



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter I - Administration

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Chapter I - Administration

Budget System

Private Acts of 2020 Chapter 46

SECTION 1. SCFMS --

This act shall be known and may be cited as the "Sullivan County Financial Management System of 2020" (SCFMS).

SECTION 2. Purpose –

It is the purpose of this act to provide Sullivan County with a modern and efficient system for the management of county finances, including, but not limited to, accounting, budgeting, purchasing, investment oversight, debt management, grant coordination, payroll, and cash management oversight.

SECTION 3. Definitions –

As used in this act, unless the context otherwise requires:

- (a) "Agency" means any entity of the county government, including, but not limited to, boards, commissions, departments and offices headed by employees or officers of the county whose funds are maintained by the county trustee;
- (b) "Capital asset" means land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period;
- (c) "Chief administrative officer" has the same meaning as defined in Tennessee Code Annotated § 54-7-103;
- (d) "County mayor" means county executive or county mayor;
- (e) "Purchase" means the purchase, lease, lease-purchase, or contract for procurement of real and personal property or services or any combination thereof; and
- (f) "Special committee" means a committee established for the following reasons: budget, administrative, executive, investment, debt management, or purchasing.

SECTION 4. Creation of finance department –

- (a) There is created a finance department to administer the finances for all funds of the county maintained by the county trustee.
- (b) The finance department shall be responsible for accounting; budgeting; debt management; grant coordination; payroll; and cash management oversight for all agencies of the county as provided in this act. The finance director, with the approval of the mayor, shall develop a system in conformity with generally accepted governmental accounting principles and practices prescribed by the comptroller of the treasury.
- (c) A central purchasing department shall be created as provided in Section 9. This department shall be responsible to the Sullivan County financial management committee (SCFMC).
- (d) The funding for the finance department shall be allocated between the county general fund and county general purpose school fund. Each fund's allocation shall be based upon the expenditures budgeted from the respective funds in the 2020 FY adopted operating budget.
- (e) The county legislative body shall provide adequate office space and shall appropriate adequate funds for equipment and supplies necessary for the efficient operation of the finance department and central purchasing department.
- (f) All employees performing the functions of accounting, budgeting, debt management, grant coordination, payroll, and cash management oversight for the various agencies of the county shall be transferred to the finance department and shall function under the supervision of the finance director, except for the following: any employees the finance director does not require and the head of the agency agrees to retain, and employees of any county officer enumerated in Tennessee Code Annotated § 8-22-101 needed to perform the duties of such county officer. Notwithstanding any other law to the contrary, all positions transferred that are enumerated in Tennessee Code

Annotated§ 8-22-101 needed to perform the duties of such office as determined by the finance department and the salaries, benefits, travel and training and other expenses relating to such personnel shall be budgeted under the finance department. Officers enumerated in Tennessee Code Annotated § 8-22-101 may continue to have employees to perform duties regarding receipt and disbursement of funds, and accounting for same, which are directly related to the duties of their respective offices; provided, that all other accounting, budgeting, debt management, grant coordination, payroll and cash management oversight functions shall be performed by the finance department except as otherwise specified in this act.

(g) All fees and commissions allowed, collected or in any manner received by any county officer enumerated in Tennessee Code Annotated§ 8-22-101 as a fee or commission of the office shall be transferred to the county trustee monthly and deposited in the county general fund. The county legislative body shall make the necessary appropriations from the county general fund and pay to any officer enumerated in Tennessee Code Annotated § 8-22-101 the salary as fixed by Tennessee Code Annotated § 8-24-102 and the authorized expenses fixed by law for the operation of the office including the salaries and related expenses of all deputies and assistants as authorized by Tennessee Code Annotated title 8, chapter 20, irrespective of the fees earned or collected by the officers. The number and salary of deputies and assistants of the officers listed in Tennessee Code Annotated § 8-22-101 shall continue to be set pursuant to Tennessee Code Annotated title 8, chapter 20.

SECTION 5. Finance Committee --

(a) The SCFMC is created.

(b) The SCFMC shall consist of seven (7) members as follows: the county mayor; chief administrative officer of the county highway department; director of schools; finance director during the implementation period, as a non-voting member except in case of a tie; and three (3) other members of the Commission elected by the county legislative body. After the completion of the implementation period the mayor shall appoint an additional member from the county legislative body, or a member of the county school board approved by the legislative body to take the position previously filled by the finance director during implementation.

(c) The SCFMC at its first meeting after September 1 of each year shall elect a chairperson for a term of one (1) year and shall annually elect a vice-chairperson who shall serve as chair of the SCFMC during the absence of the chairperson.

(d) The SCFMC shall meet quarterly and from time to time at the call of the chairperson or majority of the members as necessary and prudent for the discharge of its duties.

(e) The finance director shall appoint a secretary to the SCFMC who shall be responsible for keeping records of the actions of the SCFMC. The finance director or finance director's designated representative may speak at meetings of the SCFMC as the SCFMC may deem proper; provided, that the finance director shall not vote on any matter before the SCFMC except to break a tie vote during the implementation period.

(f) The SCFMC shall establish and approve policies, procedures, and regulations in addition to the specific provisions of this act, for implementing a sound and efficient financial system for administering the funds of the county.

(g) The SCFMC may promulgate personnel policies for the finance department not in conflict with Tennessee Code Annotated title 5, chapter 23, after receiving the recommendations of the finance director.

(h) The SCFMC shall prohibit nepotism within its operations. Nepotism shall not be allowed involving any member of the SCFMC, county legislative body, and board of education member, the finance director or the purchasing agent. This policy shall address spouses, children, parents and siblings (including stepchildren, stepsiblings, and parents' in-laws).

SECTION 6. Committees --

(a) The mayor shall, with approval of the county legislative body, establish an audit committee in accordance with Tennessee Code Annotated § 9-3-405(b), unless a county legislative body has previously established an audit committee pursuant to Tennessee Code Annotated§ 9-3-405(a). All meetings of the audit committee shall be governed by Tennessee Code Annotated§ 9-3-405(c) - (i).

(b) The county legislative body may by resolution create and constitute one (1) or more separate special committees as provided in subsections (g) – (j) of this section.

(c) If a special committee is not created, the SCFMC shall assume the duties of the special

committee; the SCFMC shall assume or designate to the budget committee the duties of the debt management and investment committees that will also consult with or advise the county trustee on all investment decisions. The SCFMC may, as the need arises, assign subcommittees to report back to the committee on the various needs.

(d) One of the special commissions is the budget committee, which shall consist of seven (7) members as follows: one (1) county mayor serving as chairperson or his designee and six (6) members of the county legislative body nominated and selected by the county mayor and approved by the county legislative body.

(e) The SCFMC shall serve as the advisory committee to the purchasing agent or it may designate a subcommittee to serve in that capacity.

(f) The administrative and executive committees have historically acted as a hearing body to review and make recommendations to the budget committee over the assigned department's budget request. These two (2) committees shall be comprised of commission members not sitting on the budget committee.

(g) Appointed or elected members of any special committee created pursuant to this act shall be appointed or elected annually to serve for a term of one (1) year and shall be appointed so as to be confirmed by simple majority vote of the county legislative body.

(h) The county mayor or the mayor's designee shall serve as chairperson of each special committee created pursuant to this act until the special committee shall annually elect a chairperson at its first meeting. Each special committee shall annually elect a vice-chairperson to serve in the absence of the chairperson.

(i) The finance director shall appoint a secretary to each special committee established pursuant to this act and the appointee shall be responsible for keeping records of the actions of the special committee. The secretary may speak at meetings of the special committee as the special committee may deem proper; provided, that the secretary shall not vote on any matter before the special committee.

(j) The county legislative body shall by resolution set the compensation, if any, for the members of the various committees required or authorized by this act.

SECTION 7. Finance Director Position --

(a) If or when the finance director's position is to be filled the county mayor shall appoint the finance director with the approval of the county legislative body.

(b) The county mayor may dismiss the finance director upon the recommendation of the SCFMC and the approval of the county legislative body. The county mayor shall be responsible for ensuring the finance director complies with the various provisions of this act.

(c) The finance director shall for all purposes be an employee of the county, function as a department head, and shall be supervised by and report administratively to the county mayor.

(d) The finance director shall have as a minimum qualification a bachelor's degree from an accredited college or university with at least twelve (12) semester hours of accounting or finance, or both, plus at least five (5) years of experience in a governmental accounting or finance position. During the selection process, the county mayor shall consider not only the candidate's education and experience, but also professional certifications from nationally recognized professional organizations in the field of accounting and finance, and other criteria as established by the county legislative body. The finance director shall annually obtain at least twenty-four (24) hours of continuing professional education (CPE) in the field of governmental accounting and finance. Notwithstanding any of the provisions of this section, any person serving as a director of finance pursuant to the County Financial Management System of 1981, compiled in Tennessee Code Annotated title 5, chapter 21, director of accounts and budgets pursuant to the County Fiscal Procedure Law of 1957, compiled in Tennessee Code Annotated title 5, chapter 13, or any similar private act on the date this act becomes effective in any county, shall be eligible for appointment as the finance director and shall be required to fulfill the twenty-four (24) minimum hours of CPE annually.

(e) The compensation of the finance director shall be determined by the SCFMC within the limitations of the budget; provided, that the compensation shall not be less than the salary paid to the county trustee, and in addition to the salary, the county shall appropriate sufficient funds to pay for applicable professional organization dues, professional certifications, the costs of obtaining the required twenty-four (24) hours of CPE credit, and the costs of obtaining CPE credit to maintain any professional certifications.

SECTION 8. Finance Director's Duties --

(a) The finance director shall be the head of the finance department and oversee its operations. The finance director has authority to hire, promote, demote, discipline, and dismiss employees of the finance department consistent with the personnel policies applicable to the finance department. The finance director shall determine compensation of employees of the finance department within the budget.

(b) The finance director shall be responsible for implementation of the policies of the SCFMC and the decisions of any special committee established pursuant to this act.

(c) The finance director shall implement and maintain an accounting, budgeting, and debt management, grant coordination, payroll and cash management system for the county and may assist other county officers and department heads as requested to achieve an efficient financial management system for the county. The finance director shall establish and maintain records of capital assets of the county in accordance with generally accepted governmental accounting principles. The finance director shall annually develop long-range plans for addressing any long-term liabilities and present these plans to the SCFMC for its consideration.

(d) The finance director shall appoint an assistant finance director subject to the majority approval of the SCFMC. The assistant finance director shall be an employee of the finance department and shall perform those duties and responsibilities as are assigned by the finance director. In the absence of the finance director, other than a vacancy in the position, the assistant finance director shall perform the duties of the finance director necessary for the continued operation of the finance department. In the event of a vacancy in the position of finance director, the deputy finance director shall perform the duties of the finance director necessary for the continued operation of the finance department until a finance director is appointed by the county mayor.

SECTION 9. Purchasing Agent --

(a) The county mayor shall appoint the purchasing agent with a simple majority approval of the county legislative body.

(b) The central purchasing department separate and apart from the central finance department is established under the SCFMC. The purchasing agent's compensation shall be determined by the SCFMC within the limitations of the budget; provided, that the compensation shall not be less than the salary paid to the county trustee.

(c) The county mayor may dismiss the purchasing agent with a recommendation of the financial management committee and approval of the county legislative body. The county mayor shall be responsible for ensuring the purchasing agent complies with the purchasing policies and procedures adopted by the SCFMC.

(d) The purchasing agent shall have at least five (5) years of experience in governmental or private sector procurement. During the selection process, the county mayor shall consider not only the candidate's experience, but also professional certifications from nationally recognized professional organizations in the field of public procurement. The purchasing agent shall for all purposes be an employee of the county, function as a department head, and shall be supervised by and report administratively to the county mayor. The purchasing agent shall be the head of the purchasing department and oversee its operations. The purchasing agent has authority to hire, promote, demote, discipline, and dismiss employees of the purchasing department consistent with the personnel policies applicable to the purchasing department. The purchasing agent shall determine compensation of employees of the purchasing department within the budget. The purchasing agent shall be responsible for implementation of the policies and procedures established by the SCFMC.

