

COUNTY COMMISSION- REGULAR SESSION

SEPTEMBER 19, 2011

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, SEPTEMBER 19, 2011, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE STEVE GODSEY, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by Mayor Steve Godsey. Sheriff Wayne Anderson opened the commission and Dr. Phil Hoskins gave the invocation. The pledge to the flag was led by Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

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

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. Morrell and seconded by Comm. Marsh to approve the minutes of the August 15, 2011 Regular Session and the August 29, 2011 Called Session of County Commission. Said motion was approved by voice vote.

Come Celebrate with us

*The Friends of
Colonial Heights Library*

*Invite you to celebrate
the 50th anniversary
of Colonial Heights Library
Saturday October 15
149 Pactolus Rd. Kingsport*

Lunch will be served starting at 11:00 AM

ELECTION OF

CHAIRMAN PRO-TEMPORE

COMM. BRITTENHAM NOMINATED COMM. WILLIAMS TO SERVE AS CHAIRMAN PRO-TEMPORE. THE NOMINATION WAS SECONDED BY COMM. MCCONNELL. MOTION TO CEASE NOMINATIONS MADE BY COMM. HARKLEROAD, SECONDED BY COMM. MORRELL.

COMM. WILLIAMS WAS ELECTED TO SERVE AS CHAIRMAN PRO-TEMPORE BY VOICE VOTE OF THE COMMISSION THIS 19TH DAY OF SEPTEMBER, 2011.

ELECTION OF CHAIRMAN
OF
COUNTY COMMISSION

COMM. JOE HERRON NOMINATED COUNTY MAYOR STEVE GODSEY TO SERVE AS CHAIRMAN OF THE COMMISSION. THE NOMINATION WAS SECONDED BY COMM. CALTON. MOTION MADE BY COMM. CRAWFORD, SECONDED BY COMM. BOWERY TO CEASE NOMINATIONS.

COUNTY MAYOR STEVE GODSEY WAS ELECTED TO SERVE AS CHAIRMAN OF THE COMMISSION BY VOICE VOTE THIS 19TH DAY OF SEPTEMBER, 2011.

SEPTEMBER 19, 2011

PRESENTATION WAS MADE ON THE CREATION OF THE AIRPORT
AUTHORITY BY REPRESENTATIVES OF TRI-CITIES AIRPORT



PRESENTATION WAS MADE BY REPRESENTATIVES ON UNITED WAY
CAMPAIGN

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Blountville, Tennessee

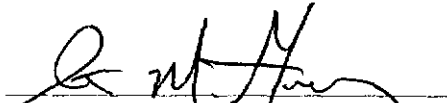
Re-Appointment As Commissioner To Bristol/Bluff City Utility District

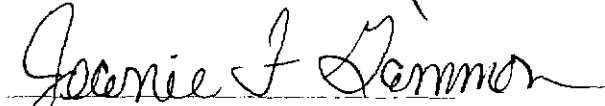
Whereas the Bristol/Bluff City Utility District has a vacancy on their Board of Commissioners due to a term expiration. The following three individuals have been determined to be qualified as nominees and are listed in order of preference:

 ✓ Douglas Peterson
 Mike Galloway
 Robert Winslow

 Douglas Peterson has received a majority of votes for appointment to this Board with the term to expire September 30, 2015.

Approved and confirmed this 19th day of September 2011.

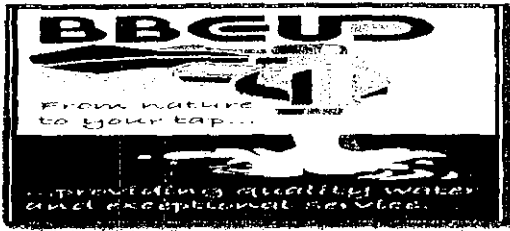

Steve M. Godsey, County Mayor


Attest: Jeanie F. Gammon, County Clerk

Commission Action:

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

AYE	NAY	PASS	ABSENT
24			



Bristol-Bluff City Utility District

Office Hours 8:00 a.m til 4:30 p.m. Monday Thru Friday

Phone (423) 538-4043 After Hours Emergencies (423) 538-7241

www.bbcud.net

Sept. 12, 2011

Sullivan County Courthouse
3411 Highway 126, Ste 206
Blountville, TN 37617

Before the Mayor of Sullivan County Tennessee

IN RE: Bristol Bluff City Utility District

Certification of Nominees for Appointment as Utility District Commissioners

The undersigned Commissioners of the above named Utility District do hereby certify to the County Commission, pursuant to code T.C.A. 7-82-307, that a vacancy upon the said Board of Commissioners has occurred by virtue of expiration of term of Commissioner Douglas Peterson. Said Commissioners do certify the nomination of the following qualified individuals, listed in order of preference, for appointment to the remaining vacancy:

1. Douglas Peterson
2. Mike Galloway
3. Robert Winslow

Wherefore, the Bristol Bluff City Utility District petitions the County Commission to make appointment of said nominees to fill the vacancies.

SULLIVAN COUNTY BOARD OF COMMISSIONERS
Confirmation of Appointment

Whereas in accordance with T.C.A. §7-86-105(b)(1), Sullivan County Enhanced 9-1-1 Board & Sullivan County Mayor, Steve M. Godsey, recommends in favor of making the following appointment to the Sullivan County Emergency Communications District Board;

Now therefore, the Sullivan County Board of Commissioners hereby confirms the appointment as set below:


AI New
215 Slaughter Street
Kingsport, TN 37664

Now therefore, the Sullivan County Board of Commissioners hereby confirms the appointment as set below:

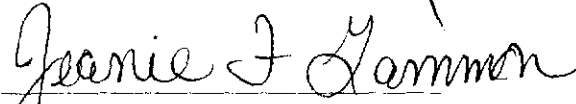
Sullivan County Enhanced 9-1-1 Board

AI New -- Term through September 2015

Approved and confirmed this 19th day of September 2011.



Steve M. Godsey, County Mayor



Attest: Jeanie F. Gammon, County Clerk

Commission Action

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

AYE	NAY	PASS	ABSENT
23	1		

SULLIVAN COUNTY COMMISSION
 Public Comment Session
 Monday, September 19, 2011

PLEASE PRINT

	Name	Street Address	City & State	Please Check if Zoning Issue
✓1	MILLER LYONS	505 DOGWOOD DR	KET TN	
✓2	GEORGE CROSS	170 MARLENE DR	BRISTOL TN	
✓3	George Salyers	1038 PLEASANT GROVE RD	Bluff City TN	
✓4	Jason Rooken	Blountville TN		
5	<i>[Signature]</i>	20 Bristol	TN	
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

[Handwritten Signature]

