

COUNTY COMMISSION- REGULAR SESSION

NOVEMBER 15, 2004

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, NOVEMBER 15, 2004, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

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

24 PRESENT 0 ABSENT

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

Motion was made by Comm. Harr and seconded by Comm. Hyatt to approve the minutes of the October 18, 2004, Regular Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS: NOVEMBER 15, 2004

THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:

NONE

Mayor Richard Venable presented a Proclamation honoring the retired teachers of Sullivan County. November 21 was proclaimed as National Retired Teachers Day.

Mayor Richard Venable presented a Proclamation honoring volunteers Ms. Mauk and Mary Jane Fritts for their volunteer work in the Sullivan County Archives.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

OCTOBER 18, 2004

BUREDA FAYE ASHLEY

TAMI H. LYONS

SENA F. BARBEE

MANDY NICOLE LEILANI NORRIS

JUDY M. BASS

STEVEN PARAMO

PAM BOATMAN

TERESA R. SANDIDGE

TAMMY BOWMAN

LISA GAY STARNES

NORMA JO BOYD

JULIA E. TRINKLE

JUDY CHURCH

RONALD H. VENABLE

PATRICIA S. CLAIBORNE

DIANE E. WATSON

BILLIE JO COLEMAN

TEENA M. WRIGHT

NANCY J. DAVIS

JAMES A. YANCEY

PATRICIA K. DILLMAN

GINA Y. EDENS

UPON MOTION MADE BY COMM. HARR AND SECONDED
BY COMM. MORRELL TO APPROVE THE NOTARY APPLICATIONS
HEREON, SAID MOTION WAS APPROVED BY ROLL CALL VOTE
OF THE COMMISSION. 24 AYE.

TRACI FLUKE

DENISE N. FRAZIER

JESSICA T. GOAD

CYNTHIA D. HAREN

AUGRITA M. HAUK

LINDA M. JONES

CHARLOTTE R. LANGREL

**STATE OF TENNESSEE
COUNTY OF SULLIVAN**

**APPROVAL OF NOTARY
PUBLIC SURETY BONDS**

NOVEMBER 15, 2004

CHARLES E. BEACH

ELIZABETH D. BEACH

BILLIE JEAN BLANTON

MARSHA LEE BRADLEY

RUDY L. BROWN

MYERS MASSENGILL

PAMELA S. DAVIS

NANCY D. HOFFMAN

KENNETH ARNOLD MORRELL

ETTA WOOD

TRACY D. WRIGHT

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. MORRELL TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 24 AYE.

AGENDA

Sullivan County Board of County Commission

November 15 2004

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, November 15 2004 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 09/04/01 Karen Feeley
Reclassify R-1 property located at 103 Keystone Drive to B-3 for the purpose of allowing for the expansion of business (day spa). Property ID. No. Tax map 51-O, Group C, Parcel 5.00 located in the 5th Civil District. **Sullivan County Planning**
- (2) File No. 09/04/02 Kimberly Strouth
Reclassify R-1 property located at 1180 Massengill Road to R-2 for the purpose of allowing a single-wide mobile home. Property ID. No. Tax map 35, Parcel 134.20 located in the 5th Civil District. **Sullivan County Planning**
- (3) File No. 09/04/03 Larry Litton
Reclassify 40.69 acres of A-1 property located on Hwy 394 just east of Windy Hills Road to AR for the purpose of allowing a RV campground with permanent / seasonal cabins. Property ID. No. Tax map 68, Parcel 58.10 located in the 4th Civil District. **Bristol Planning**
- (4) File No. 09/04/04 Peter Baratta
Reclassify B-3 property, being all of lots 7,8,9,and 10 of the Abert Morrell subdivision and being located in the 700 block of Booher Drive to R-1 for the purpose of allowing for the development of residential housing. Property ID. No. Tax map 54, Parcel part of 85.00 located in the 1st Civil District. **Bristol Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 09/04/03

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

OFFICE USE ONLY

Property Owner Karen M. Feeley
Address 335 Bill Jones Rd
Jonesboro, In 37659
Phone 323-7691 Date of Request 8-31-04

Meeting Date 10-19-04 Time 7:00 p.m.
Place 2nd Floor - Bldg.

Property Located in 5th Civil District

Planning Commission Approved ✓
Denied

[Signature]
Signature of Applicant

County Commission Approved X
Denied

Other Roll Call 23 Aye, 1 Absent

Final Action Date 11/15/04

PROPERTY IDENTIFICATION

Tax Map 518 Group C Parcel 5.08

Zoning Map 8 Zoning District R-1 Proposed District B-3

Property Location 103 Keystone Dr

Purpose of Rezoning To allow expansion - day spa

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

[Signature]

Sworn to and subscribed before me this 31st day of August, 2004.

[Signature]
Notary Public

My Commission Expires: 1-16-08

PETITION TO SULLIVAN COUNTY FOR REZONING

#09/04/02

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

OFFICE USE ONLY

Property Owner Kimberly Gail Strouth

Address 1180 MASSENGILL RD.
Blountville, TN 37617

Phone ⁴²³ 364-4038 Date of Request 9-3-04

Property Located in 5th Civil District

X Kimberly G. Strouth
Signature of Applicant

Meeting Date 10-19-04 Time 7:00 pm

Place Blountville Courthouse
2nd Floor

Planning Commission Approved Denied

County Commission Approved Denied

Other Roll Call 23 Aye, 1 Absent

Final Action Date 11-15-04

PROPERTY IDENTIFICATION

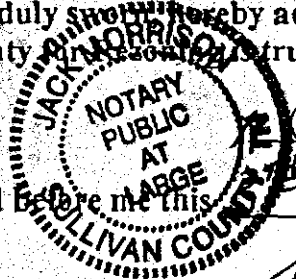
Tax Map 35 Group Parcel 134-20

Zoning Map 8 Zoning District R-1 Proposed District R-2

Property Location 1180 MASSENGILL RD.

Purpose of Rezoning To set ONE Single-Wide Mobile Home

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



Sworn to and subscribed before me this 3 day of Sept, 2004.

Jack Morris
Notary Public

My Commission Expires: 1-16-08

PETITION TO SULLIVAN COUNTY FOR REZONING #09/04/03¹³

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

Property Owner Larry Litton
Address 189 Windy Hills Rd.
Bristol, TN 37620
Phone 878-9718 Date of Request 9.7.04
Property Located in 04 Civil District

Larry Litton
Signature of Applicant

OFFICE USE ONLY

Meeting Date Oct 18 Time 6 pm
Place Slater Center
Auditorium

Planning Commission Approved _____
Denied

County Commission Approved X
11/15/04 Denied _____

Other Roll Call 22 Aye, 1 Nay, 1 Absent

Final Action Date 11-15-04

PROPERTY IDENTIFICATION

Tax Map 068 Group _____ Parcel 058.10
Zoning Map 18 Zoning District A-1 Proposed District AR
Property Location Windy Hills Rd / S.R. 394

Purpose of Rezoning RV campground with
permanent / seasonal cabins, etc.

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

Ambre Terbett

Sworn to and subscribed before me this 7 day of Sept, 2004.

A. Terbett
Notary Public

My Commission Expires: 08.31.04

PETITION TO SULLIVAN COUNTY FOR REZONING # 09/04/04

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

Property Owner Peter Baratta
Address 850 Hickory Tree Rd.
Bristol, In 37620
Phone 276-466-8270 Date of Request 9-16-04
Property Located in 1st Civil District
Peter A Baratta
Signature of Applicant

OFFICE USE ONLY
Meeting Date 10-18-04 Time 6:00 pm.
Place State Center
.....
Planning Commission Approved Denied _____
County Commission Approved Denied _____
Other Roll Call 23 Aye, 1 Absent
Final Action Date 11-15-04

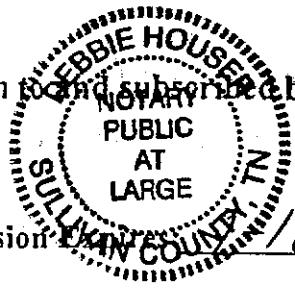
PROPERTY IDENTIFICATION

Tax Map 54 Group _____ Parcel 85.00 (lots 7, 8, 9, 10)
Zoning Map 10 Zoning District B-3 Proposed District R-1
Property Location Brook Rd (700 Block)

Purpose of Rezoning To allow further development and subdivision of property for residential housing

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

Sworn to and subscribed before me this 16th day of Sept 2004.