(e) The purchasing agent shall appoint the assistant purchasing agent subject to the approval of the SCFMC. The assistant purchasing agent shall be an employee of the purchasing department and shall perform those duties and responsibilities as are assigned by the purchasing agent. In the absence of the purchasing agent, the assistant purchasing agent shall perform the duties of the purchasing agent necessary to the continued operation of the purchasing department. Any person serving as a purchasing agent pursuant to county legislative action on the day this act becomes effective in the county shall be eligible for appointment as the purchasing agent.

SECTION 10. Official Bond --

(a) The finance director shall execute a surety bond or acquire appropriate insurance coverage in an amount not less than one hundred thousand dollars (\$100,000), for the faithful performance of the finance director's duties in accordance with the general law on county officials' bonds. The bond shall be prepared in accordance with the provisions of Tennessee Code Annotated title 8, chapter 19,

approved by the county legislative body, filed with the county clerk for safekeeping, and recorded in the office of the register of deeds.

(b) The cost of the bond shall be paid from funds appropriated to the finance department for this purpose unless otherwise funded.

(c) The amount of the bond may be increased by the SCFMC subject to additional appropriations for the cost of such additional bond amount.

(d) The purchasing agent shall execute a surety bond or liability insurance policy in the same amount and manner as the finance director.

SECTION 11. Developing of the annual budget --

(a) The finance director, in coordination with the budget committee shall establish a calendar for the development and approval of the fiscal year's budget. The calendar shall be approved by the SCFMC and reported to the county legislative body at the December monthly meeting.

(b) The forms for receiving the upcoming fiscal year's budget request are to be developed by the finance director under the guidance of the budget committee and delivered to the departments, commissions, and agencies no later than January 15th.

(c) No later than February 8th, the new fiscal year's budget request along with projected revenues and funding sources for the respective office/department will be received and organized into spreadsheets to be presented for review by the responsible committees. Currently, those committees are the budget, administrative, and executive committees, but may be redirected to another committee as decided by the county legislative body. These committees will report their recommendations to the budget committee by March 15th.

(d) No later than May 1, the local education agency (LEA) shall submit a proposed budget including projected revenues to the finance director for presentation to the budget committee provided that, the LEA may amend the proposed budget after May 31st.

(e) No later than May 15th, the county budget committee shall vote upon the proposed budget and the finance director shall notify the LEA whether the county budget committee approves or rejects the LEA's proposed budget.

(1) If approved, the finance director shall immediately forward the proposed budget to the county legislative body for consideration; or

(2) If rejected, the LEA shall submit a revised budget proposal to the finance director within ten (10) business days after receipt of notice that the budget proposal was rejected.

(f) If the county legislative body fails to adopt a budget, property tax resolution, and appropriation resolution by July 31st of any year, then by operation of law, the operating budget for the ensuing fiscal year, other than the portion for the county department of education, shall be the consolidated budget with proposed amendments submitted by the county mayor or the budget committee. The property tax levy resolution must be enough to fund the consolidated budgets enacted by resolution and by operation of law.

(g) If the county legislative body and the county school board fail to agree upon a budget for the county department of education by June 30th of any year, then, by operation of law, the budget for the county department of education shall be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP or any subsequent statutory provisions establishing local funding to be generated. However, if for three (3) consecutive years, the county legislative body and school board fail to agree upon a budget and the department of education receives the minimum required funding for that fiscal year by operation of law, then, the budget in the third year shall include a mandatory increase that is equivalent to three percent (3%) of the required funding from local sources for schools; provided however, this increase shall not be required if during any of those three (3) years the school board failed to submit its budget proposals in accordance with the budget calendar provided for in this act. Local revenues projected for the schools shall be projected consistently with the other county funds by the finance director.

(h) The proposed budget shall not decrease personnel for the sheriff's office without the agreement of the sheriff pursuant to Tennessee Code Annotated § 8-20-120.

(i) The budget for the county election commission shall conform to the requirements of Tennessee Code Annotated§ 2-12-109 and Tennessee Code Annotated§ 2-12-209.

(j) The budget committee's proposals shall conform to the requirements of Tennessee Code Annotated title 8, chapter 20.

(k) At the time of the submission of the proposed operating budget by the budget committee to the county legislative body, the finance director shall report to the county legislative body as to whether any portion of the proposed operating budget would likely cause either a reduction of state funds or the county receiving an amount less than what the county could otherwise be eligible to receive.

(l) Any commissioner may propose amendments to any appropriation except to an LEA in the budget and it be voted upon by the county legislative body and if approved, becomes part of the budget if the amendment does not create a conflict with governing statutes or a deficit budget.

(m) The budget committee shall present to the county legislative body a proposed budget appropriation resolution and proposed tax levy resolution when the proposed operating budget is presented.

(n) The local revenues for the school funds shall be recommended by the budget committee and accepted by the county board of education if they cannot reach an agreement otherwise.

SECTION 12. Appropriations –

(a) The appropriations made in the appropriation resolution, or any amendments thereto, shall constitute the limit to expenditures for the various purposes and from the stated funds of the county for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of that limitation.

(b) Any resolution presented to the county legislative body in any fiscal year, after the original appropriation resolution has been adopted and the property tax rate for the year has been set, which provides for an expenditure in addition to those made in the original budget appropriation, shall specifically provide the source of revenue or designate the source of funds necessary to meet expenditures to be made as a consequence of the additional appropriation.

(c) The appropriations made by the county legislative body shall constitute authorization for the expenditures contained therein unless otherwise limited by the county legislative body, subject to the impoundment authority granted to the SCFMC, county legislative body, and county board of education pursuant to Section 15 of this act.

(d) The expenditures and encumbrances against the amounts appropriated shall be made only upon an order or authorization issued by the purchasing department.

(e) No expenditures made or obligations created in any manner shall be valid or binding against the county except as provided by this act.

SECTION 13. Amendment of Operating Budget –

(a) Amendments to the LEA final adopted operating budget of the county shall be made as follows:

(1) Board of education amendments to line items within the major categories are developed by the director of schools and submitted to the board of education for approval. The director of schools shall report the proposed amendments to the finance director five (5) days prior to proposing the amendments and report on the action taken within five (5) days. The finance director may offer his opinion on the amendment or comment if requested.

(2) Board of education amendments to the major categories which do not increase the grand total of appropriations in the original adopted budget of the county department of education shall be proposed by the director of schools and approved by the county board of education, then shall be submitted to the budget committee for approval. The finance director may offer his opinion on the amendment or comment if requested. The budget committee must act within thirty (30) days of submission by the director of schools or the director of schools may submit the request to the county legislative body.

(3) Board of education amendments to line items and major categories that increase the total revenues or appropriations, or both, of the original adopted budget shall be approved by the county board of education and submitted by the director of schools to the budget committee for its recommendation and to the county legislative body for their approval, except as provided by Tennessee Code Annotated § 49-2-203(b)(15). The budget committee must act within thirty (30) days of submission by the director of schools or the director of schools may submit the request to the county legislative body. The finance director shall provide his opinion on the requested amendment.

(b) Amendments to the county's final adopted operating budget, other than the LEA, are to be submitted by the county mayor, chief administrative officer of the county highway department head or any other agency of the county whose budget is to be approved by the county shall be made as follows:

(1) Amendments within major categories of the budget shall be submitted to the budget committee for approval. If the budget committee declines to approve the request, then the requesting department may submit the request to the county legislative body at the next scheduled meeting.

(2) Amendments to major categories of the budget that increase the total revenues or appropriations, or both, may be proposed by the county mayor, chief administrative officer of the county highway department or any other agency of the county whose budget is to be amended shall be submitted to the budget committee for recommendation and to the county legislative body for their approval. The budget committee must act within thirty (30) days of submission or the requesting party may submit the request to the county legislative body. The finance director shall provide his opinion on the requested amendment.

(c) Notwithstanding subsections (a) and (b) of this section, amendments shall comply with any court order entered pursuant to Tennessee Code Annotated title 8, chapter 20.

SECTION 14. Impoundment of Funds –

If at any time the finance director determines that the revenues or other resources are, with respect to any fund, less than what was anticipated in the adopted operating budget, or if unanticipated expenditures arise which will likely create a budget deficit, the finance director may certify to each member of the county legislative body for non-school funds, and to the county board of education for school funds, the finance director may impound the appropriations as may be necessary to prevent deficit operation. The impoundment may be overridden by a simple majority vote of the county legislative body for non-school funds or the county board of education for school funds. If the county legislative body or county board of education overrides an impoundment, the county legislative body or the county board of education shall make those amendments to the operating budget as may be necessary to prevent deficit operation. The necessary amendments require a majority vote of the county legislative body or the county board of education. However, no impoundment of funds shall affect expenditures mandated by state statute or court order that have been appropriated to the offices as enumerated in Tennessee Code Annotated § 8-22-101.

SECTION 15. Capital Budget --

(a) Annually, the county mayor, director of schools, and chief administrative officer of the county highway department shall submit to the finance director, on forms developed by the finance director and approved by the SCFMC, a five-year plan for capital outlays to be revised annually. The proposed capital outlays shall include estimated expenditures, a schedule for project completion or purchase of real and personal property, or both. Capital outlay for purposes of this section shall include any single purchase of a capital asset as defined in Section 3 when the total purchase price inclusive of all related expenses is expected to equal or exceed the county's capitalization threshold policy as set by the SCFMC.

(b) The finance director shall consolidate the details of all proposals for capital outlays noted in subsection (a) for the next fiscal year, including capital projects to be initiated during the next fiscal year and purchases requiring capital outlays during the next fiscal year. The SCFMC shall recommend to the budget committee a funding source and the amount of capital outlay expenditures to include in the operating budget.

(c) The SCFMC shall propose a revised consolidated capital outlay plan for the ensuing fiscal year at the same time the proposed operating budget is presented to the county legislative body. This document shall be known as the "proposed capital project plan".

(d) The county legislative body shall review the proposed capital project plan presented by the SCFMC. The county legislative body may alter the plan and shall annually adopt a capital projects plan. Prior to the adoption of a capital projects plan, the county board of education's director of schools, the chief administrative officer of the county highway department, and the county mayor have the right to address the county legislative body in regard to their respective agencies' capital project needs.

SECTION 16. Debt –

(a) Issuance of Debt. The finance director shall receive from the county mayor, director of schools, chief administrative officer of the county highway department, and all other county agencies, offices, and departments all proposals for the issuance of debt, and shall present such proposals, along with the recommendation of the finance director, to the budget committee, with the following exceptions:

(1) Tax anticipation notes; and

(2) Contracts, leases, and lease-purchase agreements that extend beyond one (1) year, which

shall be considered long-term debt.

(b) Debt Management Role

(1) The budget committee shall review proposals for the issuance of debt for conformity with the adopted capital projects plan, the operating budget for the current fiscal year, and any proposed operating budget for the next fiscal year that may have been submitted by the budget committee.

(2) Additionally, the budget committee shall review proposals for the issuance of debt to determine whether the proposal optimizes the county's financial resources, impacts negatively upon the credit rating of the county, and whether better financing or funding proposals exist.

(3) Each year, the budget committee shall report its recommendation on all proposals for the issuance of debt to the county legislative body. If the proposals for the issuance of debt are not received during the annual budget process, then the SCFMC shall submit its recommendation to the budget committee within one (1) month from receipt of the proposal for the budget committee's recommendation to the county legislative body.

(4) The county legislative body shall not approve the issuance of any debt for which its approval is required by law until it has received the recommendation of the budget committee, unless the budget committee is requested by the county legislative body to make a recommendation and it fails to do so within thirty (30) days of making the request.

(5) On or before May 1 of each year, the finance director shall prepare and submit to the budget committee a report on the current debt structure of the county, showing the amounts borrowed and date of borrowing, purpose of the borrowing, principal outstanding, interest paid, interest to be paid each year until retirement of the debt, interest rate, and source of funds for payment of principal and interest. The finance director shall make recommendations for improvements in debt management, financial soundness of the county, and whether any change in the debt structure is needed, including, but not limited to, early retirement of debt or refunding of debt. The budget committee shall review this report of the finance director and shall report its recommendations regarding any proposed changes in debt structure to the county legislative body on or before July 1 of each year.