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 September 19,2011

BLENDA L. ANDERSON	DONNA BETH LIGHT
CINDY K. BABB	LINDA C. MCCLELLAN
ASHLEY A. BALL	RONALD W MCCREADY
VELMA SUE BARR	TONYA MEEHAN
PENNY D BAYS	DAWN MARIE MOORE
WANDA K. CAIN	FONDA KAY MOWDY
TAMMY HOOVEN CARTER	MICHAEL R. MUNSEY
VONDA D. COFFEY	DONNA J. OTTINGER
JANET F. COX	PATRICIA ROBINETTE
C. THOMAS DAVENPORT, JR.	LINDA K. RUTTER
DONNA L. DAVIS	KRISTA SAWYER
TIM H. EARLES	WENDY SIMPSON
ROBERT C. ERVIN	LAUREL DEAN SMITH
PATRICIA FEATHERS	MELANIE ELIZABETH SMITH
CAROL FORD	ANGELA G SMITH
LAURA S. GILLIAM	MARGARET A. STALLARD
DAVID A. GREENE	ELIZABETH R. STOTHART
DOYLE T GROGG	AMY COLLEEN TERRY
ROSE MARY JOHNSON	JANICE R. TESTER
MANDI JO KEENE	ROBIN ELLIOTT THOMPSON
LISA E. KODAK	RHONDA TICKLES
	STEPHANIE EARLENE
QUINTON RONALD LADD	WILLIAMS
TAMMY LYNNE LANE	

PERSONAL SURETY
INDIVIDUAL BOND 1
STEPHEN L. GILLY
LORA A. MANN
FRED L GROGG
MILDRED CARTER
LARRY CLARKE
JIM STREET
JOHN BAILEY CO.

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

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
SURETY BONDS

September 19, 2011

NAME OF NOTARY

PERSONAL SURETY

PERSONAL SURETY

RICHARD SOUDER
JUDY CAMPBELL

ALMA RINGLEY
KENNETH CAMPBELL

JANICE BOOTHE
LULA ARNOLD

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

Resolutions

THE COMM.

1 2 3 4 5 6 To table #4

MEMBERS

Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay

- Gardner
- Winkler
- Herron
- Hood
- Houser
- Johnson
- Kilgore
- King
- Marsh
- McConnell
- Orwell
- Neal
- Wagner
- White
- Williams
- Armstrong
- Emershire
- Bowery
- Boyd
- Brittenham
- Brotherton
- Calton
- Crawford
- Jerguson

A A A A A
 2 Aye 7 Aye 22 Aye 23 Aye 2 Aye
 19 Nay 15 Nay 10 Nay 1 Aye 19 Nay
 2 Abs 2 Abs 1 Abs 2 Abs
 1 Abs 1 Abs

RESOLUTIONS ON DOCKET FOR SEPTEMBER 19, 2011

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	NO ACTION 09-19-11
#2 ADDITIONAL REGULATIONS ON SALE AND USE OF FIREWORKS IN SULLIVAN COUNTY	WITHDRAWN 09-19-11
#3 REQUIRING SULL CO HWY DEPT TO OBTAIN APPROVAL FROM SULL CO BOARD OF COMMISSIONERS PRIOR TO PERFORMING WORK FOR OTHER SULL CO DEPARTMENTS	FAILED 09-19-11
#4 REQUEST STATE OF TN TO AMEND TCA CODE 2-7-111 FOR SULLIVAN COUNTY TO EXTEND THE DISTANCE CANDIDATES AND THEIR WORKERS CAN STAND TO 400 FEET RATHER THAN 100 FEET FROM THE POLLING PLACE-EXCEPT ON AN ELECTION DAY OR PRIMARY DAY	FAILED 09-19-11
#5 EXPAND THE "2011 COST OF PERSONNEL REDUCTION PLAN" TO PROVIDE HEALTH INSURANCE BENEFITS TO CERTAIN GROUPS WITHOUT THE INCENTIVE PROGRAM	APPROVED 09-19-11
#6 AUTHORIZE THE ACCEPTANCE OF TWO PASSENGER SCHOOL BUSES DONATED TO THE SHERIFF'S DEPT. BY THE CITY OF KINGSPORT	APPROVED 09-19-11
#7 TERMINATE SULLIVAN COUNTY'S LEASE WITH THE TN VALLEY AUTHORITY (TVA) ON THE LAND BEING USED AS OBSERVATION KNOB PARK	1 ST READING 09-19-11
#8 REQUESTING THAT THE CITY OF JOHNSON CITY NOT ANNEX OUTSIDE OF THE BOUNDARIES OF WASHINGTON COUNTY AT THE SULLIVAN COUNTY-WASHINGTON COUNTY LINE ON STATE HWY 75 AND STATE HWY 36 IN THE 7 TH CIVIL DISTRICT OF SULLIVAN COUNTY	APPROVED 09-19-11
#9 AUTHORIZE PLACING A 25 MPH SPEED LIMIT SIGN ON AVONDALE ROAD IN THE 7 TH COMMISSIONER DISTRICT	APPROVED 09-19-11
#10 AUTHORIZE REMOVING THE STOP SIGN ON VANCE TANK ROAD AT THE INTERSECTION OF BROYLES LANE IN THE 4 TH COMMISSIONER DISTRICT	APPROVED 09-19-11

<p>#11 AUTHORIZE AN EMPLOYER PARTICIPATING IN THE TN CONSOLIDATED RETIREMENT SYSTEM TO DISCONTINUE THE NONCONTRIBUTORY PROVISIONS OF TCA 8-34-206 IN ACCORDANCE WITH CHAPTER 569 OF THE TN PUBLIC ACTS OF 2009</p>	<p>1ST READING 09-19-11</p>
<p>#12 AUTHORIZE THE ANNUAL TRANSFER (LOANING) OF FUNDS FROM THE GENERAL PURPOSE SCHOOL FUND TO THE SCHOOL FEDERAL PROJECTS FUND TO PROVIDE TEMPORARY FINANCING FOR THE FISCAL YEAR ENDING JUNE 30, 2012</p>	<p>APPROVED 09-19-11</p>
<p>#13 AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET FOR THE ADDITIONAL FUNDING RECEIVED FROM THE MASSENGILL-DEFRIECE FOUNDATION IN THE AMOUNT OF \$2,500.00.00</p>	<p>APPROVED 09-19-11</p>
<p>#14 AMEND THE 2011-2012 GENERAL PURPOSE SCHOOL BUDGET FOR THE 13 GRANT RECEIVED FROM THE NISWONGER FOUNDATION IN THE AMOUNT OF \$60,000.00</p>	<p>APPROVED 09-19-11</p>
<p>#15 CLARIFYING THE RESPONSIBILITY GIVEN BY THIS BODY TO THE EXECUTIVE COMMITTEE FOR OVERSIGHT OF SELLING SURPLUS COUNTY ASSETS AND PERSONAL PROPERTY BY ONLINE AUCTION</p>	<p>1ST READING 09-19-11</p>
<p>#16 AUTHORIZE THE COURTROOM SECURITY COMMITTEE TO EXPEND THE BALANCE OF THE LITIGATION TAXES COLLECTED ON JUNE 30, 2011 TO IMPROVE THE SECURITY FOR THE VARIOUS ELECTED OFFICIALS AND PUBLIC BUILDINGS</p>	<p>1ST READING 09-19-11</p>

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2011-09-00

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September 2011.

RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution

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

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

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

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

Duly passed and approved this 19th day of September 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-09-00	County Commission
ACTION	No Rezoning- No action 09-19-11

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 2
Administrative
No. 2011-07-61
Amendments

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18th day of July, 2011.

