

COUNTY COMMISSION-REGULAR SESSION

OCTOBER 15, 2012

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, OCTOBER 15, 2012, 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 Joe Herron gave the invocation. The Colors were presented by the Sullivan South ROTC and the pledge to the flag was led by Sullivan County 4-H Members.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

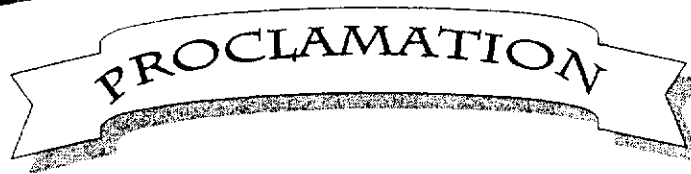
CATHY ARMSTRONG	TY BOOMERSHINE
MARK BOWERY	BRYAN BOYD
LINDA BRITTENHAM	MO BROTHERTON
DARLENE CALTON	JOHN K. CRAWFORD
O. W. FERGUSON	JOHN GARDNER
TERRY HARKLEROAD	BAXTER HOOD
DENNIS HOUSER	MATTHEW J. JOHNSON
BILL KILGORE	DWIGHT KING
ED MARSH	WAYNE MCCONNELL
RANDY MORRELL	BOB NEAL
PATRICK W. SHULL	MIKE SURGENOR
R. BOB WHITE	EDDIE WILLIAMS

24 PRESENT 0 ABSENT (ABSENT-)

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

Motion was made by Comm. Ferguson and seconded by Comm. Morrell to approve the minutes of the September 17, 2012 Regular Session of County Commission. Said motion was approved by voice vote.

SULLIVAN COUNTY, TENNESSEE



To Honor Mountain States Health Alliance For Being Named The 2012 National Quality Healthcare Award Recipient

WHEREAS Mountain States Health Alliance, formed in 1998, is the largest health care system in Northeast Tennessee and Southwest Virginia, and its approximately 13,500 team members, associated physicians and volunteers provide caring treatment to their patients; and

WHEREAS, MSHA's Tennessee facilities include Franklin Woods Community Hospital, Indian Path Medical Center, James H. and Cecile C. Quillen Rehabilitation Hospital, Johnson City Medical Center, Johnson County Community Hospital, Niswonger Children's Hospital, Sycamore Shoals Hospital, and Woodridge Hospital, and its Virginia facilities include Dickenson Community Hospital, Johnston Memorial Hospital, Norton Community Hospital, Russell County Medical Center, Smyth County Community Hospital, as well as 21 primary/preventive care centers and numerous outpatient sites in both states; and

WHEREAS, MSHA has long been dedicated to providing quality health care in a loving environment, and on August 20, 2012, the National Quality Forum named MSHA the recipient of this year's National Quality Healthcare Award, recognizing its commitment to excellence and quality throughout the system; and

WHEREAS, this marks the first time a Tennessee health system has been thus honored and the second time for a Virginia health system, and the National Quality Forum presents only one national award annually, making this a particularly prestigious distinction; and

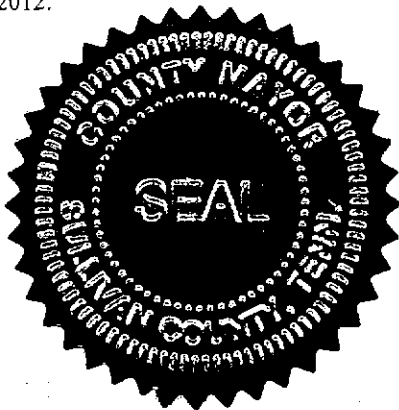
WHEREAS, NQF's interim president and CEO, Senior Vice President and COO Laura Miller, said of Mountain States Health Alliance, "They have created and utilize a set of 10 Patient-centered Care Guiding Principles illustrating the importance of safe, customized care provided in a transparent manner and openly communicated with the patient, family and caregivers throughout the course of treatment"; and


WHEREAS, the National Quality Healthcare Award was created in 1993 and recipients are selected through a blinded review by a panel composed of national health care experts representing purchasers, government, health systems, clinicians and consumers; and

WHEREAS, Mountain States Health Alliance will be presented with this award in special ceremonies to be held in Washington, D.C., in the of Spring 2013, and this award is a reflection on the dedication and professionalism of all the team members at Mountain States Health Alliance and its President and CEO, Dennis Vonderfecht.

BE IT THEREFORE RESOLVED that I Steve, Godsey, Sullivan County Mayor, and the Sullivan County Board of Commissioners applauds this hallmark achievement by the leadership and associates of Mountain States Health Alliance and expresses our deepest appreciation for the services you provide to the people of Virginia and Tennessee.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 15th day of October, 2012.




Steve M. Godsey
Mayor of Sullivan County



SULLIVAN COUNTY, TENNESSEE

PROCLAMATION

**TO HONOR AND RECOGNIZE FORMER SCHOOL BOARD MEMBER
JIM KISS**

WHEREAS, Jim Kiss tirelessly served his community and the people of Sullivan County for 28 years as a Sullivan County School Board Member. He recognized that the children of today will be the leaders of tomorrow and their education should be held to the highest of standards. He dedicated 28 years of his life to assure the children in Sullivan County were given the opportunity to receive a quality education that would help them succeed in life.

WHEREAS, Jim Kiss is dedicated to the North Zone community and understands the importance of athletics and recreational activities for children. He has supported the Sullivan North Athletic department since the schools origin in 1981. Prior to that, he supported Ketron High School and Ketron Middle school athletics. Since 1957, Mr. Kiss has served as statistician for Ketron and Sullivan North Athletics. The start of the 2012 football season marked Mr. Kiss's 56th year as a statistician for the North area athletics.

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 Jim Kiss for his years of service and dedication to both the Sullivan County School Board and North Zone athletics.

In witness whereof, I have hereunto set my hand and caused this seal of the County of Sullivan to be affixed this 15th day of October, 2012.



A handwritten signature in black ink, appearing to read "Steve M. Godsey".

Steve M. Godsey
Mayor of Sullivan County





Sullivan County Tennessee

Sponsored By
All Sullivan County Commissioners
& Mayor Steve M. Godsey

Greetings: Be it known that

Commissioner O. W. Ferguson

Is Being Honored For His 37 Years Of Service To Sullivan County As A County Commissioner In The Ninth Commissioner District Making Him The Longest Serving Commissioner In The History Of Sullivan County.

He also served as Chairman Pro Tem for 22 Years and is now Chairman Pro Tem Emeritus.

We, in Sullivan County hereby award this

Certificate of Recognition

with our most sincere congratulations and best wishes to O. W. Ferguson and thank him on this 15th day of October 2012 for being faithful in his commitment to Sullivan County.



Sullivan County Tennessee

Sponsored By
All Sullivan County Commissioners
& Mayor Steve M. Godsey

Greetings: Be it known that

Joe Herron

Is Being Honored For His 10 Years Of Service To Sullivan County As A County Commissioner In The Eleventh Commissioner District And Also For His Contributions And Leadership In Working With The Insurance And Budget Committees. He Was Most Instrumental In Contributing To The Success And Establishment Of The New Animal Shelter.

He is a man of faith and honor who desires the best for his fellow citizens, and has worked tirelessly by contributing time and efforts to enhance the quality of life in our area.

We, in Sullivan County hereby award this

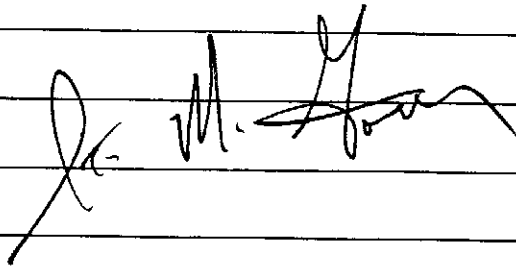
Certificate of Recognition

with our most sincere congratulations and best wishes to Joe Herron and thank him on this 15th day of October 2012 for being faithful in his commitment to Sullivan County.