(6) The budget committee shall prepare a debt management policy in compliance with statutory requirements and state funding board recommendations to be submitted to the county legislative body for approval.

(7) The budget committee shall ensure the finance director prepares and files all necessary reports required by the Securities and Exchange Commission, the municipal securities rulemaking board, and all other regulatory authorities related to the county's debt.

SECTION 17. Budgetary Report –

(a) The finance director shall prepare a budgetary report each month showing the condition of the budget. This budgetary report shall be posted on the county's website by the fifteenth (15th) day of the following month or as soon thereafter as the necessary information is available.

(b) The budgetary report shall show for each line item appropriation the total expenditures for the month and the year to date, the number of outstanding encumbrances, and the amount of the unencumbered balance.

(c) The budgetary report shall also show for each fund an itemized statement of the revenues estimated for the year, the amount of the revenues of each item for the month and the year to date, and the unrealized portion of the estimate.

(d) The head of each agency of the county shall be notified of the posting of the monthly budgetary reports for their respective agency.

(e) Upon notifying the members of the county legislative body of posting of such report, additional information shall be provided regarding areas such as departments or accounts that should be highlighted for their attention if action should be forthcoming of the issues noted.

(f) Any member of the county legislative body or constitutional officer may request in writing to the finance director a printed copy and it shall be provided.

SECTION 18. Investing Idle County Funds --

The SCFMC shall establish and approve policies and procedures for investing idle cash funds in various investments in accordance with Tennessee Code Annotated § 5-8-301. The SCFMC or budget committee, if created, may authorize the county trustee to perform the daily investment function.

SECTION 19. Checking System --

- (a) The county may elect to use a checking system for the disbursement of funds. The checking system shall be installed and maintained by the trustee, in concurrence with the finance director, in accordance with the provisions of Tennessee Code Annotated § 5-8-210.
- (b) All checks on county funds held by the county trustee shall be signed by the finance director and the following applicable person:
- (1) The director of schools for disbursements of school funds; or
 - (2) The county mayor for disbursements of county funds other than school funds.
- (c) All signatures required on county checks may be executed by methods other than personal signature if such methods are approved by the person authorized to sign, the SCFMC, and the comptroller of the treasury.
- (d) Checks shall be prepared by the finance department and the appropriate signature affixed representing the finance director and either the county mayor or director of schools upon their authorization. The finance department shall mail or cause to be delivered all checks drawn upon county funds held by the county trustee. The finance director may authorize and cause funds to be electronically transferred from county bank accounts, upon approval of the SCFMC and the comptroller of the treasury.
- (e) The finance department shall maintain a copy of all checks issued, invoices correlated to the checks or electronic transfers carrying out the requisition or paying for the goods or services received as described on the invoice.
- (f) The purchasing agent shall maintain a record of all requisitions for disbursements.
- (g) The copies of checks and other records of the finance department shall be retained in accordance with retention schedules authorized by Tennessee Code Annotated § 10-7-404.
- (h) Checks to disburse funds shall not be written and transfers of funds shall not be made by electronic means until the finance director or his or her designated employee has reviewed the requisition, invoice, receiving documentation, or other document indicating a disbursement of county funds should be made. This review function shall be known as pre-audit. A pre-audit approval for disbursement of funds shall not be made unless the documentation supporting a disbursement of funds appears to be correct, properly authorized, and not exceeding the unencumbered balance of the appropriations against which they are chargeable. Pre-audit approval for disbursement of funds shall be made by signature of the finance director or designated employee(s) of the finance department in a timely manner to prevent work stoppage or postponement of services and in a format developed by the finance director and approved by the SCFMC.
- (i) Disbursements of county funds shall be made as follows:
- (1) Payroll disbursements shall be based upon documentation furnished to the finance department and certified by all heads of all agencies of the county for themselves and their employees establishing the employment relationship and all relevant information required by the finance director to determine proper payment, withholding of income for taxes and other purposes, benefits, leave status, or other information relevant to the county's financial relationship to the employee.
 - (2) Disbursements for personal property received by the county shall be based upon invoices showing receipt of personal property properly requisitioned and purchased pursuant to a properly issued purchase order or report of an emergency purchase approved by the purchasing agent.
 - (3) Disbursements for services rendered to the county shall be based on services performed and approved by the head of the agency of the county receiving the service.
 - (4) Disbursements pursuant to a contract or agreement shall be based upon documentation from the head of the county agency responsible for the county's obligation.
 - (5) Disbursements based upon a court order or settlement of a lawsuit shall be based upon the written directive of the county attorney or the attorney representing the county board of education.
 - (6) Disbursements for the purchase or condemnation of real property shall be based upon the written directive of the director of schools for school property, the chief administrative officer of the county highway department for highway property obtained with highway funds, and the

county mayor for all other real property.

(7) Disbursements of appropriations to nonprofit organizations approved through the budgetary process shall be based upon the written directive of the county mayor.

(8) Heads of all agencies of the county and employees of the county shall furnish to the finance director or the finance director's designated employee all requested information in a timely manner to insure the proper and timely disbursement of county funds.

SECTION 20. Purchasing Policies & Procedures –

(a) Policies and procedures for purchasing for the county shall be established by the SCFMC, upon receiving the recommendations of the purchasing agent. The policies and procedures for purchasing shall be made available for the use of all officers and employees of the county involved with purchasing. The SCFMC shall establish a system whereby heads of all agencies of the county or their designees requisition real and personal property or services and provide estimates of cost. Such requisitions shall be reviewed by the purchasing agent or the purchasing agent's designee and if the requisition appears to be correct, properly authorized, and the cost will not exceed the unencumbered balance of the appropriation against which the cost of the requisition is chargeable as approved by the finance department, then the purchasing agent shall determine the proper method of obtaining the property or services, and issue purchase orders as appropriate according to this act and the policies and procedures of the SCFMC. Heads of all agencies of the county may specify employees who are authorized to make requisitions, and any limitations upon their authority to act, upon written notification to the purchasing agent. Requisitions for a contract, lease, or lease-purchase extending beyond the current fiscal year that would constitute an obligation in excess of an amount to be determined by the purchasing agent shall be forwarded to the budget committee for approval prior to any further approval of the requisition.

(b) The policies and procedures for purchasing for the county established by the purchasing agent shall include the use of any type of purchasing or credit card and an approval process for purchases of real property, personal property, and services, including those by lease, lease-purchase, or contract that extend beyond one (1) year or commit the county to expenditures in excess of an amount as determined by the budget committee. The purchasing agent shall establish policies requiring approval of such purchases by either the purchasing agent, county legislative body, or any combination thereof. The policies and procedures approved by the SCFMC pursuant to this subdivision to determine the approval process for any type or amount of purchase shall be subject to approval by the county legislative body.

(c) Requisitions shall include specifications when necessary as determined by the purchasing agent. Specification development and stipulation shall be made by the county purchasing agent to receive the personal property or services requisitioned. However, the purchasing agent may reject any specification that the purchasing agent deems inadequate. The purchasing agent shall assist the agency of the county as needed to develop proper specifications for requisitions. Specifications shall not be written to exclude specific vendors, contractors or service providers, or to limit the bidding to a specific vendor, contractor, or service provider.

(d) Except as otherwise provided in this act or by other applicable general law, purchases shall be based upon competitive bidding. The SCFMC, after receiving the recommendations of the purchasing agent, shall establish the dollar amounts and types of purchases for which a formal competitive bidding process is required, the dollar amounts and types of purchases for which an informal bidding process is required or not required, and the exceptions to competitive bidding requirements, but the dollar amounts established for formal competitive bidding shall not exceed the amounts otherwise applicable in general law. In addition to competitive bidding, the SCFMC may establish the types of purchases and other circumstances under which requests for proposals (RFP), requests for qualification (RFQ), and other procurement methods are appropriate and allowable. The SCFMC may also establish guidelines not in conflict with applicable general law for purchases at public auction and using the Internet. Exceptions to competitive bidding may include, but are not limited to, sole source purchases, perishable commodities, and emergency purchases. If Sullivan County operates under the County Uniform Highway Law, compiled in title 54, chapter 7, then Tennessee Code Annotated § 54-7-113(c) regarding exceptions to public advertisement and competitive bidding requirements shall apply to purchases for the county highway department.

(e) All purchases competitively bid shall be awarded to the lowest responsible and responsive bidder, taking into consideration the quality of the personal property or services to be supplied, their conformity with specifications, their suitability to the requirements of the county and the delivery terms, and such other considerations as the purchasing agent deems appropriate and in conformity with any guidelines established by the SCFMC. All bids may be rejected for reasonable cause by the

purchasing agent.

(f) The purchasing agent may authorize any agency of the county to purchase in the open market, without filing a requisition, any personal property necessary for immediate delivery or services for immediate employment, in actual emergencies. Such direct emergency purchases may only be made by heads of agencies of the county within the authorization granted by the purchasing agent and when the purchasing agent is not available to make the purchase. At all other times, only the purchasing agent or the purchasing agent's designee shall make purchases. A report of an emergency purchase shall be made by the head of an agency of the county or the agency head's designee describing the circumstances of the emergency, the personal property or services purchased, and the amounts to be charged against the operating budget of the agency. Such emergency purchase report shall be submitted to the purchasing agent as soon as is reasonably possible following the date of such purchase by the head of the county agency concerned and such report shall be provided by the purchasing agent to the SCFMC.

(g) The purchasing agent, in authorizing deviations from the competitive bidding requirements in emergencies, shall not include conditions arising from neglect or indifference in anticipating normal needs. Emergency purchases shall be limited to needs arising which are not normally foreseeable.

(h) The county shall not be liable for the payment of any purchase not made according to the provisions of this act unless specifically approved by the SC FMC.

(i) The SCFMC may:

- (1) Require periodic and special reports by county agencies of inventories, stocks of surplus, unusable or obsolete personal property, and prescribe the form of such reports;
- (2) Determine whether a deposit or bond is to be submitted with a bid on a purchase or sale, and if required, prescribe the amount and form of the deposit or bond, and provide for the forfeiture of the deposit or bond if the successful bidder refuses to enter into the contract and to determine the time for such forfeiture after the award of the bid. Such determination shall not conflict with existing state statutes for construction contracts;
- (3) Prescribe the way invoices for personal property and contractual services delivered to any of the agencies of the county shall be submitted, examined, and approved by the purchasing agent; and
- (4) Provide for all other matters as may be necessary to give effect to the duties of the SC FMC and purchasing agent.

(j) The SCFMC shall establish policies, subject to the approval of the county legislative body, for the disposal or transfer of surplus, obsolete, or unusable personal property. These policies may provide for the transfer to or between county agencies of personal property on hand which are surplus with one county agency, but which may be needed by others. However, a head of a county agency shall not be required to transfer any item of personal property in his or her custody without his or her consent except in an actual emergency or disaster.

(k) The county mayor or any department head or officer of the county having custody of real property may request that the real property over which the mayor, department head, or officer has custody be declared surplus and be sold or transferred from the ownership or possession of the county or the custody of the mayor, department head, or officer. Any such request shall be made to the SCFMC. The SCFMC shall make recommendations to the county legislative body regarding whether the real property requested to be declared surplus should be kept, its use changed, sold, or otherwise disposed of, and shall make a recommendation as to the proper use or disposition of the property to the county legislative body, which shall make the final determination as to the use and disposition of all county real property not titled to or leased by the county board of education. The county legislative body shall make the final determination as to the disposition of all real property titled, including property assigned to the board of education.