RESOLUTION Regarding Additional Regulations On The Sale And Use Of Fireworks In Sullivan County

WHEREAS, Resolutions No. 2010-04-36, No. 2010-07-59, and No. 2010-07-76 Substitute were passed in 2010 regarding the sale and use of fireworks in Sullivan County per Tennessee House Bill 3996 and Tennessee Senate Bill 3953; and

WHEREAS, in an effort to insure additional safety and convenience for Sullivan County residents, it is necessary to institute more stringent regulations for retail operations and individual use; and

WHEREAS, individuals who choose to buy and use fireworks will only be allowed to use them from 2:00 p.m. to 10:30 p.m., and cannot be shot through the air unless they are at least 100 feet away from other residences.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the new fireworks regulations which require that they can only be used between 2:00 p.m. and 10:30 p.m., and are not allowed to be shot through the air unless they are at least 100 feet from any other residences.

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

Approved this _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: John Gardner

**Prime Co-Sponsor(s): Matthew Johnson, O. W. Ferguson, Baxter Hood, Joe Herron,
Mark Bowery**

2011-07-61	Administrative	Budget	Executive	County Commission
	Approved 7-11-11; * No Action 8-1-11; No Action 9-12-11	Failed 8-2-11; No Action 9-8-11	No Action 8-2-11; Deferred 9-7-11	

Notes: 1st Reading 07-18-11; Deferred 08-15-11; **Withdrawn 09-19-11.**

County Attorney requested of Sponsor to add to Resolution that the \$500 penalty applies to these new hours.

*8-1-11: Amendments No. 2 & No. 3 Approved By Administrative Committee

Amendment #4 made by Herron and accepted by Gardner as follows: "That we as a Commission say that there is a problem, that the Resolution with amendments that we would like it to go to the State for the State to look at it and see what they could do"

Amendment No. 1 To Resolution No. 2011-07-61

Added July 15, 2011

To Request that time for personal use of fireworks under the approved regulations be extended to 12:30 a.m. (after midnight) on New Year's Eve and the Fourth of July.

Sponsored By: Matthew Johnson
Prime Co-Sponsor(s): Mark Bowery

Amendment No. 2 To Resolution No. 2011-07-61

Added August 1, 2011

To amend distance of fireworks use to read 200 feet away from **other** residences (rather than 100 feet)

Sponsored By: Dennis Houser
Prime Co-Sponsor(s): Matthew Johnson

Amendment No. 3 To Resolution No. 2011-07-61

Added August 1, 2011

To amend time of use for fireworks ~~on non-holiday~~ time periods to be 2:00 p.m. to 10:00 p.m. (changing from 10:30 p.m.)

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

Sullivan County, Tennessee
Board of County Commissioners

Item 3
Administrative
No. 2011-08-64
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 August, 2011.

RESOLUTION Requiring Sullivan County Highway Department To Obtain Approval From Sullivan County Board Of Commissioners Prior To Performing Work For Other Sullivan County Departments Pursuant To Tennessee Code Annotated §54-7-202(d)

WHEREAS, T.C.A. §54-7-202(d) of the County Uniform Highway Law allows the Sullivan County Highway Department to perform work for other Sullivan County departments only if such work is approved by the County Commission and the cost of such work is reimbursed to the Highway Department; and

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2010-04-32, as amended, on April 19, 2010 which gave broad blanket approval for the Sullivan County Highway Department to perform work at the Observation Knob Park with reimbursement to the Highway Department for services performed; and

WHEREAS, Resolution No. 2010-04-32, as approved, included an amendment that gave broad blanket approval for the Sullivan County Highway Department to perform work for other Sullivan County departments and on land owned by Sullivan County, and required that the work should be reported by the Highway Department to the Sullivan County Board of Commissioners on a quarterly basis with reimbursements to be included in the report; and

WHEREAS, the Sullivan County Highway Department is performing work for Sullivan County departments and on property owned by the county, but is not including such work and reimbursement in their quarterly report to the Sullivan County Board of Commissioners; and

WHEREAS, the requests being received by the Sullivan County Highway Department to perform work for other Sullivan County departments is resulting in the Highway Department being stretched thin due to trying to accommodate all of the requests and performing its regular day-to-day operations; and

WHEREAS, it is necessary and appropriate that the Sullivan County Commission should authorize all such work by the Sullivan County Highway Department on an individual, case-by-case basis, instead of through the use of a broad blanket authorization as previously provided for in Resolution No. 2010-04-32;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby rescind and revoke the broad blanket authority given in Resolution No. 2010-04-32 to the Sullivan County Highway Department to perform work for Observation Knob Park, for other Sullivan County departments and on land owned by the county, and hereby require from this date forward that any and all work to be performed by the Sullivan County Highway Department for other departments of Sullivan County, including Observation Knob Park, or upon land owned by Sullivan County, shall be individually approved by the Sullivan County Board of Commissioners on a case-by-case basis, and shall be subject to reimbursement to the Highway Department for work performed and services rendered, and shall otherwise comply with T.C.A. §54-7-202(d).

BE IT FURTHER RESOLVED that the Sullivan County Board of Commissioners hereby reaffirm its previous request in Resolution No. 2010-04-32 that quarterly reports by the Highway Department to the Board of Commissioners include all work performed for other county departments including reimbursement for such services.

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

Approved this _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-08-64	Administrative	Budget	Executive	County Commission
	Approved 8-1-11; No Action 9-12-11	Deferred 8-2-11; No Action 9-8-11	No Action 8-2-11; No Action 9-7-11	Failed 09-19-11 2 Aye, 19 Nay, 2 Pass, 1 Absent

Notes: 1st Reading 08-15-11;

Attachment To
Resolution
No. 2011-08-64

Sullivan County, Tennessee
Board of County Commissioners

Item 17
Executive
No. 2010-04-32

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of April, 2010.

RESOLUTION To Authorize The Sullivan County Highway Department To Perform Work At The Observation Knob Park And Be Reimbursed For The Cost Of Services Performed

WHEREAS, the Observation Knob Park is in need of certain improvements to the facilities and there has been uncertainty as to the authorization by this body for the Highway Department to perform such work; and

WHEREAS, the Highway Department has the equipment and most if not all, the skills to perform the task needed by the Park; and

WHEREAS, Section 54-7-202 (d) TCA allows the governing body to approve the Highway Department to perform services for other governmental entities such as the Park for which the cost shall be reimbursed to the Highway Department.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the Highway Department to perform services for the Park upon a mutual agreement between the parties; and

BE IT FURTHER RESOLVED that a reasonable cost for services performed be reimbursed to the Highway Department as documented by the Highway Department and approved for payment by the Park Supervisor; and

BE IT FURTHER RESOLVED that more specific procedures to be followed to assure an orderly documentation of work performed are to be established by the Purchasing Office and the Office of Accounts and Budgets.

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

Approved this 19th day of April, 2010.

