re-Plat and Recommendation to CC	
Approval:	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

Sullivan County Board of County Commissioners Action – Resolution to Quitclaim Excess R-O-W (2 readings)	
Approval:	
Denied:	Reason for Denial:
Deferred:	Reason for Deferral:

LOT 3

PAUL & SENIA ROLLER

DB. 2938C PG. 68 & 69

THE GRILLS

1255C PG. 346

N 03°31'13" W
45.00'

S 71°17'49" E
202.69'

143.20'
BOOZY CREEK

LOT 1A

0.758±AC.
TOTAL

OLD LINE

SETBACK LINE

LOT 2
OLD

LOT 1
OLD

S 18°30'00" W
135.85'

EVERGREEN DRIVE

EXISTING R/W

N 18°29'31" E

S 18°30'00" W
45.00'

IP(N)

C3

C4

C5

C6

0.300±AC.

C2

IP(N)

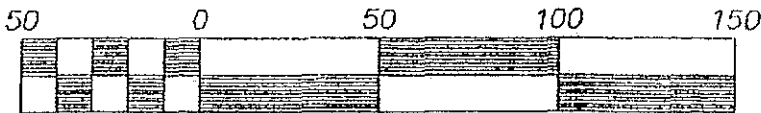
IP(N)

HWY. 11W

EXISTING R/W

1. I C
- SURVI
- VISIBL
- PROPI
2. TH
- CONV,
- RECOI
- DISCL
- THERE
- SURV
3. TH
- SE.
- DA
4. TA.
- PB.
5. R-

ARC LENGTH	CHORD LENGTH
39.17	35.32
125.31	125.31
41.19	41.19
79.54	71.42
80.00	80.00
31.61	28.42



ON OF THE UNADJUSTED
HEREON.

1 3-7-11
DATE

CERTIFICATION OF THE APPROVAL FOR 9

I HEREBY CERTIFY THAT THE ADDRESSES
PLAT, ARE APPROVED AS ASSIGNED.

DATE

SULLIVAN COUNTY DIRECTOR OF 811 ADDR
AUTHORIZED REPRESENTATIVE

ON OF THE APPROVAL OF WATER SYSTEMS

I HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM OR
ALLED, OR PROPOSED FOR INSTALLATION, FULLY

CERTIFICATE OF THE APPROVAL OF SEWERAGE SYSTEMS

I HEREBY CERTIFY THAT THE PRIVATE OR PUBLIC SEWERAGE DISPOSAL
SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR
INSTALLATION, FULLY MEET THE REQUIREMENTS OF THE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION,

CERTIFICATE OF APPROVAL

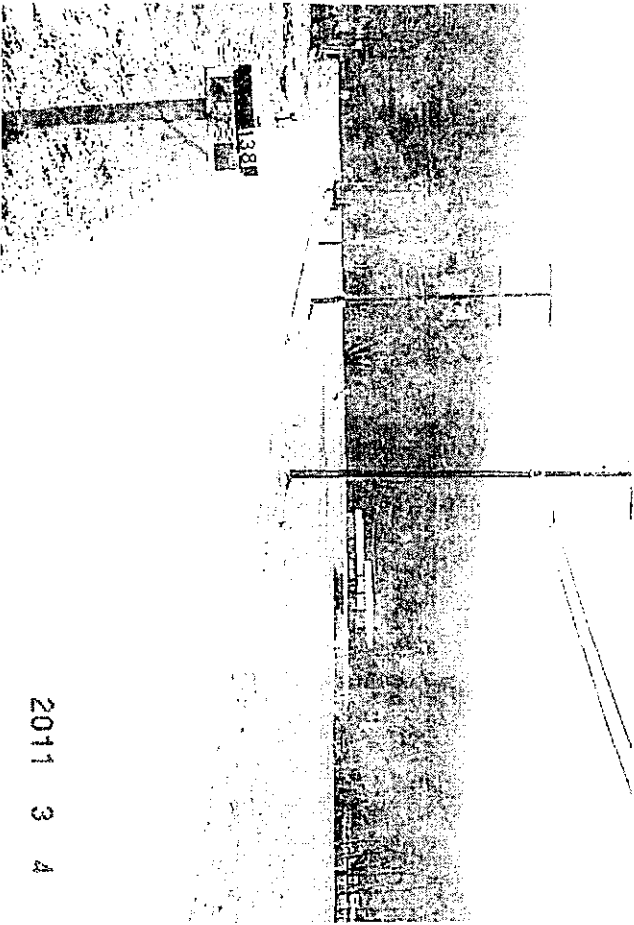
I HEREBY CERTIFY THAT THE SUBDIVISION
HAS BEEN FOUND TO COMPLY WITH THE
FOR SULLIVAN COUNTY, TENNESSEE, WITH
SUCH VARIANCES, IF ANY, AS ARE NOT