(l) The purchasing agent shall:

- (1) Develop requisition forms to be used by the various agencies of the county, subject to approval by the SCFMC;
- (2) Review requisitions, including specifications in accordance with Section 23 of this act;
- (3) Conduct formal and informal bid solicitations in accordance with the provisions of this act;
- (4) Make a record of all informal bids solicited, all informal bids received, and the successful bid and bidder, including the time of each such action;

- (5) Open formal sealed bids in public according to a procedure established by the purchasing committee;
- (6) Evaluate and compare bids and award purchases designated by the SCFMC to be awarded by the purchasing agent;
- (7) Issue purchase orders when appropriate based upon completed requisitions;
- (8) Prepare contracts, leases, and lease-purchase agreements. The purchasing agent shall prepare contracts, leases, and lease-purchase agreements with the aid of the legal counsel if such office or position is established, or with the aid of an attorney employed or retained by the county mayor or board of education;
- (9) Sign all contracts with the signature of agreeing respective department for all major contracts as the SCFMC determines;
- (10) Perform duties regarding the transfer or disposition of surplus, obsolete, and unusable personal property as directed by the purchasing committee;
- (11) Ensure that capital projects that have been approved in the capital projects budget and operating budget and funded according to law shall be competitively bid by the purchasing agent according to the requirements approved in the capital projects budget and operating budget; and
- (12) Perform such other duties as may be prescribed by the SCFMC.

(m) The finance director, purchasing agent, members of the committee, members of the county legislative body, or other officials, employees, or members of the board of education or highway commission, including spouses, shall not be financially interested or have any personal beneficial interest either directly or indirectly, in the purchase of any supplies, materials or equipment for the county.

(n) Any official or employee under the employment of the SCFMC that is found to be in violation of this act or failure to conform to the provisions of this act commits a Class C misdemeanor and is subject to removal from office or position.

SECTION 21. Approval of Contracts & Leases --

(a) In addition to the approval process established by the SCFMC, contracts, leases, and lease-purchase agreements shall be approved by the county attorney or such other legal counsel as appropriate, if such office or position is established, or by an attorney employed or retained by the county mayor or board of education, prior to execution when the dollar amounts involved exceed an amount determined by the SCFMC to assure compliance with law and proper form.

(b) Contracts, leases, and lease-purchase agreements shall be executed by the purchasing agent and one (1) or more of the following: the director of schools for all obligations against school funds, by the chief administrative officer of the county highway department for all obligations against highway funds, and the county mayor in all other circumstances, and additionally by other county officers when required by law, and by the finance director for approval of expenditure of funds.

(c) This subsection (c) shall not apply to agreements between the county highway department and the department of transportation pursuant to Tennessee Code Annotated § 54-7-116.

SECTION 22. Notice of Plan of Implementation --

No later than six (6) months following the date a resolution is adopted to implement this act, the county clerk shall file a copy of the resolution, together with an implementation plan developed by the finance director and approved by the SCFMC, with the comptroller of the treasury. This county financial management plan implementation shall begin July 1 of the next fiscal year and shall be fully implemented within such county no later than two (2) years from the date the implementation of the plan began.

SECTION 23. Receipt of Funds --

Excepting taxes, such as the county trustee is authorized to collect, the payment of all moneys to the county trustee by any collector authorized by statute or by anyone on account due the county, shall be made only by issuance of a receivable warrant signed by the finance director or finance designated representative. The office of the finance director shall issue a receipt for the amount named, for which the trustee shall acknowledge and accept upon confirmation of amount and description, a duplicate of which shall be retained by the finance director to be used by the finance department in posting the accounting records.

SECTION 24. Modification of Dates --

The deadline dates as set forth in this act may be necessary to update due to law changes and certain emergencies recognized by the state of Tennessee. When these events occur within the county, the legislative body shall approve the changed date on a temporary basis and report the amended dates.

SECTION 25. Supersede other Statutes --

Upon this act becoming effective in Sullivan County, this act shall supersede the provisions of any private act in conflict with this act in this county, including any private acts, or amendments thereto, adopted by the county legislative body of such county before or after the date this act becomes effective in such county.

SECTION 26. Validity of Statute --

If any provision of this act or the application of it to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 27. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 28. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 27.

Passed: June 22, 2020

County Attorney

Private Acts of 1935 Chapter 609

SECTION 1. That the office of County Attorney is hereby created and established for Sullivan County, Tennessee, and A. B. Whiteaker, a practicing attorney and citizen of Sullivan County, Tennessee, is hereby appointed to fill said office until the next regular election, to be held on the First Thursday in August, 1936. The County Attorney of Sullivan County shall be elected by the qualified voters of the county of Sullivan for a period of four (4) years, which period shall constitute the term of said office. That before entering upon the duties of the office, he shall execute a bond in some Guaranty Bonding Company, authorized to do business in the State of Tennessee, in the penal sum of Five Thousand (\$5,000) Dollars, conditioned on the faithful performance of his duties and his accounting for any paying over all monies that shall come into his hands as such County Attorney, said bond to be approved by the County Judge or Chairman, if he is satisfied it is good, the bond to be filed with the County Court Clerk and entered on the Minutes of the Court. The premiums on said bond or bonds, shall be paid out of the ordinary fund of the County, for which the County Judge or Chairman shall issue a county warrant on the Trustee. The said County Attorney will also be required, before entering upon the duties of his office, to take and subscribe to the following oath before some officer, authorized to administer oaths, to-wit:

I, _____, do solemnly swear, that I will support the Constitution of the United States and of the State of Tennessee, and that as County Attorney for the County of Sullivan, State of Tennessee, which office I am about to assume, I will perform all the duties of said office as provided by law, to the best of my skill and ability, so help me God.

_____(Seal)

This oath shall be filed with the County Court Clerk and spread upon the Minutes of the Court. No one shall be eligible to fill the position of County Attorney, unless he is a citizen and resident of the County and a legally qualified, practicing attorney at the Bar.

As amended by: Private Acts of 1941, Chapter 192.

SECTION 2. That the said County Attorney shall be the attorney and solicitor for the County in all legal matters, in which the County requires the services of an attorney or solicitor, including all suits in which the County has an interest now pending in any of the Courts, either by the County, or against the County, and all suits hereafter brought either by the County or against it. He shall represent the County in all condemnation cases, all civil suits brought against the County, except when insurance companies have coverage, in all suits involving county officials in their official duties, review all contracts to be entered into by the County, review all resolutions prior to vote to determine legality, file and prosecute all tax delinquency matters, attend all meetings of the County Court, both regular and called sessions, attend all

committee meetings when requested by the Chairman to do so, attend the meetings of the school board when requested to do so by the Chairman, prosecute all cases involving the personal use of County funds by any County official including use of assets of the County for personal use, advise the County Judge and members of the County Court upon request on legal matters concerning County government, advise all county officeholders upon request concerning legal matters, and do all other things required by statute and the act creating the office of county attorney. The Office of the County Attorney for Sullivan County shall be a full-time position, and the County Attorney shall not be allowed to maintain a private practice of law.

As amended by: Private Acts of 1935 (Ex. Sess.), Chapter 27.,
Private Acts of 1974, Chapter 288,
Private Acts of 1997, Chapter 64.

SECTION 3. The salary of the Sullivan County Attorney shall be established by the Sullivan County Board of Commissioners at least sixty (60) days before the qualifying deadline for primary elections for the Office of the Sullivan County Attorney for 1998 as well as for each term of office thereafter.

As amended by: Private Acts of 1935 (Ex. Sess.), Chapter 27.,
Private Acts of 1937, Chapter 524,
Private Acts of 1961, Chapter 360,
Private Acts of 1974, Chapter 288,
Private Acts of 1977, Chapter 35,
Private Acts of 1990, Chapter 208,
Private Acts of 1997, Chapter 64.

SECTION 4. In all cases the County Attorney shall be governed in his actions by the County Executive, except where the Board of Commissioners shall direct him, then he will follow the directions of the Board of Commissioners. In all cases involving self-insurance claims, the County Attorney shall have the authority, in cases where there is a conflict of interest between the Defendants or cases which require the services of additional counsel or for other reasons deemed by the County Attorney in the best interest of the county or employees of the county who are the subject of litigation, to employ such additional counsel at such rate as may be negotiated pursuant to contract as is now currently provided in the Sullivan County Laws and Resolutions and in accordance with current practice in regard to the application of such attorney's fees and expenses for payment from the county's self-insurance fund. That all proposed settlements of litigation, other than worker's compensation matters or other than such matters as may be involved in condemnation proceedings where settlement is authorized by the Sullivan County Highway Commissioner and/or by the county's appraisers, shall be approved by the Sullivan County Executive Committee.

As amended by: Private Acts of 1990, Chapter 208.

SECTION 5. That in case the said A. B. Whitetaker shall fail or refuse to accept the said position of County Attorney within thirty (30) days after the passage of this Act, the position will be considered vacant and shall be filled by appointment by the County Judge. In case of vacancy in said office at any time by death, resignation, or removal of the incumbent, the vacancy shall be filled by appointment to be made by the County Judge until the next regular election, when his successor will be elected by vote of the people of the County, to fill the unexpired term.

SECTION 6. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

SECTION 7. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: April 18, 1935

County Trustee

Private Acts of 1933 Chapter 237

SECTION 1. That in all counties of this State having a population of not less than 51,075 nor more than 51,100, according to the Federal Census of 1930, or any subsequent Federal Census, it shall be the duty of the County Trustee to receive and collect taxes only at his office in the courthouse at Blountville, and in his offices in the City of Kingsport and Bristol, and said County Trustee is hereby forbidden to collect taxes except in the places herein designated.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: March 27, 1933.

Fire and Windstorm Insurance

Private Acts of 1935 (Ex. Sess.) Chapter 20

SECTION 1. That all Counties having a population of not less than fifty-one thousand and seventy-five nor more than fifty-one thousand, and one hundred according to the Federal Census of 1930, or any subsequent Federal Census, shall be and they are hereby authorized and empowered, by resolution of their Quarterly County Courts, to carry their own insurance on their public buildings and their equipments against loss by fire or wind storms either or both.

SECTION 2. That any such County, through its Quarterly County Court shall have the power and authority, to levy and collect a special tax from year to year sufficient to pay any loss sustained by fire or windstorm and to replace or repair such building or equipment, belonging to the County. That for this purpose a fund may be created and held from such yearly tax levy, sufficient to pay off such loss the Quarterly County Court to determine the size and amount it shall keep on hand and intact for that purpose. That the said fund shall be kept and invested by the Sinking Fund Commission in the same manner as provided by law that they shall handle the Sinking Fund of the County, and the Sinking Fund Commission shall handle this fund and be liable for it on the same bond which they give for the Sinking Fund.

SECTION 3. That in case of a loss by fire or windstorm at any time when there are not sufficient funds of the said fire and windstorm fund provided for in this Act, to rebuild or replace such building, or damage, the Quarterly County Court of such County is hereby authorized, and empowered to issue Coupon Bonds of the County and sell them for the purpose of raising such funds necessary to make such repairs, or rebuilding or replacing the property lost. The said Court shall have the right and power by resolution to designate the form of the bonds and coupons, the rate of interest to be paid which shall in no event exceed five percent per annum, payable semi-annually, to determine the dates for maturity of the bonds, to sell them either at public sale, or on sealed bids, as the same may be directed by the Court, and when sold to apply the proceeds of the sale for no other purpose except as above indicated in this Act. The Court shall in case of issuing such bonds, levy a tax from year to year and collect the same to pay the interest on such bonds and to create a sinking fund to pay them off at maturity. Such bonds when issued shall be signed by the County Judge or Chairman, and countersigned by the County Court Clerk, and the facsimile signatures of both shall be lithographed in the coupons. The Court will be authorized to issue bonds from time to time under this Act, as needed, and the fact that bonds shall have been issued one or more times by authority of this Act, shall not prevent the Court from issuing again under this Act, so that not more than \$100,000 of bonds issued under this Act, shall be outstanding at any one time.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: July 23, 1935.

Northwest Tennessee Corridor Overlay District

Private Acts of 1997 Chapter 3

SECTION 1. Short Title - This act shall be known and may be cited as the "Northeast Tennessee Corridor Overlay District Act."

SECTION 2. Legislative Findings - Public and Governmental Character of District - Declaration of Public Necessity.