Attested: *Jeanie Gammon*
Jeanie Gammon, County Clerk

Approved: *Steve M. Godsey*
Steve M. Godsey

Sponsored By: Dwight King
Prime Co-Sponsor(s): Joe Herron

2010-04-32	Administrative	Budget	Executive	County Commission
ACTIO N				Approved 04-19-10 22 Aye, 1 Pass, 1 Absent

Notes: Amended 04-19-10 "PERFORM WORK AT OBSERVATION KNOB PARK AND FOR ANY DEPARTMENT, ANY COUNTY DEPARTMENT, OR ON LAND THAT IS OWNED BY THE COUNTY, COUNTY PROPERTY, AND THE WORK SHOULD BE REPORTED BY THE HIGHWAY DEPARTMENT AND REPORTED BACK TO US QUARTERLY, ANY WORK THAT HAS BEEN PERFORMED WITH REIMBURSEMENTS TO BE INCLUDED IN THE REPORT". AMENDMENT APPROVED WITH RESOLUTION 04-19-10

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Executive
No. 2011-08-66
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 August, 2011.

RESOLUTION To Request The State Of Tennessee To Amend TCA Code § 2-7-111 For Sullivan County To Extend The Distance Candidates And Their Workers Can Stand To 400 Feet Rather Than 100 Feet From The Polling Place - Except On An Election Day Or Primary Day

WHEREAS, the early voting process, while a definite convenience to voters, tends to crowd up a voting facility's parking lot and sidewalks for a number of weeks; and

WHEREAS, the everyday activities of each facility allowing itself to be used as a polling place could more easily proceed as usual if the campaign candidates and workers were within 100 feet only on an actual Primary or Election Day.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes that a request be made to the Tennessee Legislature that TCA Code § 2-7-111 Be Amended To Have Campaign Candidates And Workers To Stand 400 Feet Away From The Polling Location On All Days Except A Primary Or Election Day, When They Are Required To Stand 100 Feet Away From The Polling Place.

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

Approved this _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-08-66	Administrative	Budget	Executive	County Commission
ACTION	Failed 9-12-11	No Action 9-8-11	No Action 9-7-11	Failed 09-19-11 7 Aye, 15 Nay, 2 Absent

Notes: 1st Reading 08-15-11;

Motion to table by McConnell, seconded by Marsh. Motion to table failed 09-19-11.

[View Full](#)

[Book Browse](#)

Tenn. Code Ann. § 2-7-111 (Copy w/ Cite)

Tenn. Code Ann. § 2-7-111

TENNESSEE CODE ANNOTATED
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*** CURRENT THROUGH THE 2010 REGULAR SESSION ***

Title 2 Elections
Chapter 7 Procedure at the Polling Place

Tenn. Code Ann. § **2-7-111** (2011)

2-7-111. Posting of sample ballots and instructions -- Arrangement of polling place -- Restrictions.

(a) The officer of elections shall have the sample ballots, voting instructions, and other materials which are to be posted, placed in conspicuous positions inside the polling place for the use of voters. The officer shall measure off one hundred feet (100') from the entrances to the building in which the election is to be held and place boundary signs at that distance.

(b) (1) Within the appropriate boundary as established in subsection (a), and the building in which the polling place is located, the display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person, political party, or position on a question are prohibited. No campaign posters, signs or other campaign literature may be displayed on or in any building in which a polling place is located.

(2) Except in a county with a population of not less than eight hundred twenty-five thousand (\$25,000) nor more than eight hundred thirty thousand (830,000) according to the 1990 federal census or any subsequent federal census, a solicitation or collection for any cause is prohibited. This does not include the normal activities that may occur at such polling place such as a church, school, grocery, etc.

(3) Nothing in this section shall be construed to prohibit any person from wearing a button, cap, hat, pin, shirt, or other article of clothing outside the established boundary but on the property where the polling place is located.

(c) The officer of elections shall have each official wear a badge with that official's name and official title.

(d) With the exception of counties having a metropolitan form of government, any county having a population over six hundred thousand (600,000) according to the 1970 federal census or any subsequent federal census, and counties having a population of between two hundred fifty thousand (250,000) and two hundred sixty thousand (260,000) by the 1970 census, any county may, by private act, extend the one hundred foot (100') boundary provided in this section.

HISTORY: Acts 1972, ch. 740, § 1; T.C.A., § 2-711; Acts 1980, ch. 543, §§ 1, 2; 1987, ch. 362, §§ 1, 2, 4; 1993, ch. 465, §§ 1, 2; 1993, ch. 518, §§ 11, 21; 1994, ch. 582, § 1; 2003, ch. 307, § 6.

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Executive
No. 2011-08-71

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 August, 2011.

RESOLUTION To Expand The "2011 Cost Of Personnel Reduction Plan" To Provide Health Insurance Benefits To Certain Groups Without The Incentive Payment

WHEREAS, it has become apparent that there are a number of employees that would be interested in taking advantage of the early retirement if health insurance could be provided by the County; and

WHEREAS, in an attempt to allow more flexibility additional provisions are being made available to expand the coverage to those employees nearing 65 years of age or younger employees with near or more than 30 years of service.

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 to the various departments (except Schools) of Sullivan County Government within the following guidelines:

SECTION 1. The department head elects to participate in the "2011 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. 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. Any employees regardless of age with 30 or more years of service by December 31, 2011 shall be eligible for health insurance benefits as provided to other retirees.

SECTION 4. Employees reaching the age of 65 years or older by December 31, 2011 or during the first 6 months of 2012 shall also be eligible to receive health insurance benefits as currently provided to other retirees.

SECTION 5. Each employee electing to retire under this amended plan must submit their signed letter of intent to their department head with a copy filed with the payroll office by the last work day of December 31, 2011. This letter is irrevocable.

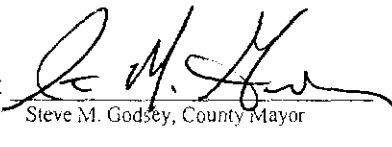
SECTION 6. Each employee electing to retire under the provisions listed above in sections 4 & 5 are not provided the cash incentive.

SECTION 7. The provisions of this incentive plan are intended to be limited to the "2011 Cost of Personnel Reduction Plan as Amended" 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 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-08-71	Administrative	Budget	Executive	County Commission
ACTION	No Action 9-12-11	Approved 9-8-11	Approved 9-7-11	Approved 09-19-11 22 Aye, 1 Nay, 1 Absent

Notes: 1st Reading 08-15-11;

Sullivan County, Tennessee
Board of County Commissioners

Item 6
Administrative
No. 2011-09-72

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Authorize The Acceptance Of Two (2) 1997 Thomas 72 Passenger School Buses Donated To The Sullivan County Sheriff's Department By The City Of Kingsport

WHEREAS the Sullivan County Sheriff's Office has received 2 1997 Thomas 72 passenger School Buses donated from the City of Kingsport to be used in various areas of the Sheriff's office as needed; and

WHEREAS The Sheriff's office is requesting that these buses be added to the list of assets for the Sullivan County Sheriff's Office and covered by the county insurance plan; and

WHEREAS the titles to the vehicles will be turned over to the Purchasing department upon acceptance of donation and purchase of tags.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby accept the donation of two 1997 Thomas School buses and be added to Sheriff's Office list of assets.