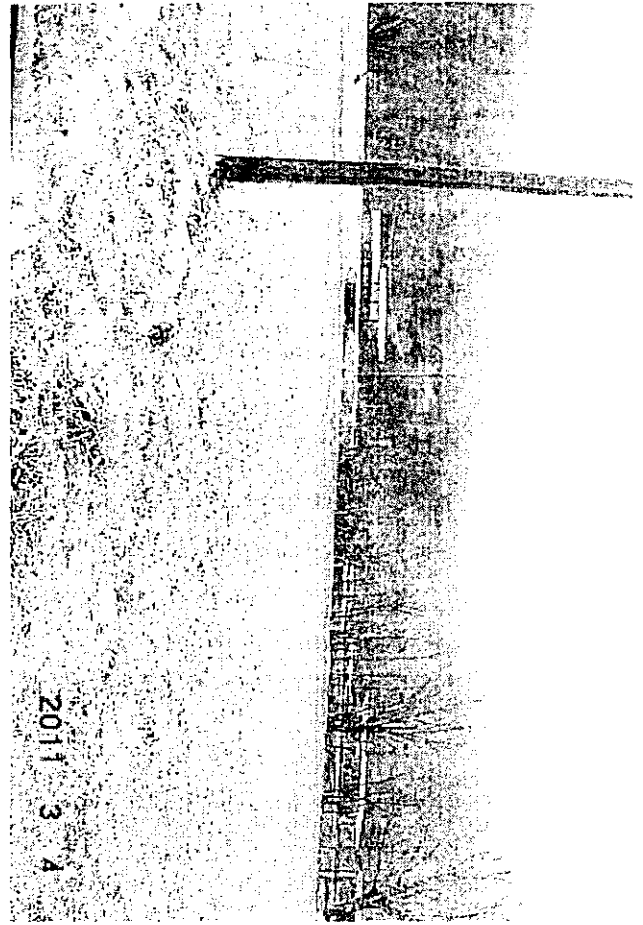
Sullivan County,
Tennessee



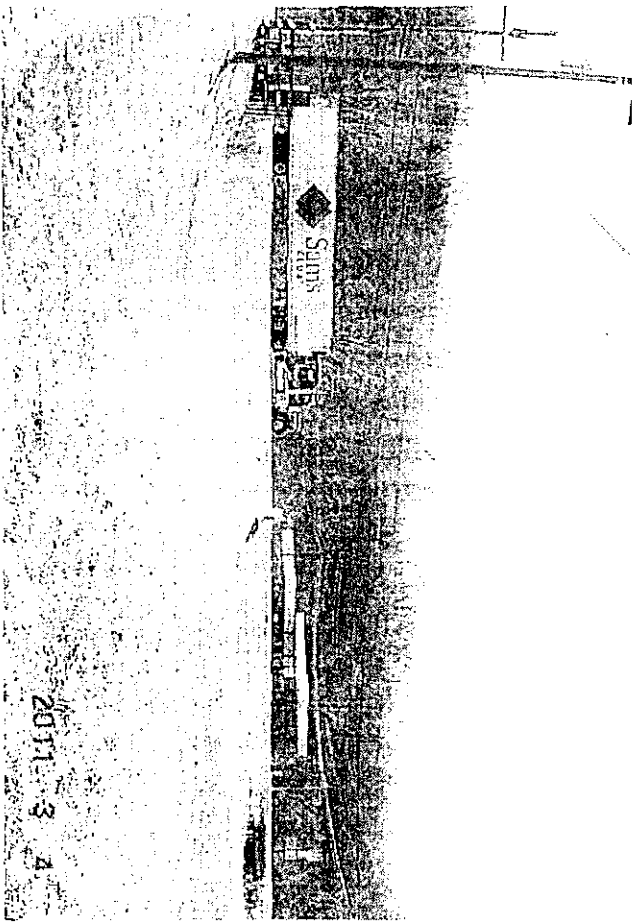
- Bridge
- Streets
- Parcel Lines
- Lot Lines
- Kingsport USB
- British TN USB
- Creeks
- Water Bodies