- a. It is declared that a clear need exists in a specific area of Sullivan County, Tennessee, for employment opportunities for all of Tennessee's citizens through the promotion of business development. To this end, it shall be the purpose of this act to place physical development review responsibilities and other powers specified herein in a specially designated body, and that such body shall have the authority to exercise such powers to more effectively manage the natural and man-made resources to effect the location, expansion and support of the industrial and commercial development within the specific geographic area designated by this act.
- b. It is further declared that the Northeast Tennessee Corridor Review Commission created pursuant to this act shall be a public and governmental body acting as an agency and instrumentality of Sullivan County and the City of Kingsport; and that the responsibilities, management authority, and other powers designated herein are declared to be for public and

governmental purposes and a matter of public necessity.

SECTION 3. Definitions - The following words or terms whenever used or referred in this act shall have the following respective meanings unless different meanings clearly appear from the context:

- a. "Commission" means the Northeast Tennessee Corridor Review Commission created pursuant
- b. "County Governing Body" means the chief legislative body of Sullivan County.
- c. "Municipal Governing Body" means the chief legislative body for the City of Kingsport.
- d. "Municipality" means the City of Kingsport, Tennessee.
- e. "County" means Sullivan County, Tennessee.
- f. "State" means the State of Tennessee.
- g. "Corridor Overlay District" means the Northeast Tennessee Corridor Overlay District.

SECTION 4. Commission Established - Purposes.

- a. There is established in Kingsport and Sullivan County, Tennessee, a commission to be known as the "Northeast Tennessee Corridor Review Commission".
- b. The Commission shall be established for the purposes of:
 - (1) Developing and adopting a comprehensive development plan for the Northeast
 - (2) Developing, adopting, and administering site design, architectural design and development standards for the Corridor Overlay District to ensure a high quality living and working environment conducive to the requirements of commercial and industrial business.
 - (3) Effecting sound development of the designated area, through the construct the commercial and industrial development.

SECTION 5. Corridor Overlay Zones, Establishment, Definition, Delineation.

- a. In order to accomplish the purpose of this act, Corridor Overlay Zones shall be established by cooperation with the County Governing Body and the Municipal Governing Body and other police powers. Both Governing Bodies shall amend their respective zoning authority to establish corridor overlay zones in accordance with the provision of their zoning resolutions and the general law of the state. Where design and development standards, regulations, policies, and procedures are adopted for the Corridor Overlay Zones by the Commission pursuant to this act, such standards, regulations, policies and procedures shall apply, provided that, the permitted and prohibited property uses, zoning, land management procedures and regulations otherwise applicable within the municipal limits shall also apply within the city limits and the permitted and prohibited property uses, zoning, land management procedures and regulations otherwise applicable within Sullivan County shall also apply within the area under the jurisdiction of the county.
- b. The geographic area defined as the Northeast Tennessee Commercial and Industrial Corri

SECTION 6. Northeast Tennessee Corridor Review Commission - Sanctioning Authority - Governing Board - Members - Appointment - Terms.

- a. The governing body of the Commission shall be a board of commissioners established in a b. The Board of Commissioners shall be composed of seven members, three of whom shall be appointed by the County Governing Body, three of whom shall be appointed by the Municipal Governing Body and one which will be jointly appointed by both governing bodies. The County Governing Body shall appoint an architect, the Planning Director, and one member of the of the County Governing Body to the Commission. The Municipal Governing Body shall appoint an architect, the Planning Director and one member of the Municipal Governing Body to the Commission. The seventh member shall be appointed by both governing bodies. No person, whether or not a land owner or developer, with any property interest in any property within the Corridor shall be nominated for, or appointed to serve, as a commissioner. If, after being appointed, a Commissioner acquires property or any interest in property within the District, such Commissioner shall relinquish his or her position on the Commission and the vacancy shall be filled as set out in this act. The terms of office of the members appointed from the governing bodies shall coincide with their term of office on their respective boards. The remaining commissioners first appointed to the Commission shall be appointed for terms of three, four and five years respectively, but thereafter each commissioner shall be appointed for a term of five years except as otherwise provided herein. Terms of office shall begin not more than one month after ratification of this act by the governing bodies. Any vacancy be reason of incapacity, resignation or death shall be filled in a like manner for the unexpired term. Subsequent commissioners shall be appointed by the governing body that made the initial appointment, and commissioners may serve more than one term. A resolution of each governing body approving the nominees of the initial Board of Commissioners shall be adopted, and upon approval, the Commission shall be authorized to conduct business.
- c. All members of the Commission shall serve without compensation, but may be allowed necessary

expenses while engaged in the business of the Commission, as provided and approved by the Sullivan County Executive and the City Recorder of the City of Kingsport.

d. The Commissioners shall elect from its members a Chairman and Vice- Chairman, each of whom shall continue to be voting members, and shall adopt its own bylaws and rules of procedure. A majority of the commissioners shall constitute a quorum for the transaction of business. The initial bylaws and rules of procedure shall be submitted to the County Governing Body and the Municipal Governing Body for approval by majority vote. Any amendments of the bylaws or rules of procedure of the Commission shall also be submitted and approved by both governing bodies by majority vote.

e. A commissioner may be removed from office for good cause, including voting in matters of personal interest in violation of Tennessee Code Annotated, Section 12-4-101, but only after notice of the cause of such removal has been served upon the commissioner, in accordance with Article 7, Section 1, of the Tennessee Constitution, Tennessee Code Annotated, section 12-4-102, and the general law.

SECTION 7. General Powers. The Commission shall have the powers necessary to accomplish the purpose of this chapter including, but not limited to, the following:

a. To adopt and oversee implementation of a comprehensive development plan comprised of la the development process;

b. To serve as a review board for the purpose of accepting, considering, approving or denying applications for "certificates of appropriateness" as defined herein, prior to action on requests for rezoning or variance from the provisions of the zoning regulations in effect within the Corridor Overlay Zone, and prior to action on applications for building or grading permits within the Corridor Overlay Zone by any person authorized to issue such permits for Sullivan County or the City of Kingsport in order to ensure that development within the zone is consistent with the policies and plans of the Commission; and to administer and enforce such developmental and architectural standards, regulations, and related rules and procedures as the Commissioners may adopt from time to time for the review and consideration of applications for such certificates, provided, however, that such standards, regulations and rules and procedures are first approved by both the County Governing Body and the Municipal Governing Body.

c. To do all acts and things necessary, or deemed necessary or convenient to carry out the powers expressly given in this act.

SECTION 8. Application for Permits for Construction In Corridor Overlay Zone - Certificates of Appropriateness. All Applications for rezoning or variances from the provisions of adopted zoning ordinances, or for permits for construction, alteration, repair, rehabilitation, or relocation of a building, structure or other improvements to real estate situated within the Corridor Overlay Zone, shall be reviewed by the Commissioners, which shall have board powers to request detailed plans and related data pertinent to thorough review of the proposal. No rezoning or variance to zoning provisions shall be granted, nor shall construction, alteration, repair, rehabilitation or relocation to any building, structure or other improvement to real property situated within the Corridor Overlay Zone be performed without the issuance of a certificate of appropriateness by the Commissioners. No building permit issuing authority in Sullivan County or in the City of Kingsport shall issue any such permit for new structure or improvements within the Corridor Overlay Zone without issuance of a certificate of appropriateness by the Commission.

SECTION 9. Issuance or Denial of Certificate of Appropriateness Guidelines.

a. The Commission shall, as soon as it is reasonably possible, but in all cases within thirty (30) working days following the filing of an application with the required data, grant a certificate of appropriateness with or without attached conditions, or deny the certificate, and shall state the grounds for denial in writing. In its review of applications for certificates of appropriateness, the Commission shall apply its adopted review criteria and standards, rules and regulations and give prime consideration to:

1. The proposed structure's or development's consistency with the compre
2. The relationship of the proposed development's design or the proposed structur
3. The general compatibility of the structure or development proposal and its projected impacts on development already in the vicinity of the proposal, as well as those projected and reflected in the adopted comprehensive plan for the zone; and
4. Any other factor, including functional and/or aesthetic, which is reasonably related to the purposes of this act.

b. Failure by the Commission to act on an application within the time required herein shall constitute approval of the certificate, provided, however, that an extension may be granted upon concurrence of the applicant.

SECTION 10. Agricultural Structures and Residential Structures Areas Excluded. The structures, facilities and land uses identified herein shall not be required to apply for a certificate of appropriateness from the Northeast Tennessee Corridor Review Commission;

- a. Agricultural uses and structures or appurtenances located in agricultural zones and used solely for the production of agricultural products for sale to wholesale or retail markets and not part of or functionally related to manufacturing, commercial, or industrial enterprises within the designated Corridor Overlay Zone.
- b. All residential structures when such structures are located within subdivisions approved by th
- c. Nothing contained in this act shall be construed to require any change, or limit in any way any existing use of land permitted by any zoning in effect at the time of the enactment of this act.

SECTION 11. Appeal of Authority Actions. Any interested party who is aggrieved by any action of the Commission, including the approval or denial of a certificate of appropriateness, may appeal its decision to the Chancery Court in Kingsport, Tennessee, by filing a Writ of Certiorari within sixty (60) days of the action of the Commissioners. An appeal shall be defended by both the County Attorney for Sullivan County, and the City Attorney for the City of Kingsport with all filing fees, court fees and any litigation expenses being jointly shared by Sullivan County and the City of Kingsport.

SECTION 12. Enforcement of Northeast Tennessee Corridor Review Commission Decisions. Where a building or structure is erected, constructed, reconstructed, altered, maintained, or used, or any land is used in violation of this act or any regulation or provisions enacted or adopted by the Commission under the powers granted by this act, the Board of Commissioners, the Building Official for Sullivan County, the Building Official for the City of Kingsport, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use. Any action filed under this section shall be jointly prosecuted by the County Attorney and the City Attorney with all filing fees, court fees and any litigation expenses being jointly shared by Sullivan County and the City of Kingsport.

SECTION 13. Construction of Act.

- a. The powers, authority and rights conferred by this act shall be in addition and supplemental to industrial development corporation or port authority created by any other general, special or local law.
- b. This act is remedial in nature and shall be liberally construed to effect its purposes of promoting economic development within and in proximity to the Northeast Tennessee Corridor Overlay Zone as defined herein, facilitating the attraction, siting and support of industries in Kingsport, and encouraging the effective utilization of the natural, education, and technological resources therein to the ultimate growth and development of commerce and industry in Sullivan County and throughout the State of Tennessee.
- c. Nothing in this chapter shall be construed to prevent the extension of the Corridor Overlay Zone into other counties by adoption of similar legislation for such counties, and upon adoption of such legislation this act should be amended to provide for participation by representatives of that county or those counties on the Board of Commissioners by the appointment of additional members of the Board from either that county or those counties, and by providing for the governing body of such county to serve in all respects as the governing body for the development in such county.
- d. If any of the provisions of this act or the application thereof to any person or circumstance is separable.

SECTION 14. Chapter 77 of the Private Acts of 1995, and all other acts amendatory thereto, is hereby repealed.

SECTION 15. Ratification.

This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the County Governing Body of Sullivan County and a two-thirds ($\frac{2}{3}$) vote of the Municipal Governing Body of the City of Kingsport. Its approval or non-approval shall be proclaimed by the presiding officer of each governing body and certified to the Secretary of State.

SECTION 16. Effective Date.

For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes it shall be effective upon being approved as provided in Section 15.

Passed: February 24, 1997.

Police Powers for Fire Department

Private Acts of 1949 Chapter 574

SECTION 1. That the Board of Administration of the Sullivan County Volunteer Fire Department No. 1, Inc., be and it is by the passage of this Act, so empowered and authorized to appoint six (6) members of the Sullivan County Volunteer Fire Department No. 1, Inc., as Policemen.

SECTION 2. That said (6) members of the Sullivan County Volunteer Fire Department No. 1, Inc., so appointed, shall have full police powers, to clear and keep cleared during fire emergencies wherein life and property is endangered, public thoroughfares and premises upon and adjacent to such endangered life and property, and to arrest if necessary, and expel and expunge therefrom all spectators with their vehicles, and unnecessary persons and vehicles not needed and not being used and which hinder the full operation of said fire fighting force and equipment and which hinder prompt first aid and ambulance service to all persons who may need such service during such period of emergency, but the powers of said six (6) Policemen so appointed shall not extend beyond the duties of properly policing upon the occasion of the burning of property in which said fire department is engaged in combating fires and attending injured persons and ambulance and first aid service to injured persons resulting from such emergencies, and beyond such stated emergencies no such police powers shall extend.