SULLIVAN COUNTY COMMISSION
Public Comment Session
Monday, October 15, 2012

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓ 1	Walter Malone	3258 Hwy 126, Suite 104	Blountville, TN	
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				



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 October 15,2012

SUE ASHFORD	DEREK C. LINKOUS
ANNIS FAYE BASS	JERRY L. MITCHELL
JOSHUA DAVID BLACKBURN	SARAH MOODY
CINDY BLEDSOE	DEBORAH ROSANNA NELSON
MARTHA C. BLEVINS	MICHAEL T. OLIVER
AMY L. CARTER	KIMBERLY L. OVERBAY
MARCUS E. CLAY	KATHY T. REED
BRITTANY DANIELLE	ANGELINA NICOLE
CRAWFORD	RUTHERFORD
DEBRA DINSMORE	C. BRAD SPROLES
VICKI Y. EVANS	HOWARD ALAN SPURGEON
KALEY BREANNA FRANKLIN	KAREN BORDERS STILTNER
JENNIFER HARBIN	DEBI K TABOR
HEATHER HOLT	MICKIE A. THOMAS
NATALIE S. HUDDLE	LAUREN E TUCK
TIMOTHY W. HUDSON	BRETT D. WILLIAMS
LINDA E. JOHNSON	ETTA WOOD
PEG S. KUHBANDER	
TARA LAWSON	

PERSONAL SURETY
10,000.00
10000.00
HEATHER HOLT-ERIE
INSURANCE
DEBBIE ISLEY
E. LYNN DOUGHERTY
DIANE GRIFFIN
JOSH DAVIS
KIMBERLY L. OVERBAY

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

**STATE OF TENNESSEE
COUNTY OF SULLIVAN**

**APPROVAL OF NOTARY
SURETY BONDS**

October 15, 2012

NAME OF NOTARY

**Ray H. Adams
Melanie D. Atkins
Dorothy Ann Cole
Patricia Suk New
Shelia J. Thompson
Kathy Sue Wininger**

PERSONAL SURETY

**Kenny Glass
Randy M. Kennedy
Margaret Saddler
Michelle Tankersley
Kimberly Chase
James P. Sloss**

PERSONAL SURETY

**Robert Waller
Rebecca J. Myers
Wayne Humphrey
Brittany Crawford
Nancy McConnell
Henry Price**

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

QUESTIONS BEFORE THE COMM.

Reasoning Res. Resolutions
 No. 1 2 3 4 5 6
 No. No. No. No. No. No.

NAMES OF COMMISSIONERS	Reasoning Res.		Res. 1		Res. 2		Res. 3		Res. 4		Res. 5		Res. 6					
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay				
Neal	✓						✓		✓		✓		✓					
Shull	✓							✓		✓		✓		✓				
Surgona	✓							✓		✓		✓		✓				
White	✓							✓		✓		✓		✓				
Williams	✓							✓		✓		✓		✓				
Armstrong	✓								✓		✓		✓		✓			
Boonershine	✓							✓		✓		✓		✓		✓		
Bowery	✓							✓		✓		✓		✓		✓		
Boyd	✓							✓		✓		✓		✓		✓		
Brittonham	✓							✓		✓		✓		✓		✓		
Brotherton	✓							✓		✓		✓		✓		✓		
Celton	✓							✓		✓		✓		✓		✓		
Crawford	✓							✓		✓		✓		✓		✓		
Ferguson	✓							✓		✓		✓		✓		✓		
Gardner	✓							✓		✓		✓		✓		✓		
Harkleroad	✓							✓		✓		✓		✓		✓		
Hood	✓							✓		✓		✓		✓		✓		
Hauser	✓							✓		✓		✓		✓		✓		
Johnson	✓							✓		✓		✓		✓		✓		
Kilgore	✓									✓		✓		✓		P		
King	✓									✓		✓		✓		✓		
Marsh	✓									✓		✓		✓		✓		
McCormell	✓									✓		✓		✓		✓		
Marrell	✓									✓		✓		✓		✓		
	24 Aye										18 Aye		19 Aye		20 Aye		23 Aye	
											6 Aye		5 Aye				1 Res.	

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AGENDA
Sullivan County Board of County Commission

October 15, 2012

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, October 15, 2012 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) **File No 07/12/#1 Daniel V. Davis**
Reclassify 2 parcels of property located on the Northeast side of Derby Drive in the 100 block from R-2 (Medium Density Residential District) and A-1 (General Agricultural/Estate Residential District) to R-3B (High-Density/Single-Family) for a proposed townhouse condominium development. Property ID No Tax Maps 104, Parcels 54.30 and part of 54.35 this is located in the 15th Civil District.
Sullivan County Planning

07/12/12 #1 3

PETITION TO SULLIVAN COUNTY FOR REZONING

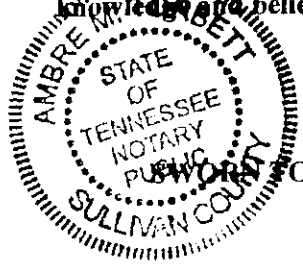
A request for rezoning is made by the person named below; said request to go before the Sullivan County Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

<p>Property Owner: <u>Daniel V. Davis</u></p> <p>Address: <u>1300 Jan Way</u> <u>Kingsport, TN 37660</u></p> <p>Phone <u>(423) 817-7300</u> Date of Request <u>07/17/2012</u></p> <p>Property Located in <u>15th</u> Civil District</p> <p><u><i>Daniel V. Davis</i></u> Signature of Applicant</p>	<p><u>OFFICE USE ONLY</u></p> <p>Meeting Date <u>09/18/2012</u> Time <u>6:00PM</u></p> <p>Place <u>Sullivan County Courthouse,</u> <u>Blountville, 2nd Floor.</u></p> <hr/> <p>6P# Planning Commission Approved <input checked="" type="checkbox"/> <u>9/18/12</u> Denied <input type="checkbox"/></p> <p>9am County Commission Approved <input checked="" type="checkbox"/> <u>10/15/2012</u> Denied <input type="checkbox"/></p> <p>Other <u>Roll Call 11:24 Aye</u></p> <p>Final Action Date <u>10-15-12</u></p>
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PROPERTY IDENTIFICATION

Tax Map No. 104 / Group / Parcel 054.30 & 54.35
 Zoning Map 23 Zoning District R-2/A-1 Proposed District R3B (see map)
 Property Location : off of Derby Drive, Sullivan Gardens area
 Purpose of Rezoning: for a proposed townhouse condominium development plan

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.



Daniel V. Davis

AND SUBSCRIBED before me this 17 day of July, 2012

A. Cobbett
Notary Public

My Commission Expires: 11/10/2013

RESOLUTIONS ON DOCKET FOR OCTOBER 15, 2012

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 10-15-12
#2 APPROVE SULLIVAN COUNTY HIGHWAY DEPARTMENT TO PICK UP BRUSH, LEAVES, AND LIMBS WHEN PLACED ALONG SIDE OF SULLIVAN COUNTY ROADS AND HIGHWAYS BY SULLIVAN COUNTY RESIDENTS	DEFERRED 10-15-12
#3 REQUEST ADDITIONAL FUNDING TO COVER REFURBISHING THE ELEVATOR IN THE COUNTY JAIL	APPROVED 10-15-12
#4 IMPLEMENT THE "2012 COST OF PERSONNEL REDUCTION PLAN" TO REDUCE THE PERSONNEL AND BENEFITS COST OF SULLIVAN COUNTY GOVERNMENT	APPROVED 10-15-12
#5 PLACE A STOP SIGN AT LEMAY DRIVE AT THE INTERSECTION OF HIGHWAY 126 IN THE 6 TH COMM. DISTRICT	APPROVED 10-15-12
#6 REQUEST STATE LEGISLATURE TO AMEND TCA 5-12-104(B)(1) TO ALLOW FIVE OR MORE MEMBERS ON THE COUNTY BUDGET COMMITTEE	APPROVED 10-15-12
#7 APPROVE ENTERING INTO A CONTRACT WITH HUMANA TO PROVIDE EMPLOYEE HEALTH INSURANCE COVERAGE FOR SULLIVAN COUNTY EMPLOYEES EFFECTIVE JANUARY 1, 2013	APPROVED 10-15-12
#8 PLACE A STOP SIGN AT THE INTERSECTION OF SUGAR HOLLOW TRAIL AND DEVAULT BRIDGE ROAD IN THE 4 TH COMM. DISTRICT	APPROVED 10-15-12
#9 REQUEST THE SULLIVAN COUNTY BOARD OF COMMISSIONERS SUPPORT AND REQUEST THE TDOT TO INSTALL THE TENNESSEE CIVIL WAR TRAIL LOGO BUGLE SIGNS NEAR THE NORTH AND SOUTH EXIT RAMPS AT EXIT #69 OF INTERSTATE 81, BLOUNTVILLE EXIT	APPROVED 10-15-12
#10 AMEND THE 2012-2013 GENERAL PURPOSE SCHOOL BUDGET FOR THE SAFE SCHOOLS GRAN RECEIVED FROM THE STATE OF TENNESSEE IN THE AMOUNT OF \$16,890.14	APPROVED 10-15-12
#11 AUTHORIZING TRANSFER OF GRANDE HARBOR SUBDIVISION LOTS ACQUIRED THROUGH CONDEMNATION PROCEEDINGS TO TRI-CITIES AIRPORT AUTHORITY	APPROVED 10-15-12