Debbie House
Notary Public

My Commission 16-08

BEFORE THE COMMN.

No.

No.

No.

No.

No.

No.

No.

No.

No.

5

6

7

10/11

COMMISSIONERS

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Blackburn

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Brittenham

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Jones

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Kilgore

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Buddy King

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James A. King

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McConnell

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McKamey

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Morrell

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Patrick

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Sitgreaves

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Surgenor

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Vance

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Williams

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23 Aye
1 alls

23 Aye
1 alls

23 Aye
1 alls

23 Aye
1 alls

BEFORE THE COMM.

12

No.

No.

No.

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No.

No.

No.

No.

COMMISSIONERS

Aye

Nay

Aye

Nay

Aye

Nay

Aye

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Aye

Nay

Aye

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Aye

Nay

Aye

Nay

Aye

Nay

Blackburn A

Brittenham ✓

Brotherton ✓

Conkin A

Crawford ✓

Ferguson ✓

Goodhouse ✓

Hall ✓

Narr ✓

Henson ✓

Houser ✓

Nyatt ✓

Price ✓

Kelgore ✓

Buddy King ✓

James L King, Jr. ✓

McConnell ✓

McKamey ✓

Morrill ✓

Patrick ✓

Stogrow ✓

Surgener ✓

Chance ✓

Williams ✓

27 Aye

20 Nay

RESOLUTIONS ON DOCKET FOR NOVEMBER 15, 2004

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 11-15-04
#2 AUTHORIZE DESIGNATION OF FUNDS FOR THE COUNTY CLERK'S OFFICE	APPROVED 11-15-04
#3 AUTHORIZE AMENDING THE 2004-2005 GENERAL PURPOSE BUDGET FOR THE STATE ONE TIME BONUS IN THE AMOUNT OF \$489,928.71	APPROVED 11-15-04
#4 AUTHORIZE THE PURCHASE OF TWO NEW VEHICLES FOR THE ANIMAL SHELTER	1 ST READING 11-15-04
#5 AMEND THE BUDGET FOR THE SULLIVAN COUNTY HEALTH DEPARTMENT	APPROVED 11-15-04
#6 APPROVE PARTICIPATION IN THE DOLLY PARTON IMAGINATION LIBRARY PROJECT	APPROVED 11-15-04
#7 ACCEPT THE PROPOSAL OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A PROJECT OVER BOOHER CREEK AND ROBINSON CREEK ON STATE ROUTE 75	APPROVED 11-15-04
#8 AMEND GENERAL FUND BUDGET FOR HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$100,000 FOR SULLIVAN COUNTY SHERIFF'S OFFICE	1 ST READING 11-15-04
#9 AUTHORIZE CREATING AND FUNDING TRANSPORTATION PROGRAM FOR MENTAL PATIENTS	1 ST READING 11-15-04
#10 AUTHORIZE THE SOUTHGATE PLAZA REDEVELOPMENT AND URBAN RENEWAL PLAN	APPROVED 11-15-04
#11 AUTHORIZE THE WEST RIDGE PLAZA REDEVELOPMENT AND URBAN RENEWAL PLAN	APPROVED 11-15-04
#12 SELL REAL PROPERTY ACQUIRED THROUGH DELINQUENT PROPERTY TAX SALE	APPROVED 11-15-04
#13 AMEND GENERAL FUND BUDGET FOR CONTRIBUTION IN THE AMOUNT OF \$1,000 FOR OFFICE OF COUNTY ARCHIVES	1 ST READING 11-15-04
#14 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 13 TH C.D.	1 ST READING 11-15-04
#15 TO PROPER SIGNAGE ALONG MTN. VIEW RD. IN TRI-COUNTY INDUSTRIAL PARK	APPROVED 11-15-04
#16 ADOPTING ILLICIT DISCHARGE DETECTION AND ELIMINATION RULES AND REGULATIONS	1 ST READING 11-15-04
#17 ACCEPTANCE OF GRANT FROM TENN. EMERGENCY MANAGEMENT AGENCY/HOMELAND SECURITY FOR PURCHASE OF EQUIPMENT/TRAINING	1 ST READING 11-15-04

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2004-11-00

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution

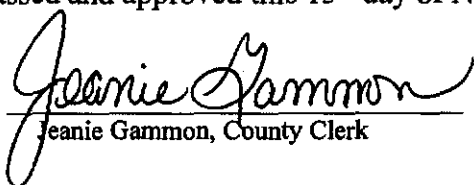
WHEREAS, the attached rezoning petitions have been duly initiated; have been before the Planning Commission (recommendations enclosed); and have received a public hearing as required; and,

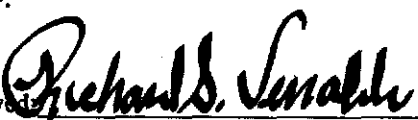
WHEREAS, such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution.

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

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

Duly passed and approved this 15th day of November 2004.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Introduced By: Commissioner: King (Buddy)

Seconded By: Commissioner(s): Ferguson

2004-11-00	County Commission
ACTION	Approved 11-15-04 23 Aye, 1 Absent

Comments: Motion made to approve by Buddy King, seconded by Ferguson and Hyatt.

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Budget/Executive
No. 2004-10-108

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of October 2004.

Designation of Funds
RESOLUTION To Authorize ~~a Data Processing Fund~~ for the County Clerk's Office

WHEREAS, the fee which the County Clerks are authorized to charge for receiving and forwarding applications for certificates of title and for issuing duplicate certificates of ownership has not been increased since 1986 (almost twenty years); and,

WHEREAS, current fees are no longer sufficient to raise the revenues necessary to fund the services provided by the County Clerk in issuing these titles; and,

WHEREAS, House Bill 2212/Senate Bill 1285 has amended the general law regarding the fees charged by County Clerks to increase the fee by two dollars and fifty cents (\$2.50) for receiving and forwarding applications for certificates of title and for issuing duplicate certificates of ownership;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby agrees that the intent of the passage of House Bill 2212/Senate Bill 1285 was to raise the revenues necessary to fund the services provided by the County Clerk; and that this Resolution is hereby set forth to clarify the intent of the legislation and that effective retro-active to July 1, 2004, when the law took effect, the two dollars and fifty cents (\$2.50) increase will be ~~allocated to a data processing fund for expenses incurred by the County Clerk in providing these services as other fee offices have previously done. Account codes to be assigned by the Director of Accounts and Budgets.~~ designated for services, beginning with improving data processing, under the direction of the County Clerk for the citizens of Sull. Co. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 15th day of November 2004.
Attested: Jeanie Gammon Approve: Richard S. Venable
Jeanie Gammon, County Clerk Richard S. Venable, County Mayor

Introduced By Commissioner: Joe Herron
Seconded By Commissioner(s): Sam Jones, Wayne McConnell, Mark Vance,
Dennis Houser, James Brotherton , John Crawford

JG

2004-10-108	Administrative	Budget	Executive	County Commission
ACTION	Approve 10-4-04	No Action 10-7-04	Approve 10-6-04	Approve 11-15-04 23 Aye, 1 Absent

Comments:
1st Reading 10-18-04; Amended by sponsor 11-15-04 as above. Change Heading to say "Authorize Designation of Funds for the County Clerk's Office" and in the last paragraph "strike remaining wording after increase will be as shown above and add " increase will be designated for services, beginning with improving data processing, under the direction of the County Clerk for the citizens of Sullivan County. Amendment approved along with Resolution 11-15-04.

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Budget
No. 2004-10-113

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of October 2004.