SECTION 3. That said six (6) Policemen so appointed shall be identified with proper badges conspicuously worn upon their person during such emergencies which shall show the following: "Sullivan County Volunteer Fire Department No. 1, Inc.", while on duty and on going to and returning from such emergencies in the discharge of their duties as fire policemen and no further.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 5, 1949.

Purchasing

Agent

Private Acts of 1947 Chapter 261

SECTION 1. That the office of county purchasing agent is hereby created in and for Sullivan County, Tennessee.

(a) The term of said office shall be a period of two (2) years and shall be filled by the county commission at its April term, 1947, and every two years thereafter. The person elected as herein provided shall hold office until a successor is duly elected and qualified. No member of the county commission shall be eligible to hold the office of county purchasing agent.

(b) The county commission may by a two-thirds ($\frac{2}{3}$) affirmative vote of the justices that compose the commission, remove the county purchasing agent, such removal shall be upon written charges that establish any act of misfeasance, non-feasance or malfeasance in office.

(c) The compensation of the county purchasing agent shall be set by the Sullivan County Commission at a sum which may equal, but shall not exceed, the compensation received by the Sullivan County Trustee.

As amended by:

Private Acts of 1949, Chapter 766,
Private Acts of 1951, Chapter 320,
Private Acts of 1953, Chapter 17.
Private Acts of 1953, Chapter 214,
Private Acts of 1957, Chapter 111.
Private Acts of 1953, Chapter 238,
Private Acts of 1967-68, Chapter 71,
Private Acts of 1970, Chapter 204,
Private Acts of 1972, Chapter 252,
Private Acts of 1975, Chapter 79,
Private Acts of 1993, Chapter 84.

SECTION 2. That the county purchasing agent shall have exclusive power and authority to contract for and purchase any and all materials, supplies and equipment of every kind whatsoever for use of every official, agent, servant, department, or agency of, or supported by, or under the control of county government; and no other official, employee, or agent of the county or of its departments or agencies, shall contract for or purchase any such materials, supplies, or equipment. The county purchasing agent shall likewise have the exclusive power and authority to approve and sign all contracts for materials or

services or both. Contracts for professional services, including leases and rentals, will be awarded pursuant to Tennessee Code Annotated, Section 12-4-106 (Bids for Professional Services). The county purchasing agent shall have the exclusive power and authority to contract for and purchase all materials, supplies, labor and equipment of every kind whatsoever for every official, agent, department or agency under the control of the county government, to issue tax exemption certificates, and no other official, employee, or agent of the county or any of its departments or agencies, shall contract for or purchase any such materials, supplies, labor, equipment, contracts or issue tax exemption certificates.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 3. (a) Purchases or contracts, including annual contracts, for purchases, as described in Section 2, for the use of any official, employee, department, or agency of the county government, the estimated value of which exceeds five thousand dollars (\$5,000) except in emergencies, shall be executed by the county purchasing agent only after the agent shall have advertised in a newspaper published or circulated in Sullivan County that sealed bids will be received by the county purchasing agent at the time fixed in the advertisement for such materials, supplies, or equipment. The sealed bids received shall be opened publicly at the time and place fixed in the advertisement, not less than five (5) days after the publication of the advertisement. No purchase or contract to purchase shall be made or executed until the director of accounts and budgets certifies that funds are available to the credit of the department or agency of the county government to pay for such materials, supplies, or equipment when delivered to the county and found to meet the specifications of the department or agency of the county government. The county purchasing agent shall have the authority to determine if items meet required specifications and shall have the authority to approve payment for same if a county department or agency disagrees. The right shall be reserved at all times to reject any bids received.

As amended by: Private Acts of 1998, Chapter 112.

(b) When two (2) or more bids are submitted at the same price on the same character, kind and quality of materials, supplies or equipment to be purchased, the county purchasing agent may, in his discretion, award the contract or contracts to either of such bidders, or may apportion the requirements between or among such bidders, or may elect to reject all such bids and advertise for additional bids.

(c) The county purchasing agent is authorized to purchase and contract to purchase materials, supplies or equipment on an annual basis and distribute the same to the various departments of the county government; however, before making any such contract, the county department, institution or agency will deliver to the county purchasing agent a requisition for the supplies, equipment or materials and certify the following: (1) The annual need of the materials, supplies, or equipment; (2) When the same should be delivered; and (3) That funds are and will be available to pay for supplies, equipment, or materials when delivered to the official or agency of the county government.

As amended by: Private Acts of 1976, Chapter 212,
Private Acts of 1978, Chapter 183,
Private Acts of 1987, Chapter 37,
Private Acts of 1993, Chapter 84.

SECTION 4. (a) The purchasing agent is hereby authorized to make purchases without securing any bids where the estimated value is five hundred dollars (\$500) or less.

(b) When the estimated value of any materials, supplies, or equipment is five thousand dollars (\$5,000) or less, the county purchasing agent shall be authorized to purchase the same without advertising for bids, but must keep a record of the names of the persons, firms or corporations contacted and the name of the person, firms or corporation from whom the purchase is made and the amount paid for such materials, supplies, or equipment.

(c) In the event of an emergency and if the estimated value of any materials, supplies, or equipment exceed five thousand dollars (\$5,000), the county purchasing agent is authorized to purchase the same without the necessity of advertisement or sealed bids but, in making such purchases, the county agency or official must certify to the county purchasing agent: (1) that there is an emergency and that there is an immediate need for such requisition; (2) that the public will suffer if the purchase is delayed to permit advertisement; (3) that funds are available to pay for the materials, supplies, or equipment to be purchased. In such cases, the county purchasing agent shall obtain the lowest bid for such item and shall keep a record of the names of the persons, firms, or corporations contacted and the name of the person, firm, or corporation from whom the purchase is made and the price paid for such materials, supplies, or equipment.

As amended by: Private Acts of 1976, Chapter 212,
Private Acts of 1978, Chapter 183,
Private Acts of 1981, Chapter 6,
Private Acts of 1987, Chapter 37,

Private Acts of 1993, Chapter 84,
Private Acts of 1998, Chapter 112.

SECTION 5. The county purchasing agent shall keep a record of all purchases and will keep all necessary papers and documents pertaining to or in any way connected with the purchase of materials, supplies or equipment for the county government of Sullivan County. All records shall be open to the inspection of the county commission or any committee or person appointed by the commission to examine the books, records and papers of said office. These records must be maintained for a period of not less than ten (10) years.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 6. That the county purchasing agency shall not be financially interested, directly or indirectly, in the purchases or contracts to purchase of any supplies, equipment or materials for Sullivan County.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 7. That the county purchasing agent may, by regulations or written order: (1) require security to accompany bids, and fix the amount thereof guaranteeing the performance of the contract to be awarded; (2) govern the method and procedure whereby the departments, agencies, or officials of the county shall inform such agent of the need or necessity for the purchase of supplies, equipment, and materials; (3) prescribe forms for estimates, requisitions, purchase orders, and contracts; (4) establish definite or regular periods for submitting estimates or requisitions and, (5) authorize the issuance of monthly requisitions for purchase as requested by county department heads or officials and as approved by the county purchasing agent for items to be purchased at the same place of business during a month, not to exceed two hundred dollars (\$200) per item or one thousand dollars (\$1,000) total per month.

As amended by: Private Acts of 1993, Chapter 84.

Private Acts of 1998, Chapter 112.

SECTION 8. That the county purchasing agent shall personally countersign all warrants in payment for materials, supplies, equipment or services purchased under the warrants in payment of salaries, commissions and wages due all officers and employees of Sullivan County. Sullivan County shall be liable for the payment of all purchases of materials, supplies and equipment made under the provisions of this act, but shall not be liable for payment for any materials, supplies, services and equipment, or for salaries, commissions or wages due officials or employees of Sullivan County until said warrant is countersigned by the county purchasing agent.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 9. That before the county purchasing agent shall enter upon the duties of his office he shall execute a corporate surety bond by a corporation duly qualified to do business in the State of Tennessee, said bond to provide for a full and complete performance of the duties imposed under the provisions of this act, for a complete accounting of all funds committed to his hands as the purchasing agent of Sullivan County, the amount of which shall be established by the county executive at not less than ten thousand dollars (\$10,000) nor more than twenty-five thousand dollars (\$25,000) which bond shall be approved by the Sullivan County board of commissioners and shall be recorded in the office of the register of deeds in the same manner as are the bonds of all county officials.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 10. That the county purchasing agent shall devote his or her full and entire time as provided herein and as directed by the Sullivan County board of commissioners and that his or her office shall be opened and maintained at Blountville and shall remain open for business at least five (5) days per week. When it is necessary for the county purchasing agent to be absent, the assistant purchasing agent will be authorized to assume all duties related to the purchasing department.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 11. That the county commission shall appropriate the necessary funds from the general fund of the county government to equip the office of the county purchasing agent so that the same may function under the provisions of this act.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 12. That if any sentence, clause, paragraph, section, exception, or part or parts of this Act shall be held and declared to be unconstitutional and void such holdings shall not affect the remainder of this Act, it being the legislative intent to pass the remainder thereof notwithstanding such part or parts thereof declared invalid, if any.

SECTION 13. That this Act take effect from and after the first Monday in April, 1947, the public welfare requiring it.

Passed: February 19, 1947.

Office Supplies

Private Acts of 1935 Chapter 599

COMPILER'S NOTE: This act appears to have been largely superseded by Private Acts of 1947, Chapter 261, as amended. See Private Acts of 1947, Chapter 261.

SECTION 1. That hereafter all officer or officers and officials of Sullivan County whose office supplies and fixtures are to be paid for by the county shall not make such purchases of such supplies and/or fixtures for his or her office until a requisition has been made for same and approved by the County Judge or Chairman.

SECTION 2. That it shall be unlawful for any officer or officers or officials to make any purchases of materials or enter into any contract for materials or labor or any other purchase in which the county is to be obligated for the same thereof, unless the same has first been authorized by the County Judge or Chairman of the County Court and unless such purchases and contract as set forth in Section 1 and 2 of this Act shall first be authorized by the County Judge or Chairman of the County Court the same shall not be abbinding (a binding*) obligation of the County.

SECTION 3. That the provisions of this bill shall not apply to the Highway Commissioner, an official of Sullivan County, on any purchase of materials, supplies, machinery, labor, etc., in the construction of and maintenance of the County Highway system when the purchase price does not exceed the sum of One Hundred (\$100.00) Dollars.

SECTION 4. That any county officer or officers or officials who shall violate the provisions of Sections 1, 2 and 3 of this Act, shall be guilty of a misdemeanor and upon conviction therefore, shall be fined thereof (therefor*). The fin shall not be less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars within the discretion of the Court.

SECTION 5. That all laws and parts of laws in conflict to this Act be and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 17, 1935.

Sinking Fund Commission

Private Acts of 1935 Chapter 555

SECTION 1. That a Sinking Fund Commission is hereby created for Sullivan County, Tennessee, and from and after the passage of this Act, the County Judge or Chairman of the County Court of Sullivan County, shall constitute one member of said Commission and A.D. Bockman, Cashier of the First National Bank of Kingsport, and C.H. Massengill, Cashier of the Farmer Bank of Sullivan County at Blountsville, and W. Fulton Smith, Cashier of the First National Bank of Bristol, shall constitute the other three members of the Sinking Fund Commission for Sullivan County, and said Commission shall have full charge, custody, control investing and handling of the Sinking funds of Sullivan County.

SECTION 2. That the compensation of the members of the Sinking Fund Commission shall be the sum of \$1.00 per year, payable from the general fund as other ordinary expenses of the County are paid, and each member of the Commission, except the County Judge or Chairman shall, before entering upon their duties, take oath of office in substantially the same form and way as is required for elective county officials, and the members except the County Judge or Chairman shall hold office at the pleasure of the Quarterly County Court of Sullivan County.