<p>#12 REQUESTING THE SULL. CO. BOARD OF COMMISSIONERS SUPPORT AND REQUEST THE TN DEPT OF TRANSPORTATION TO INSTALL A BROWN HISTORIC WAY-FINDING SIGN AT THE NORTH AND SOUTH EXIT RAMPS AT EXIT #69 OFF OF INTERSTATE 81, BLOUNTVILLE</p>	<p>APPROVED 10-15-12</p>
<p>#13 SUPPORTING THE EFFORTS OF LOCAL UNITED WAY OF SULLIVAN COUNTY</p>	<p>APPROVED 10-15-12</p>
<p>#14 AUTHORIZING APPLICATION FOR GRANT FROM THE TN EMERGENCY MANAGEMENT AGENCY (TEMA) TO CONTRACT FOR THE UPDATE OF THE SULLIVAN COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN TO MEET 44 CFR 201.6</p>	<p>APPROVED 10-15-12</p>

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2012-10-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October 2012.

RESOLUTION To Consider Amendment(s) To The SULLIVAN COUNTY ZONING PLAN: Zoning Map Or The Zoning Resolution

WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

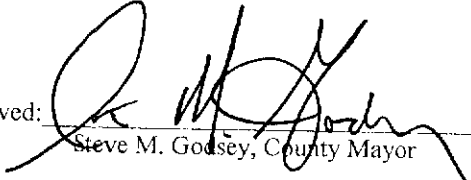
WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.

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

Duly passed and approved this 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsor: John Crawford
Prime Co-Sponsor(s): John Gardner

2012-10-00	County Commission
ACTION	Approved 10-15-12 Voice Vote

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Executive
No. 2012-08-79

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of August, 2012.

RESOLUTION To Approve Sullivan County Highway Department To Pick Up Brush, Leaves, And Limbs When Placed Along Side Of Sullivan County Roads And Highways By Sullivan County Residents

WHEREAS, Sullivan County has provided this service through the Highway Department in years past for our residents as an additional method of keeping the County neat and creating safer travel for drivers who use our County roads and highways; and

WHEREAS, the Sullivan County Highway Department and many County Commissioners have received numerous calls and overwhelming requests from County residents to resume the brush pick up service in Sullivan County; and

WHEREAS, the Sullivan County Highway Department is well equipped and prepared to reinstate this service, operating on an organized schedule with effective methods for maintaining the various County roads that need attention and responding to resident requests; and

WHEREAS, the Sullivan County Highway Department lawfully maintains Sullivan County highways and roads only; this excludes all city and state roads from any maintenance and/or services provided by the Sullivan County Highway Department; and

WHEREAS, the brush pick up service provided by Sullivan County is intended for exclusive use by Sullivan County residents only. The Sullivan County Highway Department will not pick up any limbs, trees, or brush cut commercially by contractors or any professional service providers. It is the responsibility of all contractors and/or commercial professionals to carry out appropriate disposal protocols of any unwanted materials or waste created by their services rendered; and

WHEREAS, Sullivan County residents are to cut the brush and/or limbs into manageable pieces no longer than 10-12 feet in length and create a neat stack alongside the Sullivan County road of their address at a safe distance from the road but within the County Right-Of-Way avoiding cable/power lines and poles that may obstruct the claw of the brush truck from reaching the brush pile for pick up. Highway Department Dispatch is then called to request pick up; and

WHEREAS, Sullivan County residents trust and depend on their elected officials to act in their best interest and provide needed services that promote safety and sanitation; brush pick up enhances the attractive appearance of our County roadways and keeps them free of debris while helping residents to dispose of unwanted rubbish.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session that we hereby allow the Sullivan County Highway Department to pick up brush, leaves, and limbs on Sullivan County Roads and Highways only.

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 _____ day of _____ 2012.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: James Brotherton
Prime Co-Sponsor(s): Terry Harkleroad, Darlene Calton

2012-08-79	Administrative	Budget	Executive	County Commission
ACTION	Tabled 9-10-12, No Action 10-1-12	*No Action 8-9-12 Deferred To Full Commission Meeting 9-13-12; Deferred 10-4-12	Approved 8-7-12	

Notes: *Will Be Withdrawn At August Commission Meeting

1st Reading 08-20-12; Motion by Brittenham, second by Hood to defer for one month – motion accepted by Sponsor – Resolution Deferred 09-17-12 ; **Deferred 10-15-12;**

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Administrative/Budget
No. 2012-09-91

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of September, 2012.

RESOLUTION To Request Additional Funding To Cover Refurbishing The Elevator In The County Jail

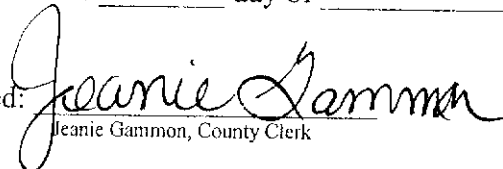
WHEREAS, the Sullivan County Sheriff's Department along with Claude Smith, Sullivan County Buildings Administrator, has received a quote from Otis Elevator Company to repair/refurbish the elevator in the Sullivan County Jail in the amount of ~~\$51,879.00~~ ^{\$36,926.00}. The elevator has been repaired as much as it can be and has to be refurbished. The control panel and wiring are outdated and parts are no longer available. The hydraulic pump, which moves the elevator up and down, has gone well beyond its life expectancy. Mr. Smith has had one other company look at the elevator and their quote was higher and they did not install the elevator, nor have they had the yearly maintenance on the elevator. This elevator serves many purposes, one of which is handicap access for anyone which includes inmates, staff and visitors.

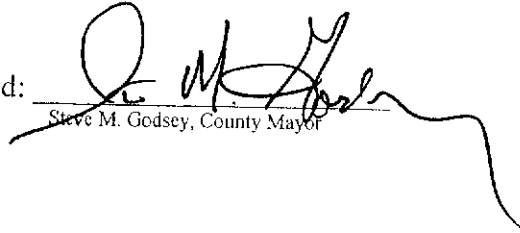
A repair such as this, in the past, has been paid for from the capital funds and there are no other areas in the corrections budget that can cover an expense as large as this.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session appropriate funding to cover the ~~\$51,879.00~~ ^{\$36,926.00} for the repairs as quoted.

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: John Crawford
Prime Co-Sponsor(s): Eddie Williams

2012-09-91	Administrative	Budget	Executive	County Commission
ACTION	Deferred 10-1-12	Approved With Amendments To Be Forthcoming 10-4-12	No Action 10-2-12	Approved 10-15-12 18 Aye, 6 Nay

Notes: 1st Reading 09-17-12; **Amended by Sponsor 10-15-12(attached):**

Amendment 1 to Resolution No. 2012-09-91 Item #3 on 10-15-12
-sue 3 Amount of \$1,879.00 to change to:

Amount of 36, ^{926.00}~~8,775.00~~ out of
Account # 39~~0000~~.

ine: Now therefore be it resolved:

Cover the \$1,879.00 to change to:

cover the \$ 36, ^{926.00}~~8,775.00~~ out of
Account # 39~~0000~~.

First Reading on 9-17-12
Amendment on 10-15-12

Sponsor: *John C. Foy*
Second: *John T. Foy*

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Budget/Executive
No. 2012-10-92

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION To Implement The "2012 Cost of Personnel Reduction Plan" To Reduce The Personnel And Benefits Cost Of Sullivan County Government

WHEREAS, the cost of government operations continue to increase with limited resources to fund those increases and a major portion of that cost is for personnel including benefits; and

WHEREAS, some employees may be interested in retirement if the employee health insurance benefits were available to the employees without any monetary incentive, while others might be interested in leaving employment with the county without the need for health insurance benefits upon payment of a monetary incentive, and others may be interested in a return to part time employment with the County.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Mayor to offer a "2012 Cost of Personnel Reduction Plan" to the various departments (except Schools) of Sullivan County Government within the following guidelines:

SECTION 1. The department head elects to participate in the "2012 Cost of Personnel Reduction Plan" program by agreeing that any employee that elects to take advantage of the plan and is accepted will result in a corresponding reduction in full-time staffing for the respective department.