RESOLUTION To Authorize Amending The 2004 – 2005 General Purpose School Budget For The State One Time Bonus In The Amount Of \$489,928.71

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

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session on the 18th day of October, 2004 approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Revenue		
46590.000	Other State Education Funds	489,928.71
Expenditures		
71100.116	Regular Instruction Teachers	428,728.58
71100.201	Regular Instruction Social Security	26,581.18
71100.204	Regular Instruction State Retirement	23,580.08
71100.210	Regular Instruction Unemployment	598.48
71100.212	Regular Instruction Medicare	6,216.57
71200.116	Special Education Teachers	932.16
71200.124	Special Education Psychological Personnel	466.08
71200.201	Special Education Social Security	86.67
71200.204	Special Education State Retirement	76.89
71200.210	Special Education Unemployment	2.32
71200.212	Special Education Medicare	20.28
72210.105	Regular Instruction Supervisors (Indirect)	466.08
72210.132	Regular Instruction Materials Supervisor (Indirect)	466.08
72210.189	Regular Instruction Other Salaries and Wages (Indirect)	932.16
72210.201	Regular Instruction Social Security (Indirect)	115.56
72210.204	Regular Instruction State Retirement (Indirect)	102.52
72210.210	Regular Instruction Unemployment (Indirect)	2.62
72210.212	Regular Instruction Medicare (Indirect)	27.04
72260.105	Adult Programs Supervisor	466.08
72260.201	Adult Programs Social Security	28.89
72260.204	Adult Programs State Retirement	25.63
72260.212	Adult Programs Medicare	6.76

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

Duly passed and approved this 15th day of November 2004.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Introduced By Commissioner: Larry Hall

Seconded By Commissioner(s): Dennis Houser, James Brotherton

ht

2004-10-113	Administrative	Budget	Executive	County Commission
ACTION	Approve 11-1-04	Approve 11-4-04	Approve 11-3-04	Approved 11-15-04 22 Aye, 1 Nay, 1 Absent

Comments: (1st Reading) 10-18-04;

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Administrative/Budget
No. 2004-11-116

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Authorize The Purchase Of Two New Vehicles For The Animal Shelter

WHEREAS, the Animal Shelter budget had a capital account of approximately \$20,000 dollars for years; and

WHEREAS, in 2002 when the budget request was submitted for \$25,000 the Commission determined the increase was not needed and reduced the capital account to \$12,500; and

WHEREAS, in 2003 in an effort to balance the county budget, the County cut the Animal Shelter budgeted capital account by fifty percent leaving only \$6,250 in the capital account.

WHEREAS, the County Commission also reduced the remaining budget by 5% in 2003, which required a transfer of the \$6,250 approved capital to cover shortages in the other accounts.

WHEREAS, the County Commission failed to restore the Animal Shelter to its former state in the reductions described; and

WHEREAS, the capital account is used to purchase vehicles for Animal Control use and no new vehicles have been bought recently.

WHEREAS, the vehicles in use are as follows: 1998 Ford Ranger (74,230 miles), (1998 Ford F150 66,447 miles), (1996 GMC 209,413 miles), (1996 GMC 200,277 miles), and (1990 GMC 287,864 miles). Vehicles with higher miles must be replaced.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, appropriate sufficient capital account funds to allow the purchase of two new vehicles for the Animal Warden's use in collecting animals in Sullivan County. The three oldest vehicles will be traded in.

That 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.

Duly passed and approved this _____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Introduced By Commissioner: Elliott Kilgore
Seconded By Commissioner(s): Mark Vance, Dennis Houser , John Crawford

2004-11-116	Administrative	Budget	Executive	County Commission
ACTION	No Action 11-1-04	No Action 11-4-04	Approve 11-3-04	

Comments: Request made by Crawford to be added as co-sponsor 11-15-04;
1st Reading 11-15-04;

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

Item 5
Administrative/Budget
No. 2004-11-117
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of September 2004.

RESOLUTION To Amend the Budget for the Sullivan County Health Department

WHEREAS, the Sullivan County Health Department currently contracts with the State of Tennessee, Department of Health to provide services to Sullivan County residents; and

WHEREAS, these programs were estimated in the 2004-05 budget; and,


WHEREAS, the State of the Tennessee, Department of Health has updated the contract amounts for Sullivan County.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session does hereby authorize the following amendment to the operating budget of the Sullivan County Health Department.

WAIVER OF THE RULES REQUESTED

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

Duly passed this 15th day of November 2004.

Attested: 
Jeanie F. Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Introduced by Commissioner: Williams

Seconded by Commissioner(s): Harr, Crawford

at

2004-11-117	Administrative	Budget	Executive	County Commission
ACTION	Approve 11-1-04	Approve 11-4-04	Approve 11-3-04	Approve 11-15-04

Comments:

23 Aye, 1 Absent

ACCOUNT CODES		ACCOUNT DESCRIPTION	Increase / Decrease
	PRG		
GRANT PROGRAMS			
55190	104	TENNESSEE HOME VISITING PROGRAM	
100	104	Personal Services	81,200
200	104	Benefits (30%)	24,400
	104	Contracted Services	7,000
400	104	Supplies and Materials	-19,150
		Total	93,450
55190	105	LEAD GRANT	
100	105	Personal Services	7,000
200	105	Benefits (28%)	3,100
300	105	Contracted Services	-4,200
400	105	Supplies and Materials	-8,800
		Total	-2,900
55190	107	TB SERVICES GRANT	
100	107	Personal Services	0
200	107	Benefits (34.7%)	2,100
300	107	Contracted Services	0
400	107	Supplies and Materials	0
700	107	Capital Outlay	0
		Total	2,100
55190	109	DENTAL PREVENTION GRANT	
100	109	Personal Services	1,700
200	109	Benefits (32% Full Time, 15.15% Part Time)	500
300	109	Contracted Services	5,000
400	109	Supplies and Materials	-7,200
		Total	0
55190	111	VIOLENCE & ASSAULT PREVENTION	
100	111	Personal Services	600
200	111	Benefits (19.8%)	300
300	111	Contracted Services	-1,000
400	111	Supplies and Materials	-800
		Total	-700
55190	114	ADOLESCENT PREGNANCY PROGRAM	
100	114	Personal Services	0
200	114	Benefits (30%)	0
300	114	Contracted Services	0
400	114	Supplies and Materials	11,600
700	114	Capital Outlay	0
		Total	11,600
55190	120	TOBACCO EDUCATION GRANT	
100	120	Personal Services	600
200	120	Benefits (30%)	200
300	120	Contracted Services	-4,400
400	120	Supplies and Materials	-400
700	120	Capital Outlay	0
		Total	-4,000
		TOTAL GRANTS	99,550

ACCOUNT			
CODES		ACCOUNT	Increase /
	PRG	DESCRIPTION	(Decrease)
46000		STATE OF TENNESSEE	
46310	104	TN Home Visiting Grant	\$91,950
46980	114	Adolescent Pregnancy Initiative	\$11,600
47590	105	Lead Grant	(\$4,000)
		Total Revenue Increase	\$99,550

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

Item 6
Administrative/Executive/Budget
No. 2004-11-118

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

Resolution To Approve Participation In The Dolly Parton Imagination Library Project

WHEREAS, Governor Phil Bredesen has set a goal for the State of Tennessee that every Tennessee child should be given a new book every month from their birth until they reach five years of age; and

WHEREAS, The Dollywood Foundation, a Tennessee nonprofit corporation, has created the Dolly Parton Imagination Library to promote early childhood educational development in communities across the United States that have agreed to join the Dolly Parton Imagination Library; and

WHEREAS, in those participating communities, The Dollywood Foundation mails a book each month to every child under the age of five whose parent or guardian has registered them to participate in the Dolly Parton Imagination Library; and

WHEREAS, in response to Governor Phil Bredesen's request and in furtherance of his early reading initiative that includes the expansion of the Dolly Parton Imagination Library to all counties in Tennessee, the Tennessee General Assembly appropriated \$2,000,000 in the 2004-05 fiscal year budget for the purpose of funding the initial costs associated with the expansion of the Dolly Parton Imagination Library to all counties in Tennessee; and

WHEREAS, the Governor's Books From Birth Foundation (the "Governor's Foundation") has been organized as a private nonprofit corporation under the laws of the State of Tennessee for the purpose of the promotion and encouragement of reading by the children of the State of Tennessee; and

WHEREAS, the Governor's Foundation intends to seek grants from the State of Tennessee and donations from the citizens of Tennessee for the purpose of partnering with local sponsoring organizations in each county to offer the benefits of the Dolly Parton Imagination Library to all of the children of the State of Tennessee that are under the age of five; and

WHEREAS, prior to the award of such grants to the Governor's Foundation, the Tennessee Department of Education will manage the funds appropriated by the State of Tennessee for the purpose of funding the initial costs associated with the expansion of the Dolly Parton Imagination Library to all counties in Tennessee; and

WHEREAS, Board of County Commissioners of Sullivan County would like to promote the early childhood educational development of all children in Sullivan County by participating in the Dolly Parton Imagination Library; and

WHEREAS, the Governor's Foundation, the State of Tennessee and Sullivan County desire to set forth the terms under which the eligible children of Sullivan County will receive the benefits of the Dolly Parton Imagination Library.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sullivan County meeting in Regular Session, this the 15th day of November 2004, that:

SECTION 1. The Board of County Commissioners of Sullivan County hereby approves of the participation of Sullivan County in the Dolly Parton Imagination Library on the following terms and conditions:

1. Description of the Program. Every child that resides in Sullivan County and that is under the age of five shall be eligible to receive a new book each month from the Dolly Parton Imagination

1 Library (the "Imagination Library") after such child has been registered to participate in the
2 Imagination Library so long as the requirements set forth herein are satisfied.