SECTION 3. That all cash on hand and in banks, or investments, securities, mortgages, notes, bonds and choses in action and any and all other assets belonging to the sinking fund of Sullivan County, or any Department thereof shall be promptly turned over to the Sinking Fund Commission herein provided for and said Commission shall thereafter be responsible for its deposit, investment and safeguarding. Provided, further, that the written approval of at least three members of the Commission shall be required to authorize and support any action taken by the Commission.

SECTION 4. That all funds accruing to the Sinking Fund shall be invested in bonds of the United States or the State of Tennessee, of the County of Sullivan, or other States, municipalities, or counties or (of*) the State of Tennessee, on the best obtainable terms. Provided, however, that no bonds of any State or political subdivision thereof which shall have defaulted in the payment on either the principal or interest

on the payment of its bonds within the last twelve months, except the bonds of Sullivan County, Tennessee, may be purchased for the investment of the sinking funds of Sullivan County. No Sinking funds of Sullivan County shall be invested in the notes, debenture bonds or stocks or persons, firms or private corporations, nor in real estate mortgages. The Commission may exchange any bonds belonging to the sinking fund for bonds of Sullivan County whenever such exchange may be advantageous to the County; they may sell the securities belonging to such sinking fund, or any part of them, at any time, on the best obtainable terms.

SECTION 5. That if the amount of any sinking fund with the interest or revenue thereof computed to the maturity of the County Bonds, shall be sufficient to pay at maturity all of the bonds for which it is held, and interest thereon, the tax levy for the sinking fund of such bond issue may then be omitted, but if, by reason of decrease of interest, or depreciation of investment or any other cause, said funds shall not be sufficient to meet the maturing obligations, a tax levy shall be resumed by the Quarterly County Court upon request of the Sinking Fund Commission, and in event there are any monies remaining in the hands of the Sinking Fund Commission after payment of the entire bonded indebtedness for which it was accumulated, same shall be paid into the general fund of the County.

SECTION 6. That all funds collected by the County Trustee from Sinking fund revenues shall be delivered by the County Trustee to the Sinking Fund Commission, monthly or quarterly as the Commission may require.

SECTION 7. That prior to a period of ten days before the maturity date of any bond issue of Sullivan County, the Commission shall pay over to the County Trustee the amount required to meet such payment and the County Judge or Chairman of the County Court shall issue his warrant on the County Trustee together with whatever charge is made by the redemption agency for receiving and handling the payment and canceling the bond or bonds, and such canceled bonds and coupons shall be preserved by the Sinking Fund Commission for inspection by the Auditor of the County and the County Revenue Commission.

SECTION 8. That the Sinking Fund Commission shall make a report of the standing of the sinking fund of the County at each session of the Quarterly County Court which shall be spread on the Minutes of the Court.

SECTION 9. That each member of the Sinking Fund Commission, except the County Judge or Chairman, before entering upon their duties shall give a good solvent [solvent*] bond in the sum of \$5,000 to be approved by the County Judge or Chairman, conditional for the faithful performance of their duties under the provisions of this Act, and handling, paying, and accounting for all the Sinking Funds coming into their hand, and the County Judge or Chairman will serve under his official bond, and is excused (excused*) from giving any other bond as a member of the Sinking Fund Commission. Provided further, that the premium on each \$5,000 bond given by the other members of the Commission, shall be paid by Sullivan County, out of the general fund as other ordinary expenses of the County are paid.

SECTION 10. That all laws and parts of laws in conflict with the provisions of this Act, be and the same are hereby repealed insofar as such conflict extends.

SECTION 11. That if any section or part of this Act shall be held to be unconstitutional or invalid, such holding shall not impair the validity of the remaining sections or parts of this Act.

SECTION 12. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: April 17, 1935.

Zoning Laws

Private Acts of 1937 Chapter 520

SECTION 1. *Grant of Power.* That the Quarterly County Courts of counties coming under the provisions of this Act are hereby empowered, in accordance with the conditions and the procedure specified in the subsequent sections of this Act, to regulate, in the portions of counties which lie outside of municipal corporations, the location, height and size of buildings and other structures, the percentage of lot which may be occupied, the sizes of yards, courts and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes.

SECTION 2. *Regional zoning to be preceded by and based on plans submitted by Regional Planning Commission.* That from and after the time when the Regional Planning Commission of the planning region defined and created by the State Planning Commission makes and certifies to the Quarterly County Court of any county located in whole or part in such region a zoning plan, including both the text of zoning

resolution and the zoning maps, representing the recommendations of such planning commission for the regulation by districts or zones of the location, height and size of buildings and other structures, the percentage of lots that may be occupied, the sizes of yards, courts and other open spaces, the density and distribution of population, the location and uses of buildings and structures for trade, industry, residence, recreation or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes, then such county court may, by resolution, exercise the powers granted in Section 1 of this Act and, for the purpose of such exercise, may divide the territory of the county which lies within said region but outside of municipal corporations into districts of such number, shape or area as it may determine and within such districts may regulate the erection, construction, reconstruction, alteration and uses of buildings and structures and the uses of land. All such regulations shall be uniform for each class or kind of buildings throughout any such district, but the regulations in one district may differ from those in other districts. The Regional Planning Commission may make and certify a single plan for all the territory of the county which lies within said region but outside of municipal corporations, or may make and certify separate and successive plans for parts of such territory which it deems to be suitable for urban or non-urban development or which for other reasons it deems to be an appropriate territorial unit for a zone plan; and correspondingly any ordinance enacted by the county court may cover and include the said whole territory of the county which lies within said region but outside of municipal corporations covered and included in any such single plan or in any such separate and successive plans. No resolution covering more or less than the entire area covered by any such certified plan shall be enacted or put into effect until or unless it be first submitted to the Regional Planning Commission and be approved by said commission or, if disapproved, receive the favorable vote of not less than two-thirds of the entire membership of said county court.

SECTION 3. *Purposes of zoning regulations.* That such regulations shall be designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the State of Tennessee in the counties covered by the provisions of this Act including, among other things, lessening congestion in the roads or reducing the wastes of excessive amount of roads; securing safety from fire and other dangers; promoting adequate light and air; preventing on the hand excessive concentrations of population and, on the other hand excessive and wasteful scattering of population or settlement; promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and conserve adequate provisions for transportation, water flowage, water supply, drainage, sanitation, educational opportunity, recreation, soil fertility, food supply and the protection of both urban and non-urban development.

SECTION 4. *Method of Procedure.* That after the certification of a zone plan from the Regional Planning Commission and before the enactment of any such zoning resolution the county court shall hold a public hearing thereon of the time and place of which at least thirty (30) days notice shall be given by one publication in a newspaper of general circulation in the county. Such notice shall state the place at which the text and maps as certified by the planning commission may be examined. No change in or departure from the text or maps as certified by the Regional Planning Commission shall be made, unless such change or departure be first submitted to the certifying planning commission for its approval, disapproval or suggestions, and, if disapproved, shall receive the favorable vote of a majority of the entire membership of the county court; and the planning commission shall have thirty days from and after such submission within which to send its report to the county court. Any such ordinance shall be published at least once in the official newspaper of the county or in a newspaper of general circulation in the county, and shall not be in force until it is so published.

SECTION 5. *Amendments.* That the county court may from time to time amend the number, shape, boundary, area or any regulation of or within any district or districts or any other provision of any zoning resolution; but any such amendment shall not be made or become effective unless the same be first submitted for approval, disapproval or suggestions [sic] to the Regional Planning Commission of the region in which the territory covered by the resolution is located, and, if such regional planning commission disapproves within thirty (30) days after such submission, such amendment shall require the favorable votes of a majority of the entire membership of the county court. Before finally adopting any such amendment, the county shall hold a public hearing thereon, at least thirty (30) days notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county; and any such amendment shall be published at least once in the official newspaper of the county or in a newspaper of general circulation in the county.

SECTION 6. *Board of Appeals.* That the county court of any county which enacts zoning regulations under the authority of this Act shall create a county board of zoning appeals of three or five members. The county court shall be the appointing power of the members of such board of appeals and may fix their compensation and their terms, which terms shall be of such length and so arranged that the term of one

member will expire each year. The county court may remove any member for cause upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. The county court may appoint associate members of said board, and, in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the board, or other cause, his place may be taken during such temporary disability by an associate member designated for the purpose by the county court. The county court of two or more counties may, by resolution enacted by both or all of them, arrange and provide for a joint or common board of zoning appeals. The county court may provide and specify, in its zoning or other resolution, general rules to govern the organization, procedure and jurisdiction of said board of appeals, which rules shall not be inconsistent with the provisions of this Act; and the said board may adopt supplemental rules of procedure, not inconsistent with this Act or such general rules. The zoning resolution may provide that the board of appeals may, in appropriate cases and subject to appropriate principles [sic], standards, rules, conditions and safeguards set forth in the resolution, make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent. The county court may also authorize the board of appeals to interpret the zoning maps and pass upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the zoning regulations. Appeals to the board of appeals may be taken by any person aggrieved, or by any officer, department or board of the county affected, by any grant or withholding of a building permit or by any other decision of a building commissioner or other administrative official based in whole or part upon the provisions of any resolution under this Act.

The board of appeals shall have the following powers:

1. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, or refusal made by the county building commissioner or any other administrative official in the carrying out or enforcement of any resolution enacted pursuant to this Act.
2. To hear and decide, in accordance with the provisions of any such resolution; requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such resolution to pass.
3. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or conditions of such piece of property, the strict application of any regulation enacted under this Act would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property to authorize, upon an appeal relating to said property, a variance from such district application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning resolution.

SECTION 7. *Building Commission.* That the county court may provide for the enforcement of its zoning regulations by means of the withholding of building permits and, for such purpose may establish and fill a position of county building commissioner and may fix the compensation attached to said position. From and after the establishment of such position and the filling of same, it shall be unlawful to erect, construct, reconstruct, alter or use any building or other structure without obtaining a building permit from such county building commissioner, and such building commissioner shall not issue any permit unless the plans of and for the proposed erection, construction, reconstruction, alteration or use fully conform to all zoning regulations then in effect.

SECTION 8. *Other Enforcement and Remedies.* That it shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any regulation in or of any provision of any resolution or any amendment thereof enacted or adopted by any county court under the authority of this Act. Any person, firm or corporation violating any such regulation or provision of this Act shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continue shall be deemed a separate offense. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land is or is proposed to be used in violation of this Act or of any regulation or provision enacted or adopted by any county court under the authority granted by this Act such county court, the Attorney General, the District Attorney for the judicial circuit in which such violation occurs or is threatened, the county building commissioner or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions proceeding or proceedings to prevent or enjoin or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

SECTION 9. Conflict with other Laws. That wherever the regulations made under authority of this Act require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or less number of stories or require a greater percentage of lot to be left unoccupied or imposed other higher standards than are required in any other statute, the provisions of the regulations made under authority of this Act shall govern. Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the standards that are required by the regulations made under authority of this Act, the provisions of such statute shall govern.

SECTION 10. That, for the purposes of this Act, "Regional Planning Commission" means the Regional Planning Commission established by the State Planning Commission as authorized by law; provided further, that where the word county or county court appears in this Act either or both shall be construed to include only counties within a planning region as officially designated by the State Planning Commission, having a population of at least fifty-one thousand and eighty (51,080) and not more than fifty-one thousand and one hundred twenty-five (51,125); provided, further, that the population of a county or of counties shall be determined by reference to the Federal Census of 1930 or any subsequent Federal Census.

SECTION 11. That this Act shall not be construed as repealing or modifying any provision of any Private Act heretofore enacted relating to the powers of any county therein designated or of any municipality therein designated to enact zoning regulations in such county or in territory lying out side of such municipality.

SECTION 12. That should any section or provision of this Act be held to be unconstitutional, the same shall not affect the validity of this Act as a whole or any part thereof other than the part so held to be unconstitutional.

SECTION 13. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: May 12, 1937.