SECTION 2. The department from which each employee accepting the benefits provided under this plan will be responsible for all costs which will be paid from their respective budgets, as well as, future costs. Costs will include any incentive payments, accrued leave pay-out, and current and future benefits. The resulting reduction in full-time personnel costs will be reallocated to the respective department's budget for other services.

SECTION 3. A lump sum payment equal to \$400 per year for credited full-time service not to exceed \$10,000 will be provided to each employee accepting this incentive based upon credit years with at least 25 years of service and 55 years of age plan (Health insurance benefits are provided).

SECTION 4. A lump sum payment equal to \$400 per year of credited full-time service not to exceed \$10,000 will be provided to each employee accepting this incentive based upon credit attained of at least 5 years of full-time service and leaves without claims to participate in the county funded health insurance plan (No health insurance benefits except COBRA provided).

SECTION 5. In lieu of acceptance of one half of the lump sum payment provided in Section 3 and 4, the participating employee may upon reaching an understanding with the head of the department accept employment as a part-time employee working a maximum number of hours per year as allowed by TCRS.

SECTION 6. The payments under this plan are subject to the appropriate withholdings and will be paid out on the routinely scheduled payroll date for the employee's last workday along with any unpaid vacation, personal days and any comp-time due.

SECTION 7. This program will be offered to all employees with in the participating departments that have the designated years of service as of the first work day of the month after the passage of this resolution.

SECTION 8. Each employee electing to retire under this plan must submit their signed letter of intent to their department head with a copy filed with the payroll office two months prior to their retirement date. This letter is irrevocable.

SECTION 9. Health Insurance benefits, as currently provided under county policy, will be provided to the participants in this program under section 3, as long as, those benefits are continued for other retirees.

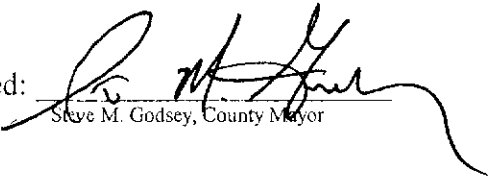
SECTION 10. There is nothing in this incentive program that precludes any retiree from taking advantage of this offer and from later being eligible for part-time work with their employer in accordance with guidelines set forth by the TCRS.

SECTION 11. The provisions of this incentive plan are intended to be limited to the "2012 Cost of Personnel Reduction Plan" and are not intended to change other currently existing policies governing provisions for Sullivan County current or future retirees.

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2012-10-92	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-1-12	Approved 10-4-12	Failed 10-2-12	Approved 10-15-12 19 AYE. 5 NAY

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Executive
No. 2012-10-93
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October 2012

RESOLUTION To Place A STOP Sign At Lemay Drive At The Intersection Of Highway 126 In The 6th Commissioner District

WHEREAS, Commissioner Matthew Johnson requested the Sullivan County Highway Department to make this change; and,

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

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

6th Commission District

**To Place A STOP Sign At Lemay Drive
At The Intersection Of Highway 126**

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 15th day of October 2012.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsored By: Matthew Johnson

Prime Co-Sponsor(s): Terry Harkleroad, Michael Surgenor

2012-10-93	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-1-12	Approved 10-4-12	Approved 10-2-12	Approved 10-15-12 24 Aye

Notes:

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**
P.O. BOX 690
BLOUNTVILLE, TENNESSEE 37617

Terry A. Shaffer
Highway Commissioner

147 County Hill Road • Blountville, TN
Phone (423) 279-2820 • Fax (423) 276-2876

RESOLUTION REQUEST REVIEW

DATE: 9-20-2012

TO: Sullivan County Commission

REQUEST MADE BY: Matthew Johnson

SUBJECT: To place a stop sign at
Lemay Dr at the intersection
of Hwy 126

6th COMMISSIONER DISTRICT

Terry Harterons
Michael Surgenor

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

Ryan Logan 9/20/2012
TRAFFIC COORDINATOR DATE

Terry Shaffer 9/20/12
HIGHWAY COMMISSIONER DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Administrative/Budget/Executive
No. 2012-10-94

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION Requesting State Legislature To Amend Tennessee Code Annotated §5-12-104(b)(1) To Allow Five Or More Members On The County Budget Committee

WHEREAS, pursuant to previous action of the County Commission on or about April 16, 1962, Sullivan County operates under and pursuant to the "County Budgeting Law of 1957" which is found at Tennessee Code Annotated §5-12-101 *et seq.*; and

WHEREAS, the County Budgeting Law of 1957 calls for the creation of a county Budget Committee with the duties of such committee set forth thereafter; and

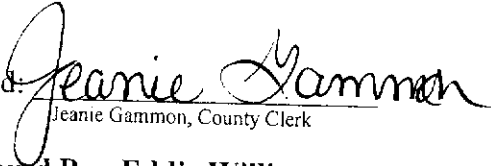
WHEREAS, the County Budgeting Law of 1957 provides in Tennessee Code Annotated §5-12-104(b)(1) that the County Budget Committee "shall consist of five (5) members, one (1) of whom shall be the county mayor, and the other four (4) shall be appointed by the county mayor with the approval of the county governing body at its regular January session of each year or at any subsequent session"; and

WHEREAS, it is the desire of the legislative body of Sullivan County that the County Budgeting Law of 1957 be changed by the state legislature to clarify that the county Budget Committee may consist of five (5) or more members;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of October, 2012 that the county legislative body for Sullivan County hereby requests the state legislature to amend Tennessee Code Annotated §5-12-104(b)(1) to read as follows with words to be added shown in italics and words to be deleted shown crossed out: "The committee shall consist of five (5) *or more* members, one (1) of whom shall be the county mayor, and the other ~~four~~ (4) *members* shall be appointed by the county mayor with the approval of the county governing body at its regular January session of each year or at any subsequent session. *The number of members shall be determined annually by the legislative body of the 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.

Approved this 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Eddie Williams
Prime Co-Sponsor(s): Bob White

2012-10-94	Administrative	Budget	Executive	County Commission
ACTION	No Action 10-1-12	Approved 10-4-12	Approved 10-2-12	Approved 10-15-12 23 Aye, 1 Pass

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Budget
No. 2012-10-95

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION To Approve Entering Into A Contract with Humana To Provide Employee Health Insurance Coverage For Sullivan County Employees Effective January 1, 2013

WHEREAS, the Insurance Committee has reviewed various employee health insurance renewal proposals for the 2013 year; and

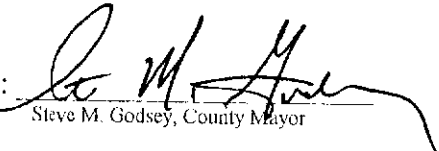
WHEREAS, the Committee has recommended a contract with Humana to provide the Base Plan and an optional High-Deductible Savings Plan with a 4-tier billing rate for each plan.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, authorize the Purchasing Agent to enter into a contract for Employee Health Insurance with Humana Insurance for the 2013 calendar year. The employee and employer share of cost for each plan shall remain the same as the 2012 calendar year.

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Linda Brittenham

**Prime Co-Sponsor(s): Bob Neal, Bob White, Mark Bowery, Dwight King,
Eddie Williams, Ty Boomershine**

2012-10-95	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-1-12	Approved 10-4-12	Approved 10-2-12	Approved 10-15-12 24 Aye

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Executive
No. 2012-10-96
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October 2012

RESOLUTION To Place A STOP Sign At The Intersection Of Sugar Hollow Trail And Devault Bridge Road In The 4th Commissioner District

WHEREAS, Commissioner Dennis Houser requested the Sullivan County Highway Department to make this change; and,

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

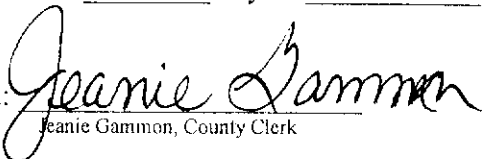
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

4th Commission District

**To Place A STOP Sign At The Intersection Of Sugar Hollow Trail
And Devault Bridge Road**

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

Approved this 15th day of October 2012.