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 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-09-72	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	Approved 9-8-11	Approved 9-7-11	Approved 09-19-11 23 Aye, 1 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Executive/Budget
No. 2011-09-73

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Terminate Sullivan County's Lease With The Tennessee Valley Authority (TVA) On The Land Being Used As Observation Knob Park

WHEREAS Sullivan County should not be in the camp ground business competing with private enterprise; and

WHEREAS Sullivan County is exposing itself to unnecessary liability by operating a campground; and

WHEREAS Sullivan County should not be exposed to the expense (i.e. repairs, maintenance, upgrades) of operating a campground.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby begins the process to terminate Sullivan County's lease with the Tennessee Valley Authority to operate Observation Knob Park as a county entity.

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

Approved this _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

Sponsored By: Ed Marsh
Prime Co-Sponsor(s): Michael Surgenor

2011-09-73	Administrative	Budget	Executive	County Commission
ACTION	Failed 9-12-11	No Action 9-8-11	No Action 9-7-11	

Notes: **1st Reading 09-19-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Executive
No. 2011-09-74

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION Requesting That The City Of Johnson City Not Annex Outside Of The Boundaries Of Washington County At The Sullivan County-Washington County Line On State Highway 75 And State Highway 36 In The 7th Civil District Of Sullivan County

WHEREAS, the City of Johnson City is currently in the process of annexing property in Washington County all the way up to the Sullivan County line on State Highway 75 and State Highway 36; and

WHEREAS, should the City of Johnson City continue with the annexation efforts across the Sullivan County-Washington County line into the boundaries of Sullivan County it will result in a loss of local option sales tax revenue to Sullivan County.

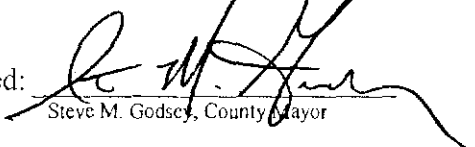
NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of September, 2011, hereby request that the City of Johnson City not annex outside of the boundaries of Washington County at the Sullivan County-Washington County line on State Highway 75 and State Highway 36 in the 7th Civil District of Sullivan County.

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 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-09-74	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	No Action 9-8-11	No Action 9-7-11	Approved 09-19-11 22 Aye, 1 Nay, 1 Absent

Notes:

8/17/2011

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Johnson City eyes Bobby Hicks Highway corridor for 'logical' annexation

By GARY B. GRAY
NET News Service

JOHNSON CITY — Johnson City officials have for years eyed the Bobby Hicks Highway corridor and carefully planned a "logical" push toward the Sullivan County line.

During a joint meeting Tuesday of the City Commission and Regional Planning Commission, annexation, business development and tax revenues were not considered dirty words; they instead were music to the ears.

Angie Charles, a development specialist with the city's planning department, presented officials with some estimated numbers, including an assessed land value of the annexation of about \$13.8 million. She also estimated that more than \$265,000 in annual property tax revenues and about \$27,000 in state-shared tax revenues could be realized. This does not include annual sales tax revenue, which has not yet been estimated.

"I think we should move forward," Mayor Jeff Banyas said regarding the proposed annexation of more than 1,000 acres. "I think this is the right thing to do."

The city wants to expand its jurisdiction starting from just northeast of the Gray Fossil Museum parking lot past Interstate 26 to a point about 4.5 miles northwest on State Route 75. The annexation must clear some hurdles, and some pretty high ones at that. First, all property owners will be notified, and an initial neighborhood meeting will be arranged.

Then, the plan, which still is in flux, must be reviewed and approved by the Planning Commission and finally by city commissioners. That sounds easy, but Planning Director Jim Donnelly said Tuesday the city likely will encounter some resistance from at least some of the more

than 260 people currently living or doing business in the proposed annexation area.

Charles said about 600 acres, or 60 percent of all land proposed to be annexed, involves working farms. However, officials considered annexing only a few hundred feet into these properties so that they would receive city water and sewer services and not be burdened as much by taxation.

"I think this is the direction in which the city wants to move," City Commissioner Ralph Van Brocklin said following Charles' presentation and further discussion.

The move would allow for future development and tie into a major state road-widening project that begins at the junction of State Routes 36 and 75 and ends just south of Tri-Cities Regional Airport.

The city already has a fire station near the museum and has jurisdiction over a large portion of land near Bobby Hicks Highway and I-26. The city also has Keefauver Farm, which is a large, agriculturally zoned area just west of the proposed annexation.

"The backbone of the infrastructure already is in place," Charles said. "And there's nothing that says we have to annex the entire area."

Initial costs to the city include roughly \$1.5 million in water and sewer improvements, which could be phased in over several years, as well as costs for public school access and further public works improvements that are estimated at about \$60,000, she said.

While most of the land is zoned for agricultural use, the next highest percent of the annexation would be vacant, at about 13 percent, or nearly 126 acres. The remainder is a smattering of commercial, single- and multi-family and industrial zonings.

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Executive
No. 2011-09-75
Attachment

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September 2011.

RESOLUTION To Authorize Placing A 25 MPH Speed Limit Sign On Avondale Road In The 7th Commissioner District

WHEREAS, Commissioner James Brotherton 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:

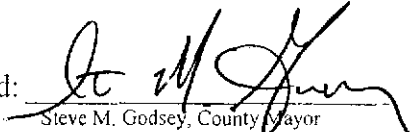
7th Commission District

**To Place A 25 MPH Speed Limit Sign
On Avondale 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 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

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

2011-09-75	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	No Action 9-8-11	Approved 9-7-11	Approved 09-19-11 22 Aye, 2 Absent

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: 8/15/11

TO: Sullivan County Commission

REQUEST MADE BY: James Brotherton

SUBJECT: Place a 25 MPH Speed Limit Sign on Avondale Road.

 CIVIL DISTRICT

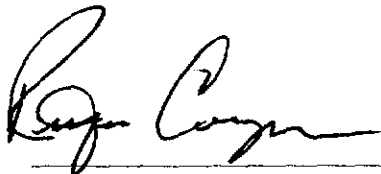
 7th COMMISSIONER DISTRICT

Baxter Hood

 X APPROVED BY HIGHWAY DEPARTMENT

 DENIED BY HIGHWAY DEPARTMENT

COMMENT:



8/16/11

TRAFFIC COORDINATOR



8/16/11

HIGHWAY COMMISSIONER

RESOLUTION REQUEST REVIEW

DATE: 8-15-2011

TO: Sullivan County Commission

REQUEST MADE BY: James Brotherton

SUBJECT: To place a 25 MPH Speed
Limit AVONDALE RD.

7th COMMISSIONER DISTRICT

Baxter Hood

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENT:

Roger Coyn

TRAFFIC COORDINATOR

HIGHWAY COMMISSIONER

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Executive
No. 2011-09-76
Attachments

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September 2011.