3 2. Local Sponsoring Organizations. Sullivan County will arrange for the funding of one-half
4 (½) of the costs of implementing the Imagination Library in Sullivan County by contacting civic
5 organizations, local businesses and governments, and other potential sources of funding within the
6 County ("Sponsoring Organizations").

7 3. Shared Payment Responsibilities. The Dollywood Foundation will charge a fixed amount
8 per child, per month for each child participating in the Imagination Library. The Governor's
9 Foundation will be responsible for funding one-half (½) of the total monthly amount payable to The
10 Dollywood Foundation for the monthly cost of providing books to the eligible and registered
11 children of Sullivan County. The Sponsoring Organizations will be responsible for funding the
12 remaining one-half (½) of the total amount payable to The Dollywood Foundation for the monthly
13 cost of providing books to the eligible and registered children of Sullivan County. Notwithstanding
14 the foregoing, prior to the Governor's Foundation receiving grants from the State of Tennessee, the
15 Tennessee Department of Education will fund the one-half (½) amount otherwise payable by the
16 Governor's Foundation.

17 4. Invoicing. Prior to the Governor's Foundation receiving grants from the State of
18 Tennessee, The Dollywood Foundation will invoice the Sponsoring Organizations for their one-half
19 (½) share of the monthly cost of Sullivan County participating in the Imagination Library and will
20 invoice the Tennessee Department of Education for the remaining one-half (½) share of such cost.
21 Once the Governor's Foundation has received grants from the State of Tennessee, The Dollywood
22 Foundation will invoice the Governor's Foundation for one hundred percent (100%) of the monthly
23 cost of Sullivan County's participation in the Imagination Library and the Governor's Foundation
24 will invoice the Sponsoring Organizations in Sullivan County for their one-half (½) share of such
25 costs.

26 5. Payment. The Sponsoring Organizations shall remit payment to The Dollywood
27 Foundation or the Governor's Foundation, as the case may be, by electronic funds transfer no later
28 than the 25th day of each month.

29 6. Registration of Participants. The Sponsoring Organizations will be responsible for
30 organizing and coordinating the registration of the eligible children of Sullivan County to
31 participate in the Imagination Library. The Sponsoring Organizations also will be responsible for
32 arranging for the establishment and maintenance of a database that includes the name and address
33 of each child in Sullivan County that is registered to participate in the Imagination Library and for
34 monitoring the eligibility of registered participants in Sullivan County.

35 7. Delivery of Books. Prior to the 9th day of each month, the Sponsoring Organizations will
36 provide The Dollywood Foundation with a written list of the names and addresses of all eligible
37 children that are registered to participate in the Imagination Library for the following month. The
38 Dollywood Foundation will arrange for the delivery of one book to each child so identified.

39 8. Returned Books. From time to time, a book addressed to a registered Imagination Library
40 participant may be undeliverable due to an unknown addressee, or other reasons. The Sponsoring
41 Organizations are responsible for ensuring that all Imagination Library books that are returned to
42 a U.S. Post Office in Sullivan County as undeliverable are picked up on a regular basis, not less
43 than monthly, and arranging for the delivery of such books to the appropriate Imagination Library
44 participant, or if all delivery efforts have proved unsuccessful, taking possession of such
45 undeliverable books and disposing of such books in a charitable manner that furthers early
46 childhood development.

47 9. Default by Sponsoring Organizations. If the Sponsoring Organizations fail to provide a
48 written list to The Dollywood Foundation prior to the 9th day of any month, the children of Sullivan
49 County otherwise eligible to receive a book from the Imagination Library will not receive a book
50 for the month following such failure. If the Sponsoring Organizations fail to remit the payment
51 required of them by the 25th day of any month, the children of Sullivan County otherwise eligible to
52 receive a book from the Imagination Library will not receive a book for the month following such

1 failure. If any payment required of the Sponsoring Organizations has not been timely made for any
2 month, the Governor's Foundation may, in its sole and absolute discretion, terminate the
3 participation of Sullivan County in the Imagination Library. If the Sponsoring Organizations fail
4 to fulfill their payment obligations as specified herein, Sullivan County will use its best efforts to
5 arrange for payment from other Sponsoring Organizations.

6 SECTION 2. BE IT FURTHER RESOLVED, that all resolutions of the county legislative body
7 of Sullivan County, Tennessee that are in conflict with this resolution are hereby repealed.

8 SECTION 3. BE IT FURTHER RESOLVED, that this Resolution take effect from and after its
9 passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the
10 county legislative body.

Approved this 15th day of November, 2004.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Introduced By: Commissioner: Linda Brittenham

Seconded By: Commissioner(s): McKamey, Hyatt, Patrick, Brotherton, Crawford

SC Imagination Library

2004-11-118	Administrative	Budget	Executive	County Commission
ACTION	Approve 11-1-04	Approve 11-4-04	Approve 11-3-04	Approve 11-15-04 23 Aye,

Comments:

1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Executive
No. 2004-11-119
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Accept the Proposal of the Tennessee Department of Transportation To Construct a Project Over Booher Creek and Robinson Creek on State Route 75

WHEREAS, the Tennessee Department of Transportation has presented a Proposal to the County of Sullivan, concerning Federal Project No. BR-STP-75(6), State Project 82015-2213-94, which involves the improvement of bridges over Booher Creek (LM 6.62) and Robinson Creek (LM 7.87) on State Route 75; and,

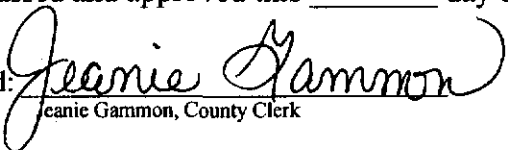
WHEREAS, the Sullivan County Board of Commissioners wish to cooperate with the State of Tennessee, Department of Transportation, in its effort to make bridge improvements in Sullivan County for the benefit of its citizens;


NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the terms and conditions of the said Proposal, copy attached hereto, with the State of Tennessee, Department of Transportation for improvements to bridges over Booher Creek (LM 6.62) and Robinson Creek (LM 7.87) on State Route 75, Sullivan County, Tennessee.

WAIVER OF THE RULES REQUESTED

That 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.

Duly passed and approved this 15th day of November 2004.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Richard S. Venable, County Mayor

Introduced By: Commissioner: ~~McConnell~~ Houser

Seconded By: Commissioner(s): ~~Brotherton~~ Brittenham, Blackburn

2004-11-119	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-4-04	Approve 11-3-04	Approve 11-15-04

Comments: 23 aye, 1 Absent
Request made 11-15-04 by McConnell to change the sponsors to show Houser, Brittenham, Blackburn as above.

PROPOSAL
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF SULLIVAN, TENNESSEE

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project designated as No. BR-STP-75(6), 82015-2213-94 that is described as SR-75, Bridges over Booher Creek, L.M. 6.62 & Robinson Creek, L.M. 7.87 in the COUNTY of SULLIVAN, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and

2. To close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law; and

ATTACHMENT

Resolution 2004-11-119

Page(s) 4

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. To maintain any frontage road to be constructed as part of the project; and

6. That after the project is completed and open to traffic, to accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map; and

7. That the COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right of way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right of way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT; and

8. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

9. That it is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT'S right of way shall be maintained and replaced by the COUNTY; and

10. That when traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right of way for the project, any structures that become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefor.

The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto. Thereafter, the DEPARTMENT will acquire the right of way and

easements, construct the project and defend any inverse condemnation or damage civil actions of which the Attorney General has received the notice and pleadings provided for herein.

The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this _____ day of _____, 2004.