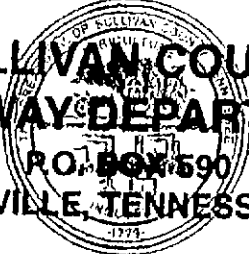
Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Dennis Houser
Prime Co-Sponsor(s): Linda Brittenham, Ed Marsh

2012-10-96	Administrative	Budget	Executive	County Commission
ACTION		Approved 10-4-12	Approved 10-2-12	Approved 10-15-12 24 Aye

Notes: **Waiver of rules requested.**


**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**
P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

Terry A. Shaffer
Highway Commissioner

147 County Hill Road • Blountville, TN
Phone (423) 279-2820 • Fax (423) 276-2876

RESOLUTION REQUEST REVIEW

DATE: 10-2-2012

TO: Sullivan County Commission

REQUEST MADE BY: Dennis Houser

SUBJECT: To place a Stop Sign at the
Intersection of Sugar Hollow TR
AND Devault Bridge RD

4th COMMISSIONER DISTRICT

Linda Brittenham

ED MARSH

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENTS:

Roger Cooper 10/2/2012
TRAFFIC COORDINATOR DATE

Terry Shaffer 10-2-2012
HIGHWAY COMMISSIONER DATE

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Executive
No. 2012-10-97

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION Requesting The Sullivan County Board Of Commissioners Support And Request The Tennessee Department Of Transportation To Install The *Tennessee Civil War Trail Logo Bugle Signs Near The North And South Exit Ramps At Exit #69 Of Interstate 81, Blountville Exit.*

WHEREAS, Sullivan County became one of the first partners with the Tennessee Department of Tourist Development along with the Civil War Trails Organization in 2008 and has remained in good standing with the State program; and

WHEREAS, Sullivan County has five (5) Battle of Blountville Civil War Trail interpretive signs along the Great Stage Heritage Trail in the historic district that were installed by the Civil War Trails Organization; and

WHEREAS, Sullivan County was one of the first battlefield sites that was included on the Tennessee Civil War Trail brochure developed by the partnership and distributed to all interstate Rest Stops and Tourist Information Centers owned by the State; and

WHEREAS, the partnership supplies the Civil War Trail logo signs to each partner as part of the program, which currently can be installed on all State roads and by-ways within proximity to the interpretive signs in order to direct motorists to the battlefield landmarks; and

WHEREAS, the Tennessee Department of Transportation (TDOT) currently does not allow these Bugle logo signs to be installed along the Interstate or Expressway systems per the updated *TDOT Manual on Uniform Traffic Control Devices – Supplemental Rules for Guide Signs*; and

WHEREAS, all other DOTs within the Civil War Trails partnership, such as Virginia, allow for such Bugle logo signage to be installed; however TDOT does not; and

WHEREAS, the recent studies and projects regarding the Battle of Blountville Civil War history has risen the level of importance of this battleground according to the Tennessee Wars Commission (1 of 38 most significant sites within Tennessee); and

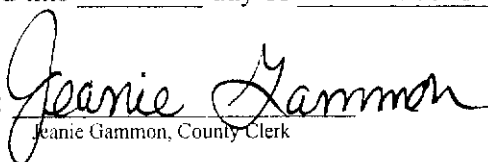
WHEREAS, Sullivan County's Civil War Trail interpretive signage is less than two miles from the interstate and is open to the public year round as a self-guided tour and open to the public during normal business hours for a guided-tour through the Archives & Tourism Department.

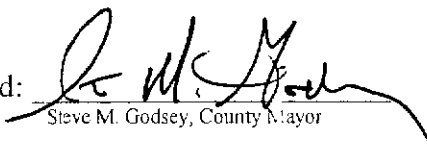
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, this 15th day of October, 2012 shall hereby continue to support the Tennessee Civil War Trails program and request that TDOT install the Tennessee Civil War Trails bugle logo signs on any existing way-finding signage along I-81 at the north and south exits at exit #69 in Blountville.

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 15th day of October 2012.

Attested: 
 Jeanie Gammon, County Clerk

Approved: 
 Steve M. Godsey, County Mayor

Sponsored By: Dennis Houser

Prime Co-Sponsor(s): James "Moe" Brotherton, Linda Brittenham

2012-10-97	Administrative	Budget	Executive	County Commission
ACTION		Approved 10-4-12	Approved 10-2-12	Approved 10-15-12 24 Aye

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Budget
No. 2012-10-98

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION To Amend The 2012 – 2013 General Purpose School Budget For The Safe Schools Grant Received From The State Of Tennessee In The Amount Of \$16,890.14

WHEREAS, the State of Tennessee has made available additional funds for this program which were left over from the 2011-2012 fiscal year; and

WHEREAS, these monies will be used to provide funds to the Department of Education for additional security measures; and

WHEREAS, the Sullivan County Department of Education Board approved this grant with no additional local funds required.

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

Account Number	Account Description	Amount
46590.000.00.176.0000.000	Safe Schools/ARRA – Other ARRA/SPSF Funds	+16,890.14
72620.499.00.176.0000.000	Maintenance of Plant – Other Supplies and Materials	+16,890.14

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2012-10-98	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-15-12 24 Aye

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Executive
No. 2012-10-99

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION Authorizing Transfer Of Grande Harbor Subdivision Lots Acquired Through Condemnation Proceedings To Tri-Cities Airport Authority

WHEREAS, Sullivan County, pursuant to Resolution No. 2008-09-109 approved by the Sullivan County Board of Commissioners on September 15, 2008, filed condemnation proceedings to acquire title to certain lots located in the Grande Harbor Subdivision which were needed by the Tri-Cities Regional Airport for safety and logistical purposes as well as for future needs of the Airport; and

WHEREAS, all parties involved in the condemnation proceedings have entered into a settlement agreement, which settlement agreement was approved by the Court on July 26, 2012; and

WHEREAS, pursuant to the Final Judgment entered by the Court on September 18, 2012, Sullivan County, Tennessee has been vested with title to Lots 36, 37, 38, 39, 40 and 41 of Grande Harbor, Phase I; and

WHEREAS, the new independent airport authority known as the Tri-Cities Airport Authority was formed on September 25, 2012 pursuant to corporate documents filed with the Secretary of State's Office for the State of Tennessee; and

WHEREAS, Sullivan County will need to transfer title to the Grande Harbor lots to the Tri-Cities Airport Authority;

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of October, 2012, hereby authorize the Sullivan County Mayor to execute such documents as are necessary to transfer title to Lots 36, 37, 38, 39, 40 and 41, Phase I, Grande Harbor Subdivision to the Tri-Cities Airport Authority.

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: James "Moe" Brotherton
Prime Co-Sponsor(s): Baxter Hood

2012-10-99	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-15-12 24 Aye

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Executive
No. 2012-10-100

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION Requesting The Sullivan County Board Of Commissioners Support And Request The Tennessee Department Of Transportation To Install A Brown Historic Way-Finding Sign At The North And South Exit Ramps At Exit #69 Off Of Interstate 81, Blountville.

WHEREAS, Sullivan County became one of the first partners with the Tennessee Department of Tourist Development along with the Civil War Trails Organization in 2008 and has five (5) interpretive signs installed within the self-guided walking tour in the historic district; and

WHEREAS, Sullivan County operates several other tourist attractions that are open to the public, such as the Tourist Information Center, the Old Deery Inn Museum, Archives & History Center and the guided or self-guided walking tours of the Historic District; and

WHEREAS, substantial public and private investments have been made in the restoration of historical homes, churches, and public buildings located within the historic district that have led to increased public awareness and support of such efforts; and

WHEREAS, Blountville was the second oldest town in Tennessee prior to relinquishing its charter while remaining as the only unincorporated county seat in the State; and

WHEREAS, the Tennessee Department of Transportation (TDOT) currently no longer allows the standard brown historic way-finding signs to be installed along the Interstate or Expressway systems per the updated *TDOT Manual on Uniform Traffic Control Devices – Supplemental Rules for Guide Signs*; and

WHEREAS, all other towns throughout the State of Tennessee that were established prior to the rule changing were provided such brown historical signs; and

WHEREAS, the Sullivan County Highway Department is equipped to fabricate and/or install the signs at no cost to the State if needed; and

WHEREAS, this request for support was made by the Battle of Blountville Civil War Military Park Committee, the Historic Zoning Commission, the Department of Archives & Tourism and the public; and

WHEREAS, these aforementioned historical sites, facilities and other landmarks are less than two (2) miles off of the interchange of I-81 and SR 394 but currently have no way-finding signage to direct tourists.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, this 15th day of October, 2012 shall hereby request approval for two brown way-finding signs to be installed along I-81 at the north and south exits at exit #69 in Blountville.