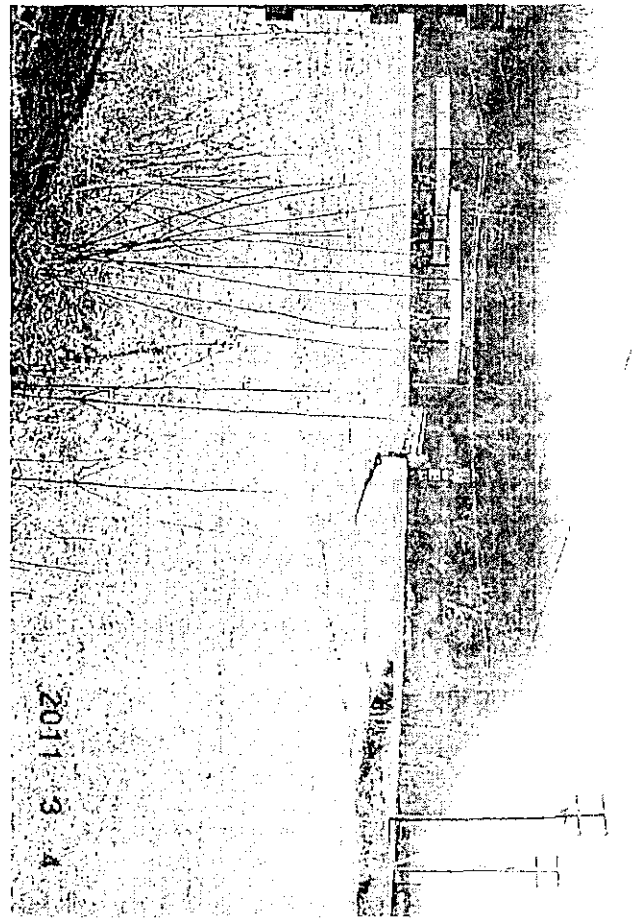
2011 3 4



2011 3 4



2011 3 4



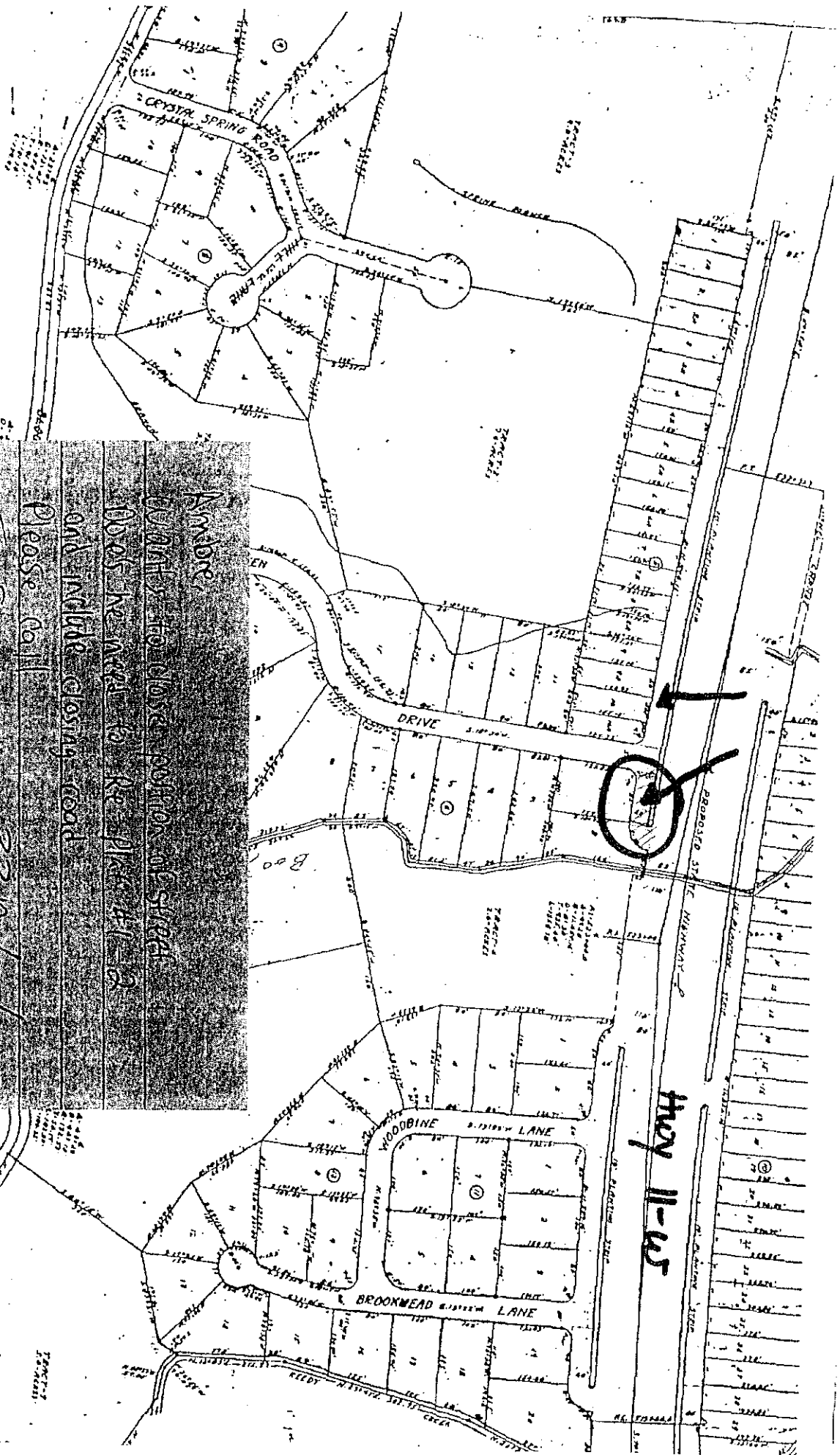
2011 3 4

101

Joe Fyfe 200P

8518-

KNIFE
 BOUNDS TO CLOSE PORTION OF STREET
 DOES HE WANT TO RE PLACE HL 2
 and include closing road
 Please call
 Joe Fyfe 331A/A/10100
 276 460 8158 Joe & Nancy
 Curran & David
 306



NOTE: ALL RIGHTS ARE RESERVED BY THE PLOT GROUP & ALL RIGHTS ARE RESERVED BY THE PLOT GROUP & ALL RIGHTS ARE RESERVED BY THE PLOT GROUP

This is a preliminary plan and is subject to change without notice. All dimensions are approximate and are subject to change. The plan is not to scale. The plan is not to be used for any purpose other than the one intended. The plan is not to be used for any purpose other than the one intended.

SUBDIVISION
 EVERGREEN
 SULLIVAN CO
 1988

Sullivan County, Tennessee
Board of County Commissioners

Item 15
Budget/Executive
No. 2011-05-48

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 May, 2011.

RESOLUTION To Amend 2011 FY Highway Fund Budget For \$335,200 State Aid Funds To Be Expended On Jared Drive.

WHEREAS, the State of Tennessee has approved a state-aid road project for Sullivan County in the amount of \$335,200 for Jared Drive; and

WHEREAS, the project provides 75% of the funding with the county providing 25%; and

WHEREAS, the 25% of local funding will be provided with the use of currently budgeted county personnel and equipment; and

WHEREAS, the earliest startup time of this project is important to assure a timely completion. before June 30, 2011.

NOW THEREFORE BE IT RESOLVED THAT the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session; hereby amend the 2010-2011 fiscal year budget appropriations for the Highway Fund for a State Aid Project in the amount of \$335,200 with the funding from the State of Tennessee. (Account codes to be assigned by 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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-05-48	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-16-11 21 AYE, 3 ABSENT

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 16
Budget/Executive
No. 2011-05-49

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 May, 2011.