RESOLUTION To Authorize Removing The STOP Sign On Vance Tank Road At The Intersection Of Broyles Lane In The 4th Commissioner District

WHEREAS, Commissioner Ed Marsh 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 change in Sullivan County:

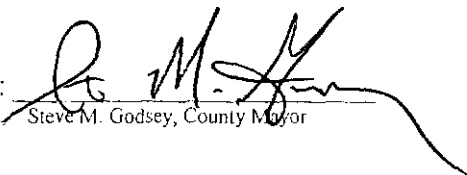
4th Commission District

**To Remove The STOP Sign On Vance Tank Road
At The Intersection Of Broyles Lane**

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 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Ed Marsh

Prime Co-Sponsor(s): Dennis Houser, Linda Brittenham

2011-09-76	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	No Action 9-8-11	Approved 9-7-11	Approved 09-19-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested.**

RESOLUTION REQUEST REVIEW

DATE: 8.24.2011

TO: Sullivan County Commission

REQUEST MADE BY: Ed MARSH

SUBJECT: To Remove the Stop Sign on
VANCE TANK RD AT THE INTERSECTION
OF BROYLES LANE.
(see Attached sheet)

4th COMMISSIONER DISTRICT

Rennis Houser
Linda Bittenham

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

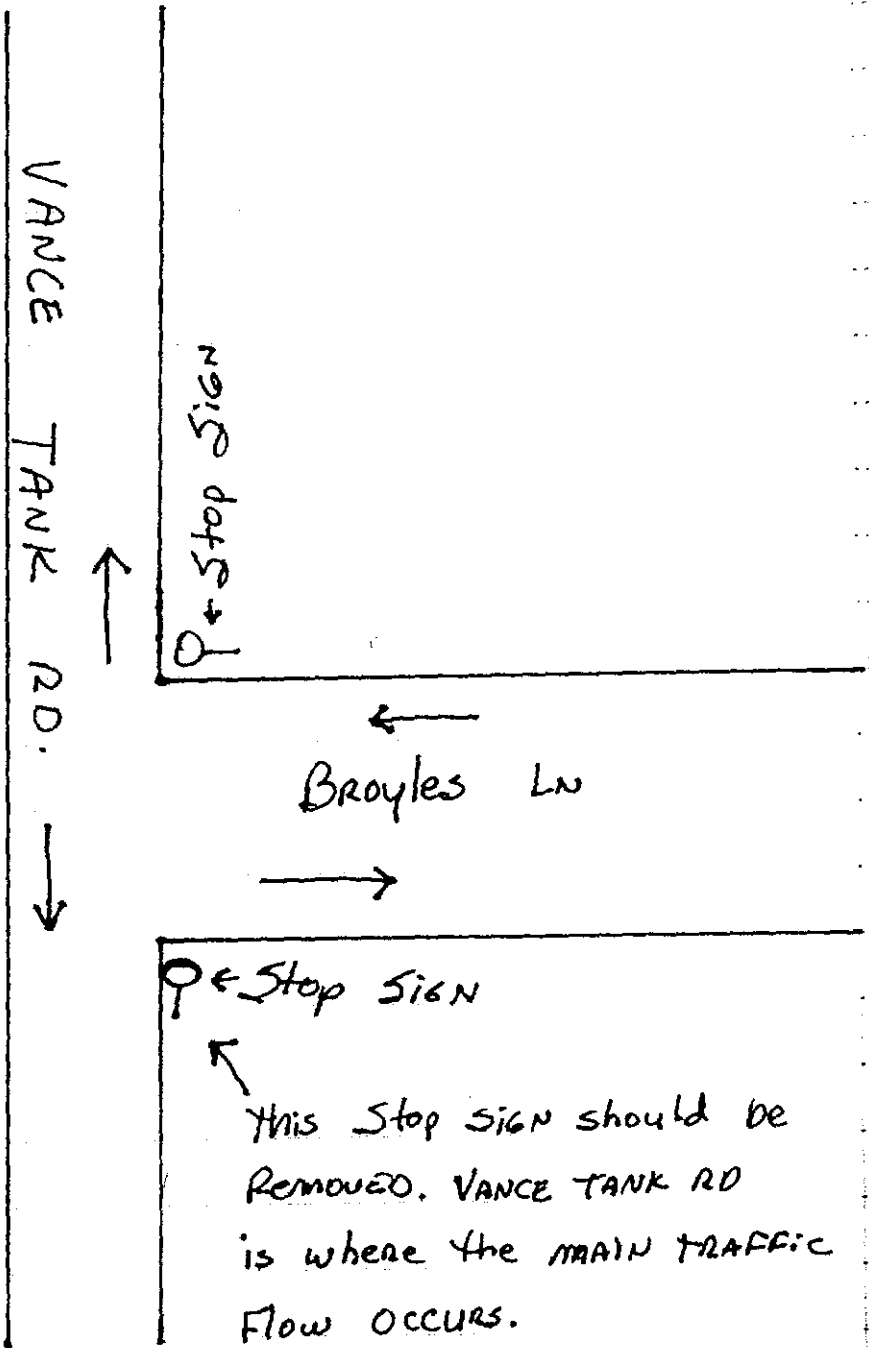
COMMENT:

Rennis Houser 8/29/11

TRAFFIC COORDINATOR

Jay Spiller

HIGHWAY COMMISSIONER



Sullivan County, Tennessee
Board of County Commissioners

Item 11
Budget/Executive
No. 2011-09-77

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Authorize An Employer Participating In The Tennessee Consolidated Retirement System To Discontinue The Noncontributory Provisions Of T.C.A. 8-34-206 In Accordance With Chapter 569 Of The Tennessee Public Acts Of 2009

WHEREAS, T.C.A. 8-34-206(d) permits an employer participating in the Tennessee Consolidated Retirement System ("TCRS") pursuant to T.C.A. Title 8, Chapter 35, Part 2 to assume its employees' contributions to TCRS of up to five percent (5%) of the employees' earnable compensation; and

WHEREAS, the Sullivan County Government elected to assume its employee's contributions to TCRS pursuant to said section; and

WHEREAS, Chapter 569 of the Tennessee Public Acts of 2009 (the "Chapter") authorizes the chief governing body of any such employer, by resolution **legally adopted an approved by 2/3 majority of that body**, to elect to discontinue the noncontributory provisions of Section 8-34-206 for all employees employed after the effective date of the resolution and to have the contributions made by such employees treated as employer contributions pursuant to T.C.A. 8-37-216; and

WHEREAS, the Chapter requires the employees of such employer who were employed prior to the effective date of the resolution to continue to be eligible for the noncontributory provisions of Section 8-34-206, and that any such resolution set forth the effective date of the discontinuance; provided that such date shall be on the first day of any quarter following a minimum of three (3) months notice to T.C.R.S.; and

WHEREAS, the Chapter mandates that any resolution to discontinue the noncontributory provisions of Section 8-34-206 be irrevocable and that the employer not be permitted to elect at a later date to provide the noncontributory provisions of Section 8-34-206.

NOW THEREFORE BE IT RESOLVED that effective November 1, 2011 the Sullivan County Commission hereby elects to discontinue the noncontributory provisions of Section 8-34-206 in accordance with and subject to the terms and conditions of the Chapter for all employees employed after the Effective Date and to have the contributions made by such employees treated as employer contributions' pursuant to T.C.A. 8-37-216

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

Approved this _____ day of _____ 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-09-77	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	No Action 9-8-11	No Action 9-7-11	

Notes: **1st Reading 09-19-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Budget
No. 2011-09-78

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Authorize The Annual Transfer (Loaning) Of Funds From The General Purpose School Fund To The School Federal Projects Fund To Provide Temporary Financing For The Fiscal Year Ending June 30, 2012

WHEREAS, the Federal Projects grants operate on a reimbursements basis and funds are requested from the State of Tennessee by the Sullivan County School Department for non-payroll expenditures on a monthly basis; and

WHEREAS, the Federal Projects Fund may operate with a cash deficit at various times throughout the fiscal year due to a slow turn-around time for reimbursements from the State of Tennessee; and

WHEREAS, Generally Accepted Accounting Principles (GAAP) consider a cash deficit in any fund to be a significant deficiency in internal control; and

WHEREAS, the Sullivan County School Department does not desire to operate any fund with a cash deficit.

NOW THEREFORE BE IT RESOLVED THAT the members of the Sullivan County Commission on this 19th day of September, 2011 authorize the Sullivan County Board of Education as follows:

SECTION 1: The General Purpose School Fund to transfer (loan) up to \$500,000 to the School Federal Projects Fund to provide financing to cover (temporary) cash flow needs for non-payroll expenses; and,

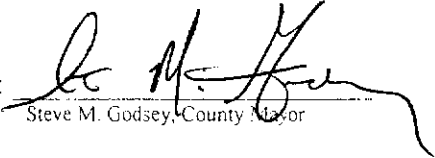
SECTION 2: The \$500,000 transfer (loan) shall remain in the Federal Projects Funds as a designated fund balance from the General Purpose School Fund and may be repaid at any time as noted in this resolution approved by the Board of Education and the County Commission.

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 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron

**Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, O. W. Ferguson,
Baxter Hood, Terry Harkleroad**

2011-09-78	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	Approved 9-8-11		Approved 09-19-11 22 Aye, 2 Absent

Notes:

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Budget
No. 2011-09-79

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget For The Additional Funding Received From The Massengill-Defriece Foundation In The Amount Of \$2,500.00

WHEREAS, Massengill-Defriece Foundation has donated funds to aid underprivileged students; and

WHEREAS, these monies will be used to provide clothing, hygiene products and school supplies for students in need; and

WHEREAS, the Sullivan County Department of Education Board approved this donation 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
48610.000	Donations	+2,500.00
72210.499	Regular Instruction-Other Supplies and Materials	+2,500.00

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

Approved this 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron
Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, O. W. Ferguson, Baxter Hood, Terry Harkleroad

2011-09-79	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	Approved 9-8-11		Approved 09-19-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Budget
No. 2011-09-80

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Amend The 2011 – 2012 General Purpose School Budget For The i3 Grant Received From The Niswonger Foundation In The Amount of \$60,000.00

WHEREAS, the Niswonger Foundation has made grant funds available to help improve technology within area school systems; and

WHEREAS, these monies will be used to improve computer networks within the Sullivan County Department of Education to enhance student learning; and

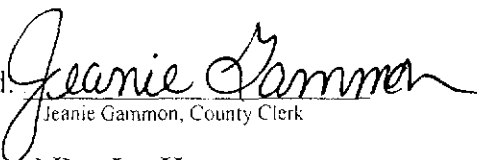
WHEREAS, the Sullivan County Department of Education Board approved this grant,

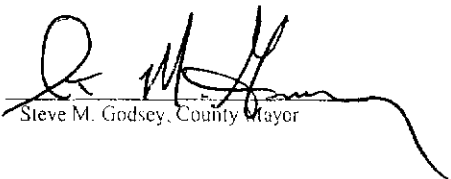
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
48610.000	Donations	+60,000.00
71100.709	Data Processing Equipment	+60,000.00

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

Approved this 19th day of September 2011.

Attested: 
Jeanie Gammon, County Clerk

Approved: 
Steve M. Godsey, County Mayor

Sponsored By: Joe Herron

Prime Co-Sponsor(s): Matthew Johnson, John Gardner, Bryan Boyd, O. W. Ferguson, Baxter Hood, Terry Harkleroad

2011-09-80	Administrative	Budget	Executive	County Commission
ACTION	Approved 9-12-11	Approved 9-8-11		Approved 09-19-11 22 Aye, 2 Absent

Notes: **Waiver of rules requested.**

Sullivan County, Tennessee
Board of County Commissioners

Item 15
Executive
No. 2011-09-81

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION Clarifying The Responsibility Given By This Body To The Executive Committee For Oversight Of Selling Surplus County Assets And Personal Property By Online Auction

WHEREAS, the County Purchasing Agent is responsible for determining the methods of disposal for all County surplus assets and personal property and by Resolution #209-09-103 approved on October 19, 2009 the Purchasing Agent was authorized to enter into an agreement between Sullivan County and GovDeals for the purpose of disposition of surplus County property (see attached resolutions); and

WHEREAS, a well established GovDeals Online Auction Program has proven to be very successful with Sullivan County Government as with numerous government municipalities within the State of Tennessee.

WHEREAS, a review of the current process of individual departments declaring surplus property to be sold through GovDeals without any oversight by the Commission or its Committees needs to be addressed.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby reapproves the previous action and authority given the County Purchasing Agent to establish a Seller's Agreement between GovDeals and Sullivan County, Tennessee, for the purpose of selling surplus County assets and personal property by Online Auction, in accordance with the general procurement rules and regulations governing disposition of County assets and property with an additional step of oversight over the departments declaring the property surplus.

BE IT FURTHER RESOLVED that all assets estimated to exceed \$10,000 declared surplus by the respective departments for disposition through GovDeals be submitted to the County Commission for approval.

BE IT FURTHER RESOLVED that all items submitted for disposition through GovDeals estimated at \$10,000 or less in value be submitted to the Executive Committee for their review and approval or disapproval before the actual placement for sale is initiated by the Purchasing Department.

BE IT FURTHER RESOLVED that all surplus property sales be included in the quarterly report prepared by the Purchasing Department.

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

Approved this _____ day of _____, 2011.

Attested: _____
Jeanie Gammon, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-09-81	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 09-19-11;**

Sullivan County, Tennessee
Board of County Commissioners

Item 16
Budget
No. 2011-09-82

To the Honorable Steve M. Godsey, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of September, 2011.

RESOLUTION To Authorize The Courtroom Security Committee To Expend The Balance Of The Litigation Taxes Collected On June 30th, 2011 To Improve The Security For The Various Elected Officials And Public Buildings

WHEREAS, the appropriations for Courtroom Security is funded from a special litigation tax and other fees implemented and restricted for that purpose; and

WHEREAS, these restricted funds are at a level to provide for additional improvements; and

WHEREAS, the Committee has proposed certain expansion of the security system for the various county officials and buildings which can be implemented with the balance of the funds collected over the expenditures as of June 30, 2011.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes amendments to the appropriations for Courtroom Security be increase in the amount of \$56,000 to be funded from the restricted funds already collected. (Account codes to be assigned by the Director of Accounts and Budgets.)

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

Approved this _____ day of _____ 2011.

Attested: _____
Jeanne Gammien, County Clerk

Approved: _____
Steve M. Godsey, County Mayor

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

2011-09-82	Administrative	Budget	Executive	County Commission
ACTION				

Notes: **1st Reading 09-19-11;**



SULLIVAN COUNTY, TN
OFFICE OF ACCOUNTS & BUDGETS

BLOUNTVILLE, TN 37617

PH 423 323-6409/Fax 423 279-2899

E-mail Larry.Bailey@SullivanCountytn.gov

September 19, 2011

MEMORANDUM

TO: Members of the Sullivan County Commission

FROM: Larry G. Bailey, Director of Accounts & Budgets

SUBJECT: Notice of School Tax Anticipation Note Issued

The policy of the Office of State and Local Finance requires that the County Legislative Body be provided a copy of the approval for Sullivan County to issue Tax and Revenue Anticipation Notes as well as to be notified of any notes issued. Sullivan County issued \$2,920,458 for the General Purpose School Fund on September 13th, 2011 at an interest rate of .88% annually. This note is to retire from General Purpose School Funds on or before June 30, 2012.



STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
OFFICE OF STATE AND LOCAL FINANCE
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
PHONE (615) 401-7872
FAX (615) 741-5986

August 23, 2011

Honorable Steve M. Godsey, County Mayor
Sullivan County
3411 Highway 126, Suite 206
Blountville, TN 37617

Dear Mayor Godsey:

This Office received a request for approval to issue tax and revenue anticipation notes ("TRANS") for various funds. This Office approved a continuing budget Resolution authorizing Sullivan County to operate on the 2011 Fiscal Year budget until the adoption of the 2012 Fiscal Year appropriation and tax levy resolutions in a separate letter dated August 17, 2011. The County's request for approval of its continuing budget Resolution included information used in determining approval of the TRANS.

Provide a copy of this letter to all the members of the County Commission after receipt and present it for discussion at the next meeting of the Commission after receipt.

The financial information received by this Office with the request for approval of a continuation budget resolution and TRANS represents the County's assertions of its financial condition that may or may not reflect the current or future financial condition of the County.

Tennessee Code Annotated (TCA) Title 9, Chapter 21 authorizes Counties in Tennessee to issue TRANS to provide monies for operating expenses until receipt of sufficient revenues. The County must project sufficient future revenue collection to allow payment of the TRANS by June 30, 2012 and the maximum amount of TRANS must not exceed 60% of the annual appropriation for the fund involved. The amount of TRANS the Office can approve may not exceed the projected cash flow needs of the borrowing fund. Issuing these TRANS reduces the amount that the County may borrow in the future for Fiscal Year 2012.

Tax and Revenue Anticipation Note Approval

This letter constitutes approval by this Office to issue the following TRANS:

- \$1,286,076 General Fund Tax and Revenue Anticipation Notes, Series 2011;
- \$831,116 Highway Fund Tax and Revenue Anticipation Notes, Series 2011;
- \$2,920,458 General Purpose School Fund Tax and Revenue Anticipation Notes, Series 2011; and
- \$776,187 General Debt Service Fund Tax and Revenue Anticipation Notes, Series 2011.

If the County is unwilling to comply with the following conditions, this approval to issue the TRANS is rescinded. Please return this letter if the County elects not to comply with these conditions.

If the County is unwilling to comply with the following conditions, this approval to issue the TRANS is rescinded. Please return this letter if the County elects not to comply with these conditions.

Approval to issue the TRANS is conditioned upon the County's agreement to execute the following:

- The County shall submit to this Office a copy of the minutes of the meeting the letter was presented to the Commission.
- The County shall comply with all the requirements of TCA Title 9, Chapter 21 and shall provide this Office verifiable documentation of compliance for Fiscal Year 2012.
- The County shall use the Tax Anticipation Note Form enclosed with this letter as its borrowing agreement with any lender. The County shall include a copy of the executed Tax Anticipation Note Form for each note with the form CT-0253.
- The County shall report the execution of the notes and the amounts to this Office within 45 days of issuance using a form CT-0253, Report on Debt Obligation for each note executed.
- The County shall adopt a budget Resolution and tax levy Resolution in a timely manner in accordance with State law to permit sufficient time for the County to take any actions required to receive official budget approval from this Office.
- The County shall adopt and maintain a balanced budget with no cash deficits and sufficient to pay operating and debt service costs during fiscal year 2012.
- The County shall submit the adopted budget resolution and tax levy resolution with all required supporting documentation to this Office within 15 days of adoption for official budget approval.
- The County shall correct any problems identified in its budget during the official budget approval review in a timely manner.
- The County shall repay the TRANS no later than June 30, 2012 and provide documentation to evidence such payment within 15 days of, but not later than June 30, 2012. The County shall report non-issuance of the notes to this office not later than June 30, 2012.

This letter and approval to issue debt does not address compliance with federal tax regulations and cannot be relied upon for that purpose. The County should discuss these issues with a tax attorney or bond counsel.

Public Debt Entity Report

Complete and submit the enclosed form CT-0253, Report on Debt Obligation to the Director of State and Local Finance within 45 days following issuance of the Notes.

Sincerely,



Mary-Margaret Collier
Director of State & Local Finance

Cc: Mr. Jim Arnette, Director of County Audit, COT
Mr. Larry G. Bailey, Finance Director, Sullivan County

Enclosure (2)
CT-0253, TAN Note Form



STATE OF TENNESSEE
COMPTROLLER OF THE TREASURY
OFFICE OF STATE AND LOCAL FINANCE
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
PHONE (615) 401-7872
FAX (615) 741-5986

August 17, 2011

Honorable Steve M. Godfrey, County Mayor
Sullivan County
3411 Highway 126, Suite 206
Blountville, TN 37617

Dear Mayor Godfrey:

This Office received a request for approval of a continuing budget Resolution authorizing Sullivan County to operate on the 2011 Fiscal Year budget and tax rate until the adoption of the 2012 Fiscal Year appropriation and tax levy resolutions.

The financial information received by this Office with the request for approval of the continuation budget resolution represents the County's assertions of its financial condition that may or may not reflect the current or future financial condition of the County.

Continuation Budget Approval

This office has reviewed the resolution, the accompanying schedules, and the fiscal year 2011 budget. Assuming that:

- no deficits exist in any fund at June 30, 2011;
- the County does not spend more than the amount appropriated for the same period in the 2011 Fiscal Year; and
- the County does not spend more than the available cash and receipts.

This letter constitutes approval for Sullivan County to operate on a continuing budget until the adoption of the final budget and tax rate for Fiscal Year 2012.

Provide a copy of this letter to all the members of the County Commission after receipt.


Sincerely,

Mary-Margaret Collier

Mary-Margaret Collier
Director of State & Local Finance

CC: Mr. Jim Arnette, Director of County Audit, COT
Mr. Larry G. Bailey, Finance Director, Sullivan County

**AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR
SESSION OCTOBER 17, 2011.**


STEVE GODSEY
COMMISSION CHAIRMAN