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 15th day of October 2012.

Attested: Jeanie Gammon
Jeanie Gammon, County Clerk

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

Sponsored By: Dennis Houser

Prime Co-Sponsor(s): James "Moe" Brotherton

2012-10-100	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-15-12 24 Aye

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Administrative/Budget/ Executive
No. 2012-10-101

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION Supporting The Efforts Of Local United Way In Sullivan County

Whereas, the United Ways of Bristol and Greater Kingsport (hereinafter United Way), their programs and initiatives, strive to serve all of Sullivan County and improve the quality of life for all Sullivan County residents; and

Whereas, it takes the whole Sullivan County community working together to meet the needs, and we can accomplish so much more together than any one group can on its own; and

Whereas, today's economy has created greater needs for many families than ever before and many Sullivan County families who have never had to ask for help before are now seeking assistance; and

Whereas, United Way not only focuses on making sure that the immediate need is met but also focuses on creating opportunities for a better life and creating positive lasting change by addressing the causes of the problems; and

Whereas, United Way believes that we all win when a child succeeds in school, when families are financially stable and when people have good health; and

Whereas, fall is the time period when United Way seeks support from the community to create a brighter future for all and the results benefit us all in the long run; and

Whereas, Sullivan County commissioners and employees, as active members of the community, want to support services provided to their friends, their neighbors and their loved ones as well as for themselves.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee proclaims support for the efforts of the United Way by encouraging fellow Commissioners and Sullivan County employees to accept the call to action to **LIVE UNITED by GIVING, ADVOCATING and VOLUNTEERING.**

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Linda Brittenham

Prime Co-Sponsor(s): Darlene Calton

All Commissioners Voting "Aye"

2012-10-101	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-15-12 24 Aye

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Administrative/Budget
No. 2012-10-102
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15th day of October, 2012.

RESOLUTION Authorizing Application For Grant From The Tennessee Emergency Management Agency (TEMA) To Contract For The Update Of The Sullivan County Multi-Jurisdictional Local Hazard Mitigation Plan To Meet 44 CFR 201.6

WHEREAS, Sullivan County recognizes the threat that natural disasters and hazards post to people and property; and

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, an adopted hazard mitigation plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS, said grant is funded with seventy-five (75%) or (\$47,100) being provided by TEMA and twenty-five (25%) or (\$15,820) being the local share which shall be funded through **in-kind** labor with no new money being requested.


NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the ~~19th~~^{15th} day of ~~November~~^{October}, 2012 hereby approve applying for grant from TEMA to contract for the update of the Sullivan County Multi-Jurisdictional Local Hazard Mitigation Plan to meet 44 CFR 201.6

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 15th day of October 2012.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Matthew Johnson
Prime Co-Sponsor(s): John Gardner

2012-10-102	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-15-12 23 Aye, 1 Pass

Notes: Amended by Sponsor 10-15-12 to change the date in the last paragraph to "the 15th day of October".



THIS SECTION FOR STATE USE ONLY
DISASTER: _____

Tennessee Identification Number: _____	Tennessee Point of Contact:
Date SHMO Received Application: _____	State Hazard Mitigation Officer
Date Council Reviewed/Approved: _____	Tennessee Emergency Management Agency
FEMA Application Submittal Date: _____	3041 Sidco Drive
	Nashville, Tennessee 37204
	Office: 615.741.1345
	Fax: 615.242.4770

NOTE: Application must be submitted in duplicate.

PROJECT OVERVIEW

- Applicant Legal Name: Sullivan County, Tennessee
Organizational Unit: County
- Applicant Type: Local Government State Government Private Non-Profit (Attach copy of 501c3)
- Is this a new or revised application? New Revised
If revised, check appropriate box: Funding Change Timeline Extension
 Change in Scope of Work Other (specify below)
- Select Appropriate Project Title: Develop a new Hazard Mitigation Plan to meet 44 CFR 201.6
 Update existing Hazard Mitigation Plan to meet 44 CFR 201.6
- Proposed Project Total Cost: \$ 62,920
Federal Share (75%): \$ 47,100
Non-Federal Match (25%): \$ 15,820

6. Certifications:

The undersigned assures fulfillment of all requirements of the Hazard Mitigation Grant Program as contained in the program guidelines and that all information contained herein is true and correct to the best of my knowledge. The governing body of the applicant has duly authorized the document, and hereby applies for the assistance documented in this application. Also, the applicant understands that the project may proceed ONLY AFTER FEMA APPROVAL is gained.

Typed Name of Authorized Representative/Applicant Agent

Title

Telephone Number

Signature of Authorized Representative/Applicant Agent

Date Signed

APPLICANT INFORMATION

The answer to # 2 below must be "yes" to be considered eligible.

1. Does your community have a current FEMA approved multi-hazard mitigation plan? Yes No
If yes, attach copy of plan.

2. Is the community a member of good standing with the National Flood Insurance Program? Yes No

3. Tax ID Number: _____ FIPS Code: _____ DUNS Number: _____

4. **Primary Point of Contact:**

The Primary Point of Contact is the person responsible for coordinating the implementation of this proposal, if approval is granted.

Ms. Mr. Mrs. First Name: Jim Last Name: Bean
Name: _____
Title: Director, Sullivan County Emergency Management Agency
Street Address: 3193 Highway 126, Suite 101
City: Blountville State: Tennessee Zip Code: 37617
Telephone: 423-323-6912 Fax: 423-279-2816 Mobile: 423-440-9626 E-mail Address: jbean@sullivancountyema.com

5. **Alternate Point of Contact:**

The Alternate Point of Contact is the person that can address questions or concerns in the Primary Point of Contact's absence.

Ms. Mr. Mrs. First Name: _____ Last Name: _____
Title: _____
Street Address: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ Fax: _____ Mobile: _____ E-mail Address: _____

6. **Application Prepared by:**

Ms. Mr. Mrs. First Name: Cynthia Last Name: Popplewell
Name: _____
Title: Senior Hazard Mitigation/Emergency Management Project Manager
AMEC Environment & Infrastructure, Inc.
Street Address: 3800 Ezell Road, Suite 100
City: Nashville State: Tennessee Zip Code: 37211
Telephone: 615-333-0630 Fax: 615-781-0655 Mobile: 615-944-9013 E-mail Address: cindy.popplewell@amec.com

7. **Authorized Applicant Agent:**

The Authorized Applicant Agent MUST be the chief executive officer, mayor, etc. This person must be able to sign contracts, authorize funding allocations or payments, etc.

Ms. Mr. Mrs. First Name: _____ Last Name: _____
Title: _____
Street Address: _____
City: _____ State: _____ Zip Code: _____
Telephone: _____ Fax: _____ Mobile: _____ E-mail Address: _____

PROJECT DESCRIPTION

Current planning regulations require specific information be included in local mitigation plans. The following questions address how your community intends to accomplish some of those aspects. For areas where specific strategies have not been determined, please estimate.

- List all municipalities (county/city) the proposed plan will address.

Municipality	Community Rating System Member		State Legislative District	US Congressional District	Member of Good Standing with NFIP	
	Yes/No	Rating			Yes/No	Community ID Number:
Sullivan County	No	10	House - 01, 02, 03 Senate - 02	1	Yes	470181
Bluff City, Town of	No	10	House - 03 Senate - 02	1	Yes	470296
Bristol, City of	Yes	8	House - 01 Senate - 02	1	Yes	470182
Kingsport, City of	No	10	House - 02 Senate - 02	1	Yes	470184

- Attach letters of agreement for each jurisdiction involved in the plan (multi-jurisdictional planning only).
- Place a checkmark (☑) next to all hazards to be addressed and supply an estimated frequency (high, moderate, low, very low, not applicable) and severity (catastrophic, extensive, serious, minor):

☑	Hazard	Frequency	Severity
Natural Hazards			
☑	Dam Failures	Low	Extensive
☑	Drought	Low	Minor
☑	Earthquake	Moderate	Serious
☑	Extreme Temperature	Low	Minor
☑	Flood	High	Extensive
☑	Sinkholes/ Subsidence	Low	Minor
☑	Severe Storms	High	Extensive
☑	Severe Winter Storms	High	Extensive
☑	Tornado	High	Extensive
☑	Wildfires	Moderate	Serious

☑	Hazard	Frequency	Severity
Man-Made Hazards			
☑	Hazardous Material Spills	Moderate	Extensive
☑	Terrorism	Low	Extensive

4. Provide a community profile for each jurisdiction. Describe the area and population affected by this project, including location. For multi-jurisdictional planning, specify each jurisdiction's information.

Sullivan County

Sullivan County is located in the northeastern part of Tennessee with an area of 429.7 square miles. Neighboring counties are Scott and Washington Counties in Virginia, which border to the north; and within Tennessee, Johnson County borders to the east; Washington and Carter Counties border to the south; Hawkins County borders to the west. The 2010 U.S. Census population for the County was 156,823 persons (density of 379.4/sq mi) with an estimated population in 2011 of 157,419. (www.census.gov)

Most of the county is characterized by smooth rolling hills and valleys. Mountain ranges make up a large portion of the landmass. Elevations range from about 1,200 feet along the Holston River to 3,800 feet in the Holston Mountain Range near the Carter, Johnson and Sullivan County lines. Other spot elevations are: Blountville - 1,595 feet; Kingsport - 1,220 feet; Bristol - 1,650 feet; High Point on Bays Mountain - 2,405 feet; and Overlook at Boone Dam - 1,420 feet. (Sullivan County Regional Plan - 7/15/2008)

Sullivan County encompasses 413.3 square miles of land area and is in the Holston River drainage basin. The floodplains of the Holston River, Reedy Creek, Horse Creek, and Beaver Creek are fairly wide and flat. The floodplains of most of the other streams in the county are narrow. The terrain is hilly to mountainous, with elevations ranging from about 1,200 feet to 4,200 feet. The average temperature in Sullivan County is 56.1 degrees Fahrenheit (° F) and the average annual precipitation is 41.5 inches. The highest recorded temperature was 102° F, the lowest was 15° F. The highest average monthly precipitation, 4.98 inches, occurs in July; the lowest precipitation of 2.25 inches falls in October. (FIS Report - 9/29/2006)

Bluff City, Town of

The Town of Bluff City is situated in Sullivan County approximately 9 miles southwest of the City of Bristol. The 2010 population of Bluff City was 1,733 persons (www.census.gov). The temperature in Bluff City ranges from a high of about 85° F to a low of about 25° F on average January is the coolest month and July is the warmest. The average annual precipitation is 43.3 inches. May has the highest average precipitation of 5.11 inches, followed by July and June with 4.75 and 4.40 inches, respectively. September, October, and November have the lowest average precipitation: 2.99, 2.07, and 3.02 inches, respectively. (FIS Report - 9/29/2006)

Bristol, City of

The City of Bristol is situated in Sullivan County bordering the Tennessee-Virginia state line with an area of 30.6 square miles. It is approximately 110 miles north east of Knoxville and directly adjacent to its twin city, Bristol, Virginia. The 2010 population of Bristol, Tennessee, was 26,702 persons. (www.census.gov)

The principal sources of flooding in Bristol are Back Creek, Beaver Creek, Cedar Creek, Little Creek, Sinking Creek, and Whitetop Creek. The temperature at Bristol ranges from a high of about 103° F to a low of about -18° F. The average temperature is 57° F. The average annual precipitation is 44.5 inches. July has the highest average precipitation of 4.65 inches, followed by March and December with 4.58 and 4.22, respectively. September, October, and November have the lowest average precipitation: 2.83, 2.63, and 2.59, respectively.

Kingsport, City of

The City of Kingsport is located on the north bank of the South Fork Holston River, just south of the Tennessee-Virginia state line and Weber City, Virginia, and about 85 miles northeast of Knoxville. Kingsport is the home of large industrial and commercial development. The 2010 population of Kingsport was 48,205 persons. (www.census.gov)

The principal sources of flooding in Kingsport are the South Fork Holston River, Reedy Creek and Mad Branch. Kingsport is located in the western shale hills physiographic division of the valley and ridge province portion of Sullivan County. The elevations of the highest points are about 1850 feet NGVD. The underlying rock formation of Athens and Sevier shales is less susceptible to weathering than the limestone ridges and valleys to the east. Drainage channels have thoroughly dissected this physiographic division and it has been otherwise modified by the South Fork Holston River. The relief is hilly and knobby. Surface drainage is very rapid; internal drainage is moderate.

5. Describe how the plan will be developed. What process will be used? Describe the strategy for completing this planning activity, including the review process, adoption, and FEMA's approval.

The Sullivan County multi-jurisdictional local hazard mitigation plan (LHMP), which includes the City of Kingsport and the Town of Bluff City will be updated and will include the incorporation of the single-jurisdictional LHMP for the City of Bristol. The LHMP update will address both natural and man-made hazards.

The LHMP update will:

- Reflect changes in community boundaries and population,
- Reflect changes in development within each of the participating jurisdictions,
- Reflect changes in community priorities/goals/objectives;
- Incorporate the latest digital Flood Insurance Rate Maps;
- Present the progress in local mitigation efforts, and
- Review/Revise the identified/prioritized mitigation projects to reduce or eliminate the long-term effects of each identified hazard.

Planning Process

A local consultant will be used to coordinate with re-establishment of the Hazard Mitigation Planning Committee (HMPC). The HMPC will be updated to include current elected officials (as appropriate), local, state, and federal agency representatives, representatives from local businesses and non-profit organizations, neighboring communities, and the public at large. The HMPC will be instrumental in the development of the LHMP by attending meetings, collecting data, managing administrative details, making decisions on the plan process and content, submitting mitigation action implementation worksheets, reviewing drafts, and coordinating and assisting with public involvement and plan adoption.

All HMPC meetings will be open to the public where comments can be made during the planning process and on the final draft Plan. Community outreach information will also be distributed at these public meetings to raise awareness and support the CRS programs in participating jurisdictions.

Risk Assessment

The local consultant will assist the HMPC in a process to update the profiles of the natural and man-made hazards that affect the local communities. The local consultant will perform the vulnerability assessment to define and quantify the populations, buildings, critical facilities and infrastructure, and other community assets at risk to the natural hazards. HAZUS Level 1 results provided by TEMA will be utilized where applicable. The results will be presented back to the HMPC for review and comment.

Hazard Mitigation Strategy

Based upon the results of the risk assessment and a review of other state and local plans, specifically the State of Tennessee Hazard Mitigation Plan, the HMPC will review/revise the existing goals and objectives focused towards protecting against or mitigating the effects of the identified natural and man-made hazards. The HMPC will then analyze and prioritize potential structural and non-structural mitigation actions to achieve the mitigation goals and objectives to reduce or avoid the effects of the identified hazards.

Hazard Mitigation Plan Maintenance Process

The Plan will be distributed throughout all governmental departments and published on the website. The HMPC will meet annually and after a disaster event to monitor and evaluate the implementation of the Plan. Public meetings will be held during this update process to promote awareness of the Plan and to encourage feedback and comments. The HMPC members responsible for other planning efforts throughout the region will be responsible for integrating the findings and actions of the mitigation plan, as appropriate.

Hazard Mitigation Plan Adoption and Approval

Once the draft plan is completed, it will be sent for review to TEMA and any comments will be addressed. The plan will then be submitted to the FEMA Region IV office for review. Once the Approvable Pending Adoption letter is received, the County will hold their public readings and adopt the Plan. Documentation of adoption will be provided to TEMA and FEMA.

6. Enter any additional comments related to the proposed planning effort, if desired.

SCOPE OF WORK / BUDGET

In this section, provide the details of all costs of the project. For estimates, reasonable projections are essential.

1. Materials (indicate if item will be used as in-kind)

Item	Dimension	Quantity	Cost per Unit	Cost
			\$	\$
			\$	\$
			\$	\$
Total Cost			\$	\$

2. Labor – include equipment costs – (indicate if item will be used as in-kind)

Description	Hours	Rate	Cost
Sullivan County (in-kind) Senior Personnel Time	44	\$ 75	\$ 3,300
Sullivan County (in-kind) Asst./Jr Personnel Time	16	\$ 55	\$ 880
Town of Bluff City (in-kind) Senior Personnel Time	40	\$ 75	\$ 3,000
Town of Bluff City (in-kind) Asst./Jr Personnel Time	16	\$ 55	\$ 880
City of Bristol (in-kind) Senior Personnel Time	40	\$ 75	\$ 3,000
City of Bristol (in-kind) Asst./Jr Personnel Time	16	\$ 55	\$ 880
City of Kingsport (in-kind) Senior Personnel Time	40	\$ 75	\$ 3,000
City of Kingsport (in-kind) Asst./Jr Personnel Time	16	\$ 55	\$ 880
Total Cost		\$	\$ 15,820

3. Fees Paid (include any other costs associated with the project, i.e., contractor, etc.)

Description	Hours	Rate	Cost
Consultant - Principal	30	\$ 155	\$ 4,650
Consultant - Sr. Planning Staff	144	\$ 145	\$ 20,880
Consultant - Jr. Planning Staff	108	\$ 105	\$ 11,340
Consultant - Sr. GIS Staff	10	\$ 145	\$ 1,450
Consultant - GIS Staff	64	\$ 100	\$ 6,400
Consultant - Administrative Staff	8	\$ 65	\$ 520
Direct Expenses			\$ 1,860
Total Cost		\$	\$

4. Total Project Cost

Proposed Project Total Cost: \$ 62,920

75% Federal Share: \$ 47,100

25% Non-Federal Match: \$ 15,820

NOTE: Round figures to the nearest dollar.

5. Non-Federal Funding Share (25% of Total Cost)

List all sources and amounts utilized in the non-federal share including all in-kind services. In-Kind services may not exceed the 25% non-federal share. If any portion of the non-Federal share will come from non-applicant sources (donated services, private donation, etc.), attach letters of funding commitment for each non-applicant source.

Source	Name of Source Agency	Type Funding	Amount	Commitment Letter Attached
Local	Sullivan County	Labor	\$ 3,120	X
Local	Bluff City, Town of	Labor	\$ 3,120	X
Local	Bristol, City of	Labor	\$ 3,120	X
Local	Kingsport, City of	Labor	\$ 3,120	X
			\$	

Source = State, Local, Private Non-Profit, Other

Source Agency = Specific entity providing match

Type Funding = Administration, Cash, Consulting Fees, Engineering Fees, Equipment Operation/Rental, Labor, Supplies, Other

6. Under *A. Materials, Labor, and Fees Paid*, provide a **detailed justification on each item where funding is requested**, explaining its (1) purpose for plan development or update and (2) support to the goals and objectives for creating the plan. It is imperative reviewers see a clear connection between the purpose of each line item and the intended scope of work. Attach extra pages as needed.

Labor – Local Government

Sullivan County, the Town of Bluff City, the City of Bristol, and the City of Kingsport will:

- Attend all Hazard Mitigation Planning Committee (HMPC) meetings;
- Provide requested data to consultant, as available, for the risk assessment and individual mitigation actions;
- Make official decisions on the plan process and content;
- Review all drafts prior to presentation for public comments and submission for review to TEMA/FEMA;
- Advertise, coordinate, and participate in the public input process; and
- Coordinate formal adoption of the plan by the governing board.

Fees Paid - Consultant

The local consultant will:

- Assist in re-establishing the Hazard Mitigation Planning Committee (HMPC) for the County that incorporates key stakeholders and representatives from the county, city, town, neighboring counties, state & general public;
- Facilitate the planning process, leading each planning meeting;
- Identify the data requirements that the HMPC can provide and conduct the research and documentation necessary to augment that data for the hazard identification and risk assessments;
- Develop and facilitate the public input process;
- Produce the draft and final plan documents; and,
- Coordinate the TEMA and FEMA Region IV reviews of the plan and its formal adoption by Sullivan County, the Town of Bluff City, the City of Bristol, and the City of Kingsport.

7. Additional Comments

Enter any additional comments related to the proposed project’s funding, if desired.

TIMELINE / TASKS

1. Timeline / Tasks

Insert the proposed work schedule as tasks to accomplish the overall goal of the proposed activity, i.e., develop core planning team, let bids for contractor, etc., and provide a description of the task's purpose. This timeline will be used as a measurement tool for progress in the project's implementation and is included in the required Quarterly Reports. Also, FEMA uses the timeline for determining the approved period of performance. It will be the basis used to justify delays or extensions, if necessary, and should be estimated carefully. Mandatory entries have already been entered.

Task 1:	Tennessee State Contract Process The State contract is the State's legal mechanism required to ensure funding or services to the applicant. The timeframe reflects up to a 6 month period.	Timeframe: 6 Months
Task 2:	Re-Establish the Planning Team Gather appropriate members to the planning effort for a core planning team	Timeframe: 1 Month
Task 3:	Data Gathering Research known hazards for new historical information, such as updated FIRMs. Gain input from the public, private sector, existing plans, etc.	Timeframe: 2 Months
Task 4:	Update Hazards Analysis and Vulnerability Assessment Analyze gathered data and conduct an assessment of each jurisdiction's vulnerability and capabilities to each hazard. Plan Update will take into account new structure inventories, annexed areas, changes in development.	Timeframe: 3 Months
Task 5:	Review/Revise Goals, Objectives and Strategies Review and revise as necessary the overall goals, objectives and strategies for each hazard that included in the plan. Progress in local mitigation efforts will be reflected.	Timeframe: 2 Months
Task 6:	Finalize the Plan Compile all of the information and write the plan draft. Provide an opportunity for public comment and fill out the crosswalk.	Timeframe: 3 Months
Task 7:	TEMA Region Review Region Review is required to ensure plan is ready to be submitted to FEMA.	Timeframe: 5 Month
Task 8:	FEMA Review Per regulations, FEMA has up to 45 days to review submitted plans.	Timeframe: 1.5 Month
Task 9:	Adoptions Time needed to ensure plan is on the agenda and adoption is achieved and submitted.	Timeframe: 3 Months
Task 10:	State Compliance Review and FEMA Closeout The State Compliance Review is a review of the activity's paper documentation, showing the project was implemented as required. Once the compliance review is completed, the report and findings will be provided to the grantee for review and concurrence. The State submits the concurrence to FEMA as part of a closeout package to formally close the grant.	Timeframe: 6 Months

Total Timeframe (must not exceed 1,095 days, 36 months, or 3 years) Timeframe: _____

2. The start date for any proposed project begins upon FEMA approval. If a specific timeframe is needed, provide an explanation.

Determined by FEMA approval.

3. The plan requires periodic maintenance and updating. What is the estimated cost on an annual basis?

\$3,000 - \$5,000/year for staff, public meetings, printing and distribution.

ASSURANCES

Construction Programs

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability including funds sufficient to pay the non-Federal share of project costs to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of Sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federal-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (PL. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TITLE

APPLICANT ORGANIZATION

DATE SUBMITTED

ASSURANCES CONTINUED

SF-424D (Rev. 7-97) Back

Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Section 17.630 of the regulations provide that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for FEMA funding. States and State agencies may elect to use a Statewide certification.

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 44 CFR Part 18, "New Restrictions on Lobbying; and 28 CFR Part 17, "Government-wide Debarment and suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

- A. As required by the section 1352, Title 31 of the US Code, and implemented at 44 CFR Part 18 for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
 - (b) If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities", in accordance with its instructions;
 - (c) The undersigned shall require that the language of this certification be included in the award documents for all the sub awards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontract(s)) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 67, for prospective participants in primary covered transactions, as defined at 44 CFR Part 17, Section 17.510-A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civilian judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or perform a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or locally) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 44 CFR Part 17, Subpart F, for grantees, as defined at 44 CFR part 17, Sections 17.615 and 17.623:

- (A) The applicant certifies that it will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employee in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
 - (e) Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the applicable FEMA awarding office, i.e. regional office or FEMA office.
 - (f) Taking one of the following actions against such an employee, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement or other appropriate agency.
 - (g) Making a good effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- (B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance	Street	City	State	Zip Code

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TITLE

APPLICANT ORGANIZATION

DATE SUBMITTED

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION NOVEMBER 19, 2012.



STEVE GODSEY

COMMISSION CHAIRMAN