RESOLUTION To Amend The Highway Fund Budget For 2010-2011 Fiscal Year To Transfer Remaining Balances Into Asphalt Plant Account

WHEREAS, to close out the fiscal year the balances remaining in certain accounts need to be redistributed to maximize the work effort of the Highway Department with asphalt supplies and materials.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amends the Highway Budget to increase funding for the Asphalt Plant (Acc. No. 63500.400) by \$155,406.51 to be transferred from these accounts: \$112,500 from 62000.100, \$21,329.00 from 65000.500, \$21,535.80 from 68000.400, and \$ 41.71 from 68000.700.

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 16th day of May 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-05-49	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-16-11 21 Aye, 3 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 17
Administrative/Budget/Executive
No. 2011-05-50

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 May, 2011.

RESOLUTION Supporting The Appointment Of Barry Staubus As District Attorney General For The 2nd Judicial District.

WHEREAS, The Board of County Commissioners of Sullivan County, Tennessee recognized that upon the announced retirement of the Honorable Greeley Wells as District Attorney General for the 2nd Judicial District for which Sullivan County is the only County in the District, that the Honorable Governor Bill Haslam has the important responsibility of appointing the next District Attorney General for Sullivan County; and

WHEREAS, the Kingsport Bar Association on May 10, 2011 as well as many other groups and individuals in Sullivan County have recognized the successful career of Barry Staubus and sees fit that he be appointed to the office of District Attorney General; and

WHEREAS, the Sullivan County Board of County Commissioners recognizes that Barry Staubus has served as an Assistant and as the Deputy District Attorney General totaling 17 years with diligence and hard work for the furtherance of providing justice to the Citizens of Sullivan County; and

WHEREAS, the Board of County Commissioners are proud to have Barry Staubus as a lifelong citizen of Sullivan County and his being a product of our School System graduating from Central High and a graduate of the State of Tennessee's higher education system receiving his law degree from Cecil Humphreys School of Law at Memphis University.

WHEREAS, the distinguished District Attorney General H. *Greeley Wells, Jr.* for Sullivan County upon announcing for his planned retirement recommended to Governor Haslam that his long serving Deputy Barry Staubus be appointed *District Attorney General for Tennessee's 2nd Judicial District* as his replacement.

NOW, THEREFORE, BE IT RESOLVED:

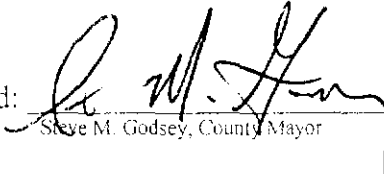
- 1. That we, The Board of County Commissioners of Sullivan County, Tennessee, hereby endorse Barry Staubus and his appointment to the office of District Attorney General, 2nd Judicial District of Tennessee; and**
- 2. That we, The Board of County Commissioners for Sullivan County, Tennessee, urge the Honorable Bill Haslam , Governor for the State of Tennessee to consider and appoint Barry Staubus as the next District Attorney General for the 2nd Judicial District of Tennessee, filling the vacancy created by the retiring General H. Greeley Wells, Jr.**

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 16th day of May 2011.

Attested 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

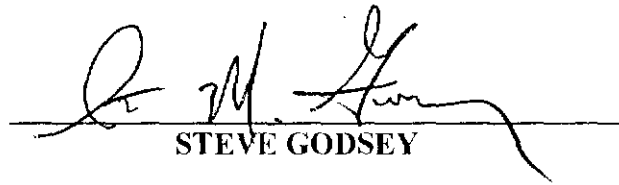
Sponsored By: Bob White

Prime Co-Sponsor(s): Eddie Williams, Dwight King, Wayne McConnell
All Commissioners Voting in the affirmative

2011-05-50	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-16-11 Voice Vote

Notes:

**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION JUNE 20, 2011.**



A handwritten signature in black ink, appearing to read "Steve Godsey", is written over a horizontal line. The signature is fluid and cursive.

STEVE GODSEY

COMMISSION CHAIRMAN