THE COUNTY OF SULLIVAN

BY: _____
COUNTY MAYOR

DATE: _____

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

BY: _____
Gerald F. Nicely
Commissioner

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
Sadie Rosson
General Counsel

DATE: _____

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Budget
No. 2004-11-120

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Amend General Fund Budget for Highway Safety Grant in the amount of \$100,000 for Sullivan County Sheriff's Office

WHEREAS, the Sheriff's Office has received a Highway Safety Grant in the amount of \$100,000 to improve the safety of our citizens on county roads and streets in Sullivan County; and

WHEREAS, a major complaint of citizens in Sullivan County is speeding on rural roads and streets; and,

WHEREAS, these funds are for the purpose of purchasing equipment and paying overtime to improve the control of speed on the county roads; and

WHEREAS, these funds do not require any local match or additional local personnel.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the General Fund Budget be amended to appropriate grant funds for the Sullivan County Sheriff's Office as follows:

Increase Appropriations-		
54100 100 914		\$50,000
54100 700 914		50,000
Increase Source of Funding-		
47990 000 914		\$100,000

That 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.

Duly passed and approved this _____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Introduced By Commissioner: Williams
Seconded By Commissioner(s): Harr , Crawford

2004-11-120	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-4-04		

Comments: 11-15-04 Request by Crawford to be added as co-sponsor;
1st Reading 11-15-04;

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Budget
No. 2004-11-121

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Authorize Creating and Funding Transportation Program for Mental Patients

WHEREAS, Tennessee Code Annotated §33-6-103 designates the Sheriff to provide transportation of mental patients. The Sheriff's Office has had to assume responsibility for this program without additional funding or personnel to cover the additional cost. The Sheriff's Office has had to utilize patrol officers to perform this service, thus depleting the available patrol services for the people of Sullivan County. During 2003, there were 332 transports to Knoxville and 904 transports to Woodridge in Johnson City. Total cost for the 2003 year was estimated in excess of \$125,000; and,

WHEREAS, the Sheriff's Department proposes to implement a program utilizing part-time certified reserve officers to provide transportation to the mental health facilities. The part-time employees will be compensated at \$11.78 per hour. It is projected that the annual cost would not exceed \$50,000. In addition the startup cost of two (2) suitable transportation vehicles would be purchased at a projected cost of approximately \$30,000; and,

WHEREAS, this program utilizing part-time personnel would average increasing full-time officers available for patrolling Sullivan County roads by approximately one (1) per day; and,

WHEREAS, the assessment of a \$15 booking fee to each inmates commissary account would result in projected additional county revenues of approximately \$80,000 annually at an 80% collections rate.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Sullivan County assembled in Regular Sessions hereby approves the assessment of a \$15 booking fee to be assessed to each inmate's commissary account and reported to the General Fund monthly by the Sheriff's Office.

BE IF FUTHER RESOLVED that the collections be applied to the funding of part-time personnel positions in the 2006 fiscal year beginning in July 2005. Funds collected during the period January 2005 through June 30, 2005 shall be applied toward the purchase of the necessary equipment (\$30,000) to establish and operate the program (\$50,000 for 4 part-time reserve officers).

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.

Duly passed and approved this _____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Introduced by Commissioner: Williams

Seconded by Commissioner(s): Harr, Herron, Crawford

lgb

2004-11-121	Administrative	Budget	Executive	County Commission
ACTION		No Action 11-4-04		

Comments: Request made 11-15-04 by Herron And Crawford to be added as co-sponsors.
1st Reading 11-15-04;

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Administrative/Budget/Executive
No. 2004-11-122

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

Resolution To Authorize The Southgate Plaza Redevelopment And Urban Renewal Plan

WHEREAS, the Bristol Tennessee Housing & Redevelopment Authority pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, as authorized by Resolution No. 2004-10-111 of the Sullivan County Commission passed on October 18, 2004 and upon notification to affected property owners, occupants and tenants, the Bristol Tennessee Housing & Redevelopment Authority ("BTHRA") conducted a public hearing on October 27, 2004 to determine the necessity for the adoption of the Southgate Plaza Redevelopment and Urban Renewal Plan (the "Plan") which includes the use of tax increment financing; and

WHEREAS, the comments and findings of said public hearing, along with the Plan have been presented to the Sullivan County Commission; and

WHEREAS, the BTHRA has recommended the adoption of the Plan which includes the use of tax increment financing.

NOW, THEREFORE, be it resolved by the Sullivan County Commission, assembled in Regular Session, as follows:

1. That the Southgate Plaza Redevelopment and Urban Renewal Plan, as presented and recommended by the BTHRA is hereby approved, and the factual finding of the BTHRA that Southgate Plaza is a blighted area in need of redevelopment is hereby affirmed and adopted by the Sullivan County Commission.
2. That use of tax increment financing as described in the Plan is hereby approved.
3. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement this Plan.
4. That the BTHRA is hereby authorized and empowered to implement the Redevelopment Plan on behalf of Sullivan County.

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.

Duly passed and approved this 15th day of November 2004.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Introduced by Commissioner: **Harr**
Seconded by Commissioner(s): **King (Buddy), Vance, Sitgreaves**

2004-11-122	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-4-04		Approve 11-15-04

Comments: Request made 11-15-04 by Sitgreaves to be added as co-sponsor. 23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Administrative/Budget/Executive
No. 2004-11-123

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

Resolution To Authorize The West Ridge Plaza Redevelopment And Urban Renewal Plan

WHEREAS, the Bristol Tennessee Housing & Redevelopment Authority pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, as authorized by Resolution No. 2004-10-112 of the Sullivan County Commission passed on October 18, 2004 and upon notification to affected property owners, occupants and tenants, the Bristol Tennessee Housing & Redevelopment Authority ("BTHRA") conducted a public hearing on October 27, 2004 to determine the necessity for the adoption of the West Ridge Plaza Redevelopment and Urban Renewal Plan (the "Plan") which includes the use of tax increment financing; and

WHEREAS, the comments and findings of said public hearing, along with the Plan have been presented to the Sullivan County Commission; and

WHEREAS, the BTHRA has recommended the adoption of the Plan which includes the use of tax increment financing.

NOW, THEREFORE, be it resolved by the Sullivan County Commission, assembled in Regular Session, as follows:

1. That the West Ridge Plaza Redevelopment and Urban Renewal Plan, as presented and recommended by the BTHRA is hereby approved, and the factual finding of the BTHRA that West Ridge Plaza is a blighted area in need of redevelopment is hereby affirmed and adopted by the Sullivan County Commission.
2. That use of tax increment financing as described in the Plan is hereby approved.
3. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement this Plan.
4. That the BTHRA is hereby authorized and empowered to implement the Redevelopment Plan on behalf of Sullivan County.

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.

Duly passed and approved this 15th day of November 2004.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Introduced by Commissioner: Harr
Seconded by Commissioner(s): King (Buddy), Vance, Sitgreaves

2004-11-123	Administrative	Budget	Executive	County Commission
ACTION		Approve 11-4-04		Approved 11-15-04

Comments: 23 Aye, 1 Absent

11-15-04 Request made by Sitgreaves to be added as co-sponsor.

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

Item 12
Administrative/Budget
No. 2004-11-124

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Sell Real Property Acquired Through Delinquent Property Tax Sale

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

WHEREAS, the current amount owed against the property is \$2,813.72 which includes default judgment, court costs, attorney fees, penalties, and delinquent taxes; and,

WHEREAS, a bid under the current amount due has been received from Donna Kirkman on a parcel of land located in the 17th Civil District identified as Tax Map 21B, Group G, Parcel 14.00; 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 in the amount of \$1,552.00 and the property be sold to Donna Kirkman;

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 17th Civil District identified as Tax Map 21B, Group G, Parcel 14.00., to Donna Kirkman for the amount of \$1,552.00 in accordance with T.C.A. § 67-5-2507.

WAIVER OF THE RULES REQUESTED

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

Duly passed this 15th day of November 2004.

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

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

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

at

2004-11-124	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-15-04

Comments:

22 Aye, 2 absent

YEAR RECORD	PROPERTY OWNER NAME(S)	DI	C-MAP	GP	PARCEL#	6/1	BASE TAX	INT/PEN	CM COST	ATY FEE	SHERIFF	AUG AMT DUE	
1995 19634	BROWN M O 219 LILLY ST N.E OF	17	021B	0	014.00	000	149.73	125.53	20.00	14.97	0.00	310.23	1
	BROWN M O & VIOLA	BR	DBk:			DPg:							
1996 15469	LILLY ST NE OF 219	17	021B	0	014.00	000	158.02	241.77	27.50	15.80	0.00	443.09	2
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
1997 21505	BROWN M O & VIOLA	17	021B	0	014.00	000	158.02	213.33	20.00	15.80	0.00	407.15	3
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
1997 22204	BROWN M O & VIOLA	17	021B	0	014.00	000	126.42	167.91	20.00	12.64	0.00	306.97	4
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
1998 15622	BROWN M O & VIOLA	01	021B	0	014.00	000	127.40	94.07	20.00	12.74	0.00	254.21	5
	LILLY ST NE OF 219	BR	DBk:			DPg:							
1998 23061	BROWN M O & VIOLA	17	021B	0	014.00	000	36.77	36.40	20.00	3.68	0.00	96.85	6
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
1999 15795	BROWN M O & VIOLA	01	021B	0	014.00	000	37.05	23.65	20.00	3.71	0.00	84.41	7
	LILLY ST NE OF 219	BR	DBk:			DPg:							
1999 23931	BROWN M O & VIOLA	17	021B	0	014.00	000	36.77	29.78	20.00	3.68	0.00	90.23	8
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
2000 32628	BROWN M O & VIOLA	01	021B	0	014.00	000	37.05	19.95	20.00	3.71	0.00	80.71	9
	LILLY ST NE OF 219	BR	DBk:			DPg:							
2000 34975	BROWN M O & VIOLA	17	021B	0	014.00	000	37.48	23.61	81.80	78.75	0.00	221.64	10
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
2001 06047	BROWN M O & VIOLA	01	021B	0	014.00	000	37.05	16.24	20.00	3.71	0.00	77.00	11
	LILLY ST NE OF 219	BR	DBk:			DPg:							
2001 37648	BROWN M O & VIOLA	17	021B	0	014.00	000	59.34	26.70	43.20	5.93	0.00	135.17	12
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
2002 01052	BROWN M O & VIOLA	01	021B	0	014.00	000	59.34	20.08	20.00	5.93	0.00	105.35	13
	LILLY ST NE OF 219	BR	DBk:			DPg:							
2002 12094	BROWN M O & VIOLA	17	021B	0	014.00	000	59.34	16.02	20.00	5.93	0.00	101.29	14
	LILLY ST NE OF 219	DBk:	295	DPg:	694								
	LILLY ST NE OF 219	BR	DBk:			DPg:							

YEAR RECORD	PROPERTY OWNER NAME(S)	DI	C-MAP	GP	PARCEL#	6/1	BASE TAX	INT/PEN	CM COST	ATY FEE	SHERIFF	AUG AMT DUE
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TOTAL DELINQUENT PROPERTY TAX:

Number of Items.....	15
Base Property Tax.....	1179.12
Interest and Penalty.....	1049.19
Attorney Fees.....	117.91
Orders of Reference.....	79.00
C&M Court Costs.....	300.00
Sheriff Costs.....	0.00
Certified Mailing Cost.....	4.00
Non-Resident Notice.....	33.80
Notice of Tax Sale.....	47.20
C&M Tax Sale Costs.....	0.00
C&M Tax Deed Costs.....	0.00
Miscellaneous 1.....	0.00
Miscellaneous 2.....	0.00
Miscellaneous 3.....	7.50
Miscellaneous 4.....	0.00
Total Amount Due.....	2813.72
Base Property Tax + Int/Pen:	2228.31

*** RESIDENTIAL ***

STATE OF TENNESSEE REAL ESTATE APPRAISAL CARD

LILLY ST NE OF 219		SUBDV. 1		BK PG BLOCK LOT		TAX YEAR 2004	17	021B	G	021B	014.00	000
PROPERTY ADDRESS		SUBDV. 2		BK PG BLOCK LOT		COUNTY OF SULLIVAN 090 BRISTOL	DIST	MAP	GROUP	CONTROL MAP	PARCEL	PI SI
OWNER'S NAME AND MAILING ADDRESS		ADDITIONAL DESCRIPTION		DIMENSIONS		TOTAL LAND UNITS		DEED ACRES		CALC ACRES		DATE UPDATED 05/11/01
BROWN M O & VIOLA		140 X 150 IRR				140.00		0.00		0.0		DATE PRINTED 09/09/04
UNKNOWN												CARDS IN PARCEL 1 of 1
												APPROXIMATED VALUE RECAP
												IMPROVEMENTS 0
												LAND 10,100
												TOTAL APPRAISAL 10,100
												ASSESSMENT 2,525
												PROPERTY TYPE 00 25%

TOTAL UNITS	SHAPE FACTORS	SIZE UNITS	ADJD UNITS	BASE RATE	ADJD BASE RATE	MPR TYPE	ACTUAL YEAR BUILT	EFFECTIVE YEAR BUILT

AREA DESCR	% OF RATE	ADJD SQUARE FOOT RATE	AREA RATE	SQUARE FEET	REPLACEMENT COST NEW

TOTAL AREAS ->	ALX =	BASE =
----------------	-------	--------

AGE	REPL COST NEW	DEPR. REPL. COST	NO. OF STORIES	CAAS LOCAL ASSESSOR SYSTEM
-----	---------------	------------------	----------------	----------------------------

EX. FEAT/SPEC. BLDG. DESCRIPTION	QUAL.	SIZE	UNIT PRICE	UNITS	EPF YR BUILT	ANNUAL DEPR. RATE	PERCENT CONDITION	DEPRECIATED VALUE
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								

LAND APPRAISAL BY	R.S.D. WARD	E.O.D. PLAN	OTHER	ZONE	AREA CODE
-------------------	-------------	-------------	-------	------	-----------

PARC. STATE	DIST. WARD	TOWNSHIP	TYPE	ROAD NO.	SECT. TYPE	COUNTY	MARKING TRACT	COORDINATES
-------------	------------	----------	------	----------	------------	--------	---------------	-------------

CENSUS TRACT	BLOCK	FACE	AREA	GRP	OPTIONAL	E-W	INTEREST CODE
--------------	-------	------	------	-----	----------	-----	---------------

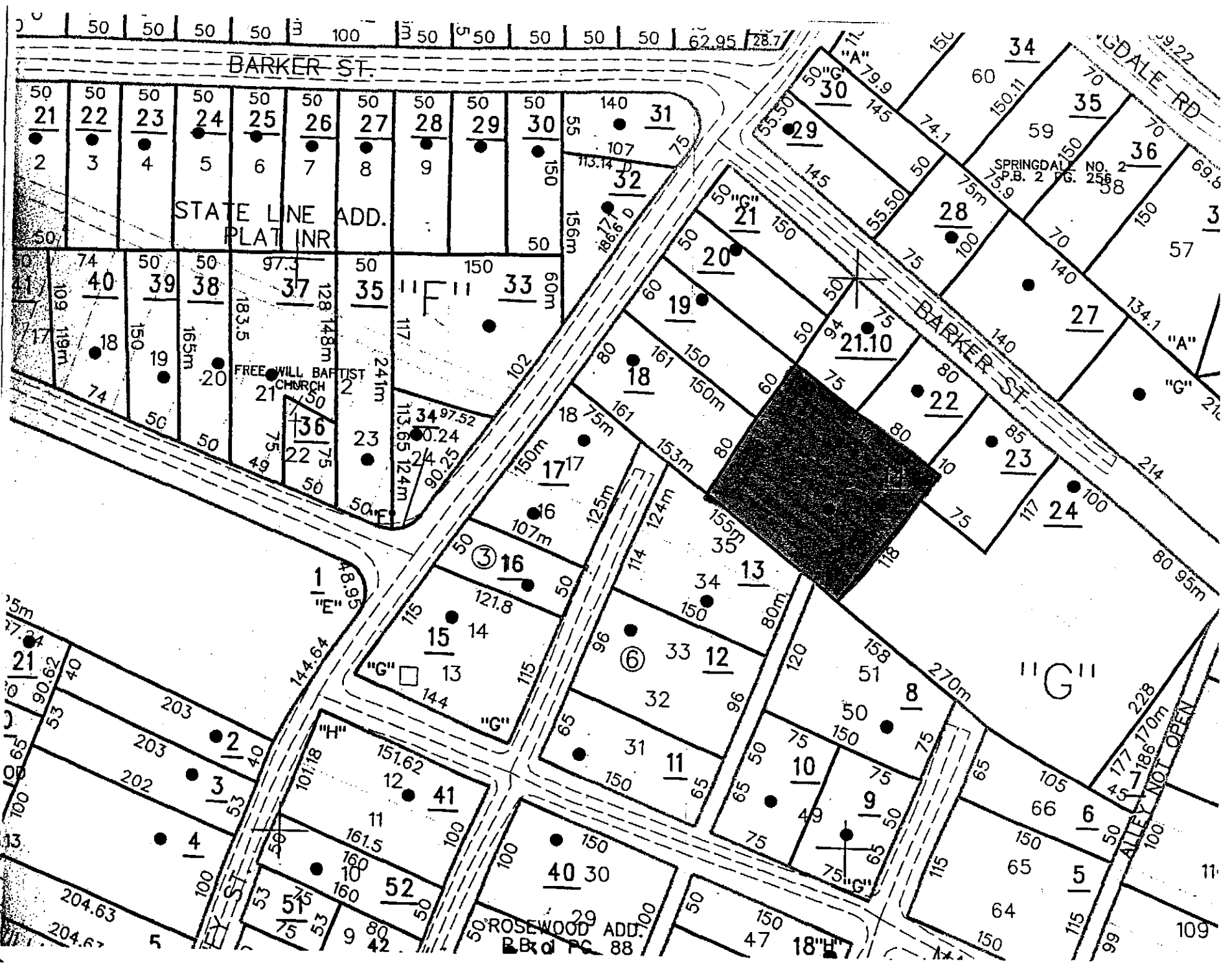
BLDG APPRAISAL	BY	SOURCE	NO. UNITS	NO. UNITS	ZONING	OCC	COND
----------------	----	--------	-----------	-----------	--------	-----	------

PERMIT NO.	F.H.A. NUMBER	NO. OF UNITS	NO. OF UNITS
------------	---------------	--------------	--------------

EX. FEAT/SPEC. BLDG. APPR. DATE	APPR. BY	TOTAL CALCULATED EX. FEAT/SPEC. BLDG. VALUE													
1. RESIDENT	01	140 X 150										100.00	72.00	140.00	10,080
2.															
3.															
4.															
5.															
6.															

LAND USE CODES		MARKET DATA		DEED TRANSFER		BOOK		PAGE		NOTES	
1.											
2.											
3.											
4.											

11/11/04



BARKER ST.

SPRINGDALE RD.

STATE LINE ADD.
PLAT INR

FREE WILL BAPTIST
CHURCH

ROSEWOOD ADD.
B & O P.C. 88

ALLEY NOT OPEN

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Budget
No. 2004-11-125

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Amend General Fund Budget for Contribution in the amount of \$1,000 for Office of County Archives

WHEREAS, the County Archivist received a contribution in the amount of \$1,000 to fund periodicals and supplies for the Office; and

WHEREAS, these funds were received during the previous fiscal year but not expended or appropriated to date.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the General Fund Budget be amended to appropriate contributions for the County Archivist as follows:

Increase Appropriations-	
51910.400	\$1,000
Increase Source of Funding-	
35270 Sub 034	\$1,000

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.

Duly passed and approved this _____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Introduced by Commissioner: Harr

Seconded by Commissioner(s): Williams / Brotherton

at

2004-11-125	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 11-15-04;

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Executive
No. 2004-11-126

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

RESOLUTION To Authorize Traffic Sign Changes in the 13th Civil District

WHEREAS, Commissioner Eddie Williams requested the Sullivan County Highway Department 'make traffic sign changes on McCulley Place in the 13th Civil District (8th Commission District); and,

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

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

13th Civil District (8th Commission District)

To place 25 MPH Speed Limit signs on McCulley Place.

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.

Duly passed and approved this _____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Richard S. Venable, County Mayor

Introduced by Commissioner: Williams
Seconded by Commissioner(s): Conkin

Hwy	Administrative	Budget	Executive	County Commission
2004-11-126				
ACTION				

Comments:

1st READING 11-15-04;

RESOLUTION REQUEST REVIEW

DATE: 11-04-04

TO: Sullivan County Commission

REQUEST MADE BY: Eddie Williams

SUBJECT: To place a 25 MPH SPEED LIMIT on McCulley Place.

13 **CIVIL DISTRICT**

8 **COMMISSIONER DISTRICT** Eddie Williams
Ray Conkin

X **APPROVED BY HIGHWAY DEPARTMENT**

 DENIED BY HIGHWAY DEPARTMENT

COMMENT: _____

 11/4/04
TRAFFIC COORDINATOR

 11-4-04
HIGHWAY COMMISSIONER

Sullivan County, Tennessee
Board of County Commissioners

Item 15
Executive
No. 2004-11-127

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November 2004.

1 **RESOLUTION To Proper Signage along Mountain View Road in Tri-County Industrial**
2 **Park**

3
4 WHEREAS, recently several tractor-trailer trucks have blocked and caused utility service
5 damage at the intersection of Piney Flats Road and Austin Springs Road in an attempt to exit the
6 Tri-County Industrial Park; and,

7
8 WHEREAS, in an effort to protect the utility services and the general welfare of the residents in
9 the Piney Flats area, signage is desperately needed to direct truck drivers to the proper entrance
10 and exit of the Tri-County Industrial Park;

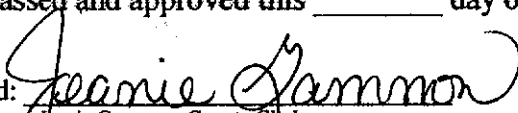
11
12 **NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of**
13 **Sullivan County, Tennessee, assembled in Regular Session, hereby requests the Sullivan**
14 **County Highway Department to erect proper signage in the Tri-County Industrial Park.**

15
16 **BE IT FURTHER RESOLVED that the Sullivan County Highway Department coordinate**
17 **with with Mr. Jack Lawson, Sullivan County Economic Development, in placing signs**
18 **directing truck traffic to the proper exits in the Tri-County Industrial Park.**
19

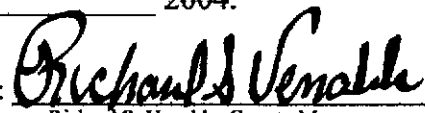
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 15th day of November 2004.

Attested:


Jeanie Gammon, County Clerk

Approved:


Richard S. Venable, County Mayor

Introduced by Commissioner: McKamey

Seconded by Commissioner(s): Hyatt

at

2004-11-127	Administrative	Budget	Executive	County Commission
ACTION				Approved 11-15-04 Voice Vote

Comments: Waiver of rules requested.

**Sullivan County, Tennessee
Board of County Commissioners**

Item 16
Executive
No. 2004-11-128

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November, 2004.

RESOLUTION Adopting Illicit Discharge Detection and Elimination Rules & Regulations

WHEREAS, the Federal Clean Water Act and state law in support thereof require Sullivan County to develop, implement and enforce illicit discharge detection and elimination control measures as part of its federally mandated storm water management program; and

WHEREAS, Tennessee state law found at Tennessee Code Annotated §68-221-1101, et seq., in addition to other authority, authorizes Sullivan County to implement rules and regulations in support thereof;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of November, 2004 hereby adopt the attached **Illicit Discharge Detection and Elimination Rules & Regulations** which shall be effective upon passage of this resolution.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By: Commissioner: S. Jones
Seconded By: Commissioner(s): J. Herron

(dps)

2004-11-128	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 11-15-04;

SULLIVAN COUNTY, TENNESSEE
ILLCIT DISCHARGE DETECTION & ELIMINATION
RULES & REGULATIONS

Sec. 1. Purpose

Sec. 2. Definitions

Sec. 3. Illicit Discharges

 3.1 Applicability

 3.2 Prohibition of Illicit Discharges

 3.3 Prohibition of Illicit Connections

Sec. 4. Elimination of Discharges or Connections

Sec. 5. Notifications of Spills

Sec. 6. Enforcement

 6.1 Authority

 6.2 Inspections by the County

 6.3 Enforcement, Penalties and Liability

Section 1. Purpose

It is the purpose of these Rules and Regulations to:

- a. Protect, maintain, and enhance the environment of Sullivan County, Tennessee (hereinafter "County") and the public health, safety and general welfare of the citizens of Sullivan County, by controlling discharges of pollutants to the County's storm water system and to maintain and improve the quality of the receiving waters into which the storm water outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the County.
- b. Maintain and improve the quality of the receiving waters into which storm water runoff flows, including without limitation, lakes, rivers, streams, ponds, and wetlands.
- c. Enable the County to comply with the National Pollution Discharge Elimination System permit (NPDES) and applicable regulations, 40 CFR 122.26 for storm water discharges.

Section 2. Definitions

For the purposes of these Rules and Regulations, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular. Words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive.

Best Management Practices (BMP): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw material storage.

County: Sullivan County, Tennessee

Contaminant: Any physical, chemical, biological, or radiological substance or matter in water.

Director: The Director of Planning & Zoning of the County or his/her designee, who is responsible for the implementation of the provisions of these Rules and Regulations.

Discharge: To dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any non-storm water solid or liquid matter into the municipal separate storm sewer system.

Illicit connections: Illegal and/or unauthorized connections to the municipal separate storm water system whether or not such connections result in discharges into that system.

Municipal separate storm sewer system (MS4): The conveyances owned or operated by the County for the collection and transportation of storm water, including but not limited to, the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.

National Pollutant Discharge Elimination System (NPDES) permit: A permit issued pursuant to 33 USC 1342.

Pollutant: Sewage, industrial wastes, other wastes or materials (liquids or solids).

Storm water runoff (also called storm water): That portion of the precipitation on a drainage area that is discharged from the area into the municipal separate storm sewer system.

Surface water: Includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.

TDEC: The Tennessee Department of Conservation and Environment.

Waters or waters of the State: Any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface or underground waters.

Section 3. Illicit Discharges

3.1. Applicability

1. This section shall apply to any discharge entering the municipal separate storm sewer system that is not composed entirely of stormwater.

3.2. Prohibition of illicit discharges

1. No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of storm water. The commencement, conduct, or continuance of any non-storm water discharge to the municipal separate storm sewer system is prohibited.

a. Exceptions. Uncontaminated discharges from the following sources are permitted:

- (1) landscape irrigation or lawn watering with potable water;
- (2) diverted stream flows permitted by the State of Tennessee;
- (3) rising ground water;
- (4) groundwater infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers;
- (5) pumped groundwater;
- (6) foundation or footing drains;
- (7) water discharged from crawl space pumps;
- (8) air conditioning condensate;
- (9) springs;
- (10) individual, residential washing of vehicles;
- (11) flows from natural riparian habitat or wetlands;
- (12) swimming pools (if dechlorinated – typically less than one part per million chlorine);
- (13) street wash waters resulting from normal street cleaning operations;
- (14) discharges resulting from emergency fire fighting activities;
- (15) discharges pursuant to a valid and effective NPDES permit issued by the State of Tennessee;
- (16) discharges necessary to protect public health and safety, as specified in writing by the County; and

(17) dye testing permitted by the County.

- b. Discharge due to water line flushing directly to the waters of the State of Tennessee is prohibited. Persons responsible for water line flushing activities are required to de-chlorinate discharges before such discharges come in contact with waters of the State of Tennessee.
- c. Discharge of swimming pool water directly to the waters of the State of Tennessee is prohibited. Persons responsible for water line flushing activities are required to de-chlorinate discharges before such discharges come in contact with waters of the State of Tennessee.

3.3. Prohibition of illicit connections

1. The construction, use, maintenance, continued existence of illicit connections to the municipal separate storm sewer system is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

Section 4. Elimination of Discharges or Connections

1. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the best management practices necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system.
2. Any person responsible for a property or premises where an illicit connection is located may be required, at the person's expense, to eliminate the connection to the municipal separate storm sewer system.
3. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section.

Section 5. Notification of spills

1. Notwithstanding other requirement of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into storm water and/or the municipal separate storm water system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.
2. In the event of a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. The person shall notify the Director in person or by telephone or facsimile no later than the next business day.
3. In the event of a release of non-hazardous materials, the person shall notify the Director in person or by telephone or facsimile no later than the next business day.

4. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the Director within three (3) business days of the telephone notice.
5. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least five (5) years.

Section 6. Enforcement

6.1 Authority

1. The Director or his/her designee(s) shall have the authority to enforce these Rules and Regulations.
2. All Sullivan County officials are hereby authorized to assist when and where appropriate in the enforcement of these Rules and Regulations.
3. The Director may require reports or records from the permittee or person responsible for eliminating the illicit discharge or illicit connection to insure compliance.

6.2 Inspections by the County

1. The Director or his/her designee shall have the right to enter onto private properties for the purposes of investigating a suspected violation of these Rules and Regulations.
2. The owner/operator of any facility, operation or residence where an illicit discharge or illicit connection is known or suspected shall allow the Director or his/her authorized representative to have access to and copy at reasonable times, any applicable State or Federal permits related to the suspected or known discharge or connection, or any reports or records kept as a condition of these Rules and Regulations.
3. Failure on the part of an owner or operator to allow such inspections by the Director or his/her designee shall be a violation of these Rules and Regulations.

6.3 Enforcement, Penalties, and Liability

1. It shall be unlawful for any person or entity to violate any provision or fail to comply with any of the requirements of these Rules and Regulations. The Director or his/her designee(s) shall have the authority to issue directives ordering violators to immediately cease and desist violating these Rules and Regulations and to issue a Stop Work Order directing violators to cease and desist any activity which causes or contributes to the violation of these Rules and Regulations. If a person or entity has violated or continues to violate these Rules and Regulations, the Director or his/her designees may petition for a preliminary and permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
2. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of these Rules and Regulations is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored

at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

3. Any person in violation of these Rules and Regulations shall be subject to a civil penalty of not to exceed Five hundred dollars (\$500.00), a Stop Work Order, and/or civil damages. Each day such violation shall continue shall constitute a separate violation.
4. Failure to comply with a Stop Work Order shall constitute a separate violation which shall be subject to a penalty of not to exceed Five hundred (\$500.00) Dollars. Each day such violation shall continue shall constitute a separate violation.
5. In order to gain compliance, the Director may notify other Sullivan County departments to deny service to the property until the site, facility, activity and/or residence has been brought into compliance with these Rules and Regulations.
6. Any person who violates any provision of these Rules and Regulations shall also be liable to the County for damages caused to the County by the violation. Such damages may include expenses incurred in investigating and enforcing violations of these Rules and Regulations including, but not limited to, attorney's fees, costs of litigation, sampling and monitoring expenses.
7. Upon the request of the Director, the attorneys for the County shall take appropriate legal action to enforce the provisions of these Rules and Regulations.
8. The remedies provided for in these Rules and Regulations are cumulative and not exclusive, and shall be in addition to any other remedies provided by law.
9. Neither the approval of a discharge under the provisions of these Rules and Regulations nor compliance with the conditions of such approval shall relieve any person of responsibility for damage to other persons or property or impose any liability upon the County for damage to other persons or property.

Sullivan County, Tennessee
Board of County Commissioners

No. 17
Budget Committee
2004-11-129

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of November, 2004.

RESOLUTION Authorizing Acceptance of Grant from Tennessee Emergency Management Agency/Homeland Security for Purchase of Equipment/Training

WHEREAS, Sullivan County has grant funds in the amount of \$815,000 available through the Tennessee Emergency Management Agency/Homeland Security for the purchase of equipment/training; and

WHEREAS, said grant is funded one hundred percent (100%) thereby requiring no matching funds by Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of November, 2004 hereby approve accepting a grant in the amount of \$815,000 available through the Tennessee Emergency Management Agency/Homeland Security to be used for the purchase of equipment/training. Account Codes to be assigned by the Director of Accounts and Budgets.

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

Duly passed and approved this ____ day of _____ 2004.

Attested: _____
Jeanie Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Mayor Date

Introduced By: Commissioner: Herron
Seconded By: Commissioner(s): Crawford, Williams

irl

2004-11-129	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 11-15-04; 11-15-04 County Attorney voiced concerns about who has the authority to appropriate the funds; Comm. Williams suggested that any appropriations made by the task force come back before the commission. More discussion and concerns were made by Commissioners during which power to the commission room went out therefore tape of the rest of the discussion did not happen. Power did not come back on before meeting adjourned.

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION DECEMBER 20, 2004.

A handwritten signature in black ink, reading "Richard Venable", written in a cursive style. The signature is positioned above a horizontal line.

RICHARD VENABLE

COMMISSION CHAIRMAN