Administration - Historical Notes

Budget System

The following act once created a budgeting system for Sullivan County, but it has been specifically repealed or superseded by current law.

1. Private Acts of 1935, Chapter 114, provided for the regulation, supervision and control of certain county officials in Sullivan County. This act made it unlawful for county officials who had the authority to purchase and materials, goods or supplies to do so by contract or on a quantum meruit basis in excess of the amount of money appropriated by the quarterly county court. This act was found unconstitutional in Bandy v. State, 185 Tenn. 190, 204 S.W. 2d 819 (1947).

County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Sullivan County. These acts are included for historical reference only.

1. Private Acts of 1959, Chapter 231, would have amended Private Acts of 1937, Chapter 524, by increasing the monthly pay of the Sullivan County Attorney to \$200 per month, however, this act was rejected or disapproved by Sullivan County and therefore never became law.
2. Private Acts of 1988, Chapter 131, would have amended Private Acts of 1935, Chapter 609, so as to have the Sullivan County Attorney review tax delinquency matters unless otherwise assigned to the delinquent tax attorney for prosecution and to allow that the compensation of the delinquent tax attorney be negotiated between the county trustee in accordance with state statutory procedure; however, this act was disapproved by Sullivan County and therefore never became law.

County Clerk

The following acts once affected the office of county clerk in Sullivan County. They are included herein for historical purposes.

1. Private Acts of 1819, Chapter 9, authorized the county and circuit court clerk of Sullivan County to build an office on part of the public square in the Town of Blountville.
2. Private Acts of 1953, Chapter 215, authorized the Sullivan Quarterly County Court to increase the salary of the county court clerk to \$50 per month in addition to his compensation. This act was amended by Private Acts of 1959, Chapter 239, which eliminated the additional \$50 per month to

the county court clerk.

County Legislative Body

1. Acts of 1809 (1st Sess.), Chapter 93, regulated the time for holding the courts of pleas and quarter session of Sullivan County on the third Monday in February, May, August and November.
2. Private Acts of 1827, Chapter 65, established a court of pleas and quarter sessions in Sullivan County.
3. Private Acts of 1933, Chapter 757, required the justices of the peace of Sullivan County to file quarterly within five days of the meeting of the quarterly county court with the county judge or chairman and the county trustee a written, itemized, sworn statement or report showing all fines, forfeitures and other revenue collected by them during the preceding quarter.
4. Private Acts of 1949, Chapter 9, fixed the per diem compensation for attendance of justices of the peace at the regular called sessions of the Sullivan Quarterly County Court at \$5.00 per day. This act was amended by Private Acts of 1961, Chapter 257, so as to allow the justices of the peace to be paid for any committee meetings of said court held in connection with the duties of such office. Private Acts of 1949, Chapter 9, was repealed by Private Acts of 1967- 68, Chapter 194.
5. Private Acts of 1967-68, Chapter 194, set the compensation of the justices of the peace of Sullivan County at \$25 per day for each day in attendance at regular or special meetings of the quarterly county court. This act was amended by Private Acts of 1967-68, Chapter 441, which gave the justices of the peace an additional \$5.00 for each committee meeting which they attended, however, such meetings were limited to four per year. Private Acts of 1967-68, Chapter 194, was repealed by Private Acts of 1972, Chapter 253.
6. Private Acts of 1972, Chapter 253, set the compensation of the justices of the peace of Sullivan County at \$25 for each day in attendance at regular or special meetings of the quarterly county court and \$5.00 for attendance at each committee meeting, which was limited to four meetings per year. In addition, members of the quarterly county court were paid a mileage allowance of 10 cents per mile for traveling to and from regular or special meetings.
7. Private Acts of 1972, Chapter 366, would have amended Private Acts of 1972, Chapter 253, relative to the compensation of justices of the peace of Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Sullivan County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1867-68, Chapter 47, created the office of county judge for Sullivan County and set the term and compensation. This act was amended by Public Acts of 1868-69, Chapter 35, Section 13, which increased the judge's salary to \$600 per year. The act, as amended, was repealed by Public Acts of 1869-70 (1st Sess.), Chapter 7, which abolished the office of the Sullivan County Judge.
2. Private Acts of 1921, Chapter 375, created and regulated the office of county judge for Sullivan County. The provided for the county judge's salary, defined his duties and jurisdiction and abolished the office of county chairman of the county court of Sullivan County. This act was repealed by Private Acts of 1933, Chapter 196.
3. Private Acts of 1933, Chapter 195, required the Sullivan Quarterly County Court to elect a county chairman. This act set the county chairman's term of office at 1 year and set his salary at \$1,200 per annum. The office of county chairman was abolished by Private Acts of 1935, Chapter 15.
4. Private Acts of 1935, Chapter 15, as amended, created the office of county judge of Sullivan County. This act was superseded by Public Acts of 1978, Chapter 934, when the office of county judge was phased out.
5. Private Acts of 1951, Chapter 709, provided compensation for the Sullivan County Judge as financial agent and for other governmental duties. The county judge was paid \$3,600 for his services. The office of county judge no longer exists due to Private Acts of 1978, Chapter 934.
6. Private Acts of 1973, Chapter 151, would have amended Private Acts of 1935, Chapter 15, relative to the compensation of the county judge of Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.
7. Private Acts of 1974, Chapter 358, would have amended Private Acts of 1935, Chapter 15, relative to the compensation of the county judge of Sullivan County, however, this act was not

ratified by Sullivan County and therefore never became law.

County Register

The following acts once affected the office of county register in Sullivan County, but are no longer operative.

1. Private Acts of 1831, Chapter 162, provided that all deeds of conveyances and other instruments of writing registered in Sullivan County be good and valid in law and equity as if the same had been indorsed and certified in the most formal and legal manner. The deeds of conveyances were allowed to be read as evidence on trails at law or in equity, in all cases.
2. Private Acts of 1931, Chapter 317, fixed the compensation of registrars registering the voters in Sullivan County at \$4.00 per day.
3. Private Acts of 2011, Chapter 4, repealed the Private Acts of 1899, Chapter 242, which provided for keeping a register's office at Bristol, Tennessee, for the convenience of the citizens of the first, second, nineteenth, twenty-first, twenty-second and seventeenth civil districts of Sullivan County.

County Trustee

The following act once affected the office of county trustee in Sullivan County, but is no longer operative.

1. Private Acts of 1927, Chapter 481, fixed the amount of bonds to be given by the Sullivan County Trustee.

General Reference

The following private or local acts constitute part of the administrative and political history of Sullivan County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1799, Chapter 18, authorized Sullivan County to hold two fairs yearly in Blountville on the first Thursdays and Fridays of May and November.
2. Acts of 1801, Chapter 5, prevented the exportation of unmerchantable commodities in Sullivan County. John Spurgen's mill and Saltville were designated as the place of inspection in Sullivan County for said commodities.
3. Acts of 1805, Chapter 30, established warehouse along the bank of the Holston River in Sullivan County for the inspection of flour, beef and pork.
4. Acts of 1807, Chapter 75, authorized Elizabeth Spurgin, administratrix, and George Webb, administrator of the estate of John Spurgin of Sullivan County, to make a deed of conveyance to Thomas Cox.
5. Private Acts of 1822, Chapter 60, relieved John Smith, of Sullivan County, from the penalties imposed on him in a suit brought by John C. Veal.
6. Private Acts of 1823, Chapter 134, authorized the drawing of a lottery in the Town of Kingsport, Sullivan County, for the purpose of opening and improving the navigation of the Holston and Tennessee Rivers.
7. Private Acts of 1827, Chapter 232, Section 4, made it lawful for Margaret Fickle to file her petition for a divorce from her husband Abram B. Fickle in the Sullivan County Circuit Court.
8. Private Acts of 1829-30, Chapter 69, allowed Margaret Fickle to petition for a divorce against her husband Abraham B. Fickle in the Sullivan County Circuit Court.
9. Private Acts of 1829-30, Chapter 213, authorized a survey of Sullivan County to determine the number of square miles therein.
10. Private Acts of 1832, Chapter 5, authorized Joshus Shipley, of Sullivan County, to raise his mill dam on the south sluice of the Holston River.
11. Private Acts of 1832, Chapter 76, authorized the clerk and treasurer of the board of common school commissioners of Sullivan County to perform all the duties required of the late agents in said county, under the same rules, regulations and restrictions as were provided for the bank agency of Campbell County.
12. Private Acts of 1832, Chapter 136, authorized Arthur Hays to emancipate his slave Mender. Section 2 of this act also authorized Thomas Rockhold of Sullivan County to emancipate his slave Emily and her two children.
13. Private Acts of 1833, Chapter 117, authorized Andrew Shell to hawk and peddle goods in Sullivan County.

14. Private Acts of 1833, Chapter 271, authorized the Sullivan County Court to allow Christopher Jennings to emancipate his slave Phillippia.
15. Acts of 1851-52, Chapter 191, Section 20, authorized the counties of Washington, Jefferson, Greene, Hawkins, Carter, Sullivan, Grainger and Warren to take stock in the Nashville, Franklin and Columbia Railroad Company.
16. Acts of 1903, Chapter 380, authorized any electric street railway company, which operated its street car line in any incorporated city or town in Sullivan County, to extend its line from such city or town in any direction and gave such company the right of eminent domain.
17. Acts of 1903, Chapter 423, amended Public Acts of 1895, Chapter 160, a general law which regulated insurance, so as to include life and fire insurance; provided that the provisions of Chapter 423 apply only to Sullivan County.
18. Acts of 1907, Chapter 392, authorized electric railway companies to acquire lands for park purposes, either by purchase or condemnation in Sullivan County.
19. Private Acts of 1911, Chapter 471, regulated the operation of automobiles in Sullivan County. This act prescribed some of the duties of chauffeurs and provided for the recovery of damages for injuries caused by the unlawful running of automobiles.
20. Private Acts of 1925, Chapter 276, enabled and facilitated the cities, towns, villages and other public or private corporations in Sullivan County, which had the power of eminent domain, to locate, relocate and construct places of interment, highways and other public betterments, and provided the assessment of damages in connection therewith.
21. Private Acts of 1925, Chapter 732, authorized and regulated the practice of law by nonresident attorneys in Sullivan County.
22. Private Acts of 1931, Chapter 486, authorized Sullivan County to construct and maintain sidewalks upon any public roads or highways and to authorize the quarterly county court to provide funds for the construction and maintenance of any such sidewalks.
23. Private Acts of 1933, Chapter 608, amended the general act setting the compensation of county officials to create a class 3A. Sullivan County is one of the counties which comprised this new class.
24. Private Acts of 1933, Chapter 611, regulated the formation of grand juries and the appointment of the foreman thereof in Sullivan County. This act was repealed by Private Acts of 1961, Chapter 256.
25. Private Acts of 1935, Chapter 152, removed the disability of infancy of Hazel Ileen Ketron of Sullivan County.
26. Private Acts of 1935, Chapter 356, removed the disability of minority from Lelia Bell Andis of Sullivan County, and gave her full contractual, property and all other rights of a person twenty-one years of age.
27. Private Acts of 1937, Chapter 741, removed the disabilities of infancy of Edna Catherine Miller of Sullivan County, so as to give her full right to contract, to sue and be sued, to hold property and convey real estate and to have and possess all the rights of persons twenty-one years of age.
28. Private Acts of 1943, Chapter 299, fixed the compensation of the Sullivan County Attorney at \$1,800 per annum. This act was repealed by Private Acts of 1974, Chapter 288.
29. Private Acts of 1978, Chapter 303, would have provided for an election in Sullivan County to permit the qualified voters of the county to indicate their will relative to a new form of county government, however, this act was not ratified by Sullivan County and therefore never took effect.
30. Private Acts of 1980, Chapter 198, provided for the creation of a Metropolitan Government Charter Commission in Sullivan County subject to the outcome of a referendum vote in November, 1980. There would be 18 members of the Commission four from the city of Kingsport, four from the City of Bristol, and from Bluff City, and nine from Sullivan County.
31. Private Acts of 1995, Chapter 104, would have created a consolidated government charter commission